

*April 2008*

**CEDAW  
AND  
ACCOUNTABILITY TO  
GENDER EQUALITY  
IN NIGERIA**

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**A Shadow Report**

**Compiled by the Nigeria NGO Coalition on CEDAW Report for  
the forty first (41st) Session of the Committee on the Elimination  
of All Forms of Discrimination Against Women**

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**Women Aid Collective (WACOL)  
for Nigeria NGO COALITION on CEDAW Report**



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# TABLE OF CONTENTS

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List of Acronyms	vi
Acknowledgements	viii
Foreword	ix

## PART I INTRODUCTION

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Introduction	1
Purpose and Objective for Shadow Report	2
Methodology/Consultation Process	2
Outcomes	4
Concerns / Questions Raised	5
Recommendations	6

## Part II CONSIDERATION OF CEDAW ARTICLES AND GOVERNMENT ACCOUNTABILITY TO GENDER EQUALITY

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<b>Introduction</b>	8
<b>Response to Previous Concluding Remarks</b>	9
<b>Article 1: Definition of Discrimination Against Women</b>	19
<b>Article 2: Obligation of States to Eliminate Discrimination, and Implement Principles of Equality between Men and Women.</b>	21
<b>Article 3: Measures for Ensuring the Full Advancement of Women</b>	25
<b>Article 4: Special Measures to Accelerate Equality between Men and Women</b>	28
<b>Article 5: Gender Roles and Stereotypes</b>	30
<b>Article 6: Trafficking in Women and Exploitation for Prostitution</b>	32

<b>Article 7: Women in Political &amp; Public Life</b>	35
<b>Article 8: Representation at the International Level</b>	39
<b>Article 9: Women and Nationality</b>	40
<b>Article 10: Education</b>	42
<b>Article 11: Employment</b>	47
<b>Article 12: Equality in Access to Health Care</b>	50
<b>Article 13: Social and Economic Rights</b>	54
<b>Article 14: Women in Rural Areas</b>	57
<b>Article 15: Equality Before the Law</b>	59
<b>Article 16: Equality in Marriage and Family</b>	62
<b>Article 18: Country Reports</b>	65
<b>Article 24: Adoption of National Measures</b>	66

PART III  
KEY ISSUES

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<b>Role of non State Actors in the Implementation of CEDAW</b>	68
<b>Women and Environment/Climate change</b>	73
<b>Case Laws on Women’s Rights</b>	77

PART IV  
CONCLUSIONS AND RECOMMENDATIONS

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<b>General Conclusions and Recommendations</b>	80
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References	83
Appendices	88
– <i>A</i> : Participating Organizations	88
– <i>B</i> : Table: Women Elected in the 2007 National Election	92
– <i>C</i> : Table of Cases	95
– <i>D</i> : Consultation Schedule	96
About WACOL	97

# LIST OF ACRONYMS

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AC	Action Congress
AD	Alliance for Democracy
AIDS	Acquired Immune Deficiency Syndrome
ANPP	All Nigeria Peoples Party
AWEG	African Women Empowerment Guild
CBOs	Community Based Organizations
CC	Criminal Code
CEDAW	Convention on the Elimination of All Forms of Violence Against Women
CEEDS	Community Economic & Empowerment Development Strategy
CSOs	Civil Society Organizations
CWO	Catholic Women Organization
CITAD	Centre for Information Technology & Development
CEIO	Community Empowerment Initiative Organization
CFRN	Constitution of the Federal Republic of Nigeria (1999)
CPD	Community Partners for Development
COWAN	Country Women Association of Nigeria
ECCD	Early Child Care Development
ECOWAS	Economic Community of West African States
EU	European Union
FCT	Federal Capital Territory
FGM	Female Genital Mutilation
FGN	Federal Government of Nigeria
FIDA	International Federation of Women Lawyers
FOMWAN	Federation of Muslim Women Association of Nigeria
FMOH	Federal Ministry of Health
FRN	Federal Republic of Nigeria
FMWA	Federal Ministry of Women Affairs
GADA	Gender and Development Action
GAT	Gender Awareness Trust
GEPaDC	Gender Equality, Peace and Development Centre
GPI	Girls Power Initiative
GHARF	Global Health Awareness Research Foundation
HBF	Heinrich Boll Foundation
HIV	Human Immune Deficiency Virus
HTPs	Harmful Traditional Practices
ICT	Information & Communication Technology
INEC	Independent National Electoral Commission
INGOs	International Non-Governmental Organisations
INTER-GENDER	Inter-Gender Development Centre
JDPC	Justice Development & Peace Commission

KEBETKACHE	Women Development & Resource Centre
LEEDS	Local Government Economic & Empowerment Development Strategy
MDGs	Millennium Development Goals
NBA	Nigerian Bar Association
NCAA	National Coalition on Affirmative Action
NAWOJ	National Association of Women Journalists
NCWS	National Council of Women Societies
NGOs	Non Governmental Organizations
NGP	National Gender Policy
NCWS	National Council of Women Society
NEEDS	National Economic & Empowerment Development Strategy
NGOs	Non-Governmental Organisations
NHIS	National Health Insurance Scheme
NHRC	National Human Rights Commission
NLC	Nigerian Labour Congress
NPC	National Planning Commission
NSF	National Strategy Framework
ORT	Oral Rehydration Therapy
PC	Penal Code
PDP	Peoples Democratic Party
PMTCT	Prevention of Mother to Child Transmission
PPA	Progressive Peoples Alliance
PPP	Public/ Private Partnership
SEEDS	State Economic & Empowerment Development Strategy
STIs	Sexually Transmitted Infections
SWAAN	Society for Women and AIDS in Africa
UBE	Universal Basic Education
UBEC	Universal Basic Education Commission
UN	United Nations
U.K	United Kingdom
UNICEF	United Nations Children's' Emergency Fund
UNESCO	United Nations Education Scientific and Cultural Organisation
UNIFEM	United Nations Development Fund for Women
VAW	Violence Against Women
VVF	Vesico Vaginal Fistula
WACOL	Women Aid Collective
WARD C	Women Advocates Research and Documentation Centre
WCD	World Commission on Dams
WEI	Women Empowerment Initiative
WEP	Women Environmental Programme
WHO	World Health Organisation

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Our special appreciation goes to the Zonal Coordinating organizations for facilitating the process at zonal and state levels: FCT-WRAPPA/FIDA, North Central- Inter-Gender, North East- GEPaDC, North West, AHIP/FOMWAN, South East- FIDA/GHARF, South –South-CPD, South West-WARDC, Port Harcourt- WACOL, Rivers, Owerri-WACOL, Imo State.

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**THANK YOU ALL- Joy Ngozi Ezeilo, OON , Executive Director, WomenAid Collective (WACOL)-the Facilitator and National Coordinator of this NGO Coalition initiative on CEDAW Shadow report.**

# FOREWORD

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The Convention on Elimination of All Forms of Discrimination Against Women (CEDAW: 1979), otherwise known as the Women's Convention is seen as a landmark Convention in the promotion and protection of women's human rights worldwide.

The Nigerian government is a State Party to this important Convention (Ratified in 1985) that prescribes the measures to be taken to ensure that women are able to enjoy the rights to which they are entitled under the Convention.

State Parties have the obligation to make a report to the Committee on CEDAW charged with supervision and monitoring of the implementation of the convention standards. Since ratification, Nigeria has made an initial report required immediately after one-year ratification, the appropriate subsequent reports; the 2<sup>nd</sup> and 3<sup>rd</sup> reports and the 4<sup>th</sup> and 5<sup>th</sup> reports which were combined. This current report is then the 6<sup>th</sup> that it has submitted to the Committee on CEDAW through the Federal Ministry of Women Affairs and Social Development. The government action in keeping up with its reporting obligation under CEDAW is commendable and also presents actors in gender equality and women advancement opportunity to raise numerous issues of concerns to women and girls' human rights in Nigeria. Experience has shown that governments including Nigeria frequently do not present the complete picture of the situation of human rights of women, hence the need for an alternative or shadow report. This report is the result of the collaborative efforts of about 150 non- governmental organizations (NGOs) widely consulted through the national, zonal workshops and State levels workshops and meetings.

WACOL for the second time facilitated this Nigerian NGO coalition shadow CEDAW report writing to critically assess the government's report and raise important issues for dialogue between the Committee on CEDAW and the Nigerian government. This report is intended to constructively engage with the Nigerian government's report and in order to improve women's rights in Nigeria. We commend the efforts of government, in this most recent CEDAW report to incorporate some contributions from civil society, which has served to counteract the narrowness of earlier reports.

Although, obstacles exist that constrain implementation of CEDAW, the ultimate goal of this Shadow report is to ensure that government strengthens the mechanisms for effective implementation. That the effects and benefits of CEDAW should become evident in the national policy and practices of Nigeria government.

Joy Ezeilo, April, 2008

# INTRODUCTION

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The Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) was adopted by the United Nations in General Assembly in 1979 and it came into force in 1981. Nigeria Government ratified CEDAW in 1985 without any reservation whatsoever. The United Nations Division for the Advancement of Women (DAW) has rightly described CEDAW as ‘a Bill of Rights for women’ due to its front runner status in bringing the female half of humanity into the focus of human rights concerns. Consisting of a preamble and thirty articles it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination. The Convention provides the basis for realizing equality between men and women through ensuring women’s access to equal opportunities in all spheres of life- Political, Economic, Social, and Cultural.

CEDAW is yet to be domesticated in Nigeria, more than 27 years after its ratification. This is due to so many other inter-related factors including lack of political will, politics and power play, perceived conflicts between the spirit and letter of CEDAW with cultural and religious norms and other ingrained inequalities between the sexes reflected in the patriarchy which marks everyday life in Nigeria. The promise of equality which CEDAW holds for Nigerian women thus remains unfulfilled. The lot of women, in Nigeria, is worsening and the equality gaps are widening.

Nigeria as a State Party to the United Nation’s Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and in fulfilment of its obligation under *Article 18* submitted its 4<sup>th</sup> and 5<sup>th</sup> country Periodic Report (covering the period 1994 – 2002) outlining progress recorded on the implementation of the Convention. The report was considered at the Committee’s 638<sup>th</sup> and 639<sup>th</sup> meetings in its 30<sup>th</sup> Session held in New York from the 12<sup>th</sup> -30<sup>th</sup> January 2004.

WACOL in 2003 with support from both the Swedish NGO Foundation for Human rights and the Open Society Initiative for West Africa (OSIWA) during the consideration of Nigeria’s state party report prepared a shadow report in collaboration with about sixty organizations across the country. That report was used in advocacy to the CEDAW Committee and served as a basis for the committee’s engagement with the Nigeria delegation in New York in February 2004.

WACOL with financial support from Heinrich Böll Foundation (HBF), Lagos has been involved in facilitating for the second time a process for and with partners and gender focused organizations towards documenting government’s accountability to gender equality as stipulated in CEDAW provisions with a view to constructively engaging with government and other non state actors towards implementation of CEDAW. This report is the outcome of this examination of Nigeria’s sixth Country Periodic Report and will

provide yet another opportunity for assessing success and failure with regard to government commitments to implementation of CEDAW, MDG and the Beijing Platform of Action.

## PURPOSE AND OBJECTIVES

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- To produce an alternative/shadow report on CEDAW and Government Accountability to gender equality that will be used for constructive engagement of the UN Committee on CEDAW during June /July 2008 presentation of Nigeria's State Party report.
- To facilitate involvement of gender specific organizations and gender activists participation in developing the NGO CEDAW report;
- To organize a national and regional stakeholders forum to make inputs and validate the alternative/shadow report;
- To use the CEDAW Accountability report to engage and influence policy makers in Nigeria;
- To share and disseminate the report with stakeholders and all actors concerned with advancing gender equality and women's empowerment.

## METHODOLOGY/ CONSULTATIVE PROCESS

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The process of consultation was national, zonal and local in dimension to ensure that all voices were heard [See *Appendix D* for the full consultation schedule]. The Abuja National workshop was the main residential writing workshop with wide participation from all the 36 States of the federation and lasted for full three days. Sixty two people representing over fifty organizations (at least one gender focus organizations per state of the federation including FCT) took part in the workshop. The major outcome was the production of the draft report and nomination of coordinating organizations to coordinate similar meetings at Zonal levels and on behalf of the CEDAW Nigeria NGO Committee.

Six step-down zonal workshops were held at the following zones to enhance NGO participation:

- The Federal Capital Territory
- The North Central Zone
- The North West Zone held at Kaduna
- The North East Zone held at Borno
- The South West Zone held at Lagos
- The South East at Enugu, and
- South South at Uyo

Two further workshops were held at Portharcourt and Owerri to take care of NGO's from the Niger-Delta area who could not attend at the South South Forum in Uyo and NGO's

in Imo and Abia States, who could not attend at also the South East Zonal Workshop. A total of eleven workshops/meetings were organized throughout the country.

Questionnaires were also distributed to ensure that those who could not participate directly had the opportunity to participate and contribute their views on; the status of CEDAW Implementation in Nigeria, what constitute issues of critical concerns to Nigerian women and how best to advance the gender equality agenda as non-state actors.

The project engaged experts to develop working paper series in eight major thematic areas. This formed a think piece and background information both for the stakeholders consultative workshops, the report writing stage, and the peer review meeting. The Working Paper series were prepared by nine experts as follows:

- Justice C.C. Nweze , Court of Appeal, Constitutional & Legal Framework for Accountability by State Party under CEDAW ;
- Dr. Folasade Ayorinde, The Gender Dimension of Macro Economic Reforms in Nigeria ;
- Prof. Olurotimi Fakeye (UNIILORIN, Teaching Hospital, O& G), Gender Factors in Health Systems Reforms in Nigeria;
- Mrs. Oby Nwankwo, Women in Power & Decision Making Linking CEDAW Implementation on the Political Affirmative Action to Beijing Platform for Action & MDGs Goal 3;
- Ms. Felicia Onibon, Gender Factors in Education in Nigeria;
- Mrs. Victoria Nwogu, Institutional Mechanisms for Accountability and the New Gender Policy for Nigeria 2007;
- Abiola Akiyode –Afolabi, Role of Non State Actors in Implementation of CEDAW ;
- Barr. Ugochi Chukwumah, Environment & Gender Issues in particular Climate Change & Women; and
- Ms. Stella Amadi, Gender Responsive Budgeting as an Accountability Mechanism

Ten members of the Peer Review Committee were selected at the National Workshop in Abuja to collate the zonal reports and integrate inputs in the draft report. They met on the 3<sup>rd</sup> and 4<sup>th</sup> of April and reviewed the product of both the Abuja National Workshop and the Zonal workshops and collated these into the final format of the report. The report produced can truly be said to be representational and participatory.

The report reveals the under-representation of women in Nigeria across all sectors and the consequent exclusion of women from key decision-making and policy formulation processes. Furthermore, it highlights how, women's participation and contributions at all levels and in all sectors is largely undervalued and constrained, as a result of patriarchal norms, attitudes and beliefs.

## GENERAL OUTCOMES

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The consultation revealed how women's access to essential services, resources and opportunities for personal and collective development is limited in Nigeria. Weak legal and policy instruments reinforce gender inequalities and the violation of women's human rights. These gender disparities can be observed across the following 8 key areas:

### **Gender Role and Stereotypes**

Gender inequalities and stereotypes exist in all spheres of the Nigerian polity, preventing women from developing and exercising their full human capabilities.

### **Education**

Female access to education in Nigeria remains lower than male access as is clearly demonstrated in the statistics. The Primary school enrolment statistics for 2005, show that 55.9% of enrolments were boys and only 44.1% were girls. In secondary schools the breakdown is boys 55.45% and girls 44.55%. At the level of tertiary institutions only 39.70% of graduates from Universities are female and the percentage of female Polytechnic graduates is lower still at 37.54%. The school dropout rate also remains consistently higher for females than males. Literacy rate for adult men is 57% while for adult women, it is 43%. Secondary school completion rate for girls is 44%, while that of boys is 75%

### **Health**

Full achievement of the global targets for reduction in maternal and child mortality are hampered by early marriage, teenage pregnancy, lack of access to formal education, harmful cultural practices, poverty, illiteracy, and lack of health personnel and infrastructures particularly in rural areas. With an estimated 54,000 maternal deaths annually, Nigeria has the 2<sup>nd</sup> highest maternal mortality rate in the world – with a maternal mortality rate of approximately 800 maternal deaths per 100,000 births. Although, HIV prevalence is reported to have declined steadily from 5.8% in 2001 to 5% in 2003 and 4.4 % in 2005, women still bear the brunt of the epidemic accounting for over 58% of people living with HIV/AIDS in Nigeria. Young women are 3-4 times more likely to contract HIV than their male counterparts. The Nigerian woman, also, bears the burden of care for people living with HIV/AIDS in addition to livelihood challenges amidst growing feminization of poverty and systemic gender discrimination. Furthermore, the stigma attached to the disease makes obtaining services more difficult for women.

### **Discrimination and human rights violations**

Socio-cultural, economic, political, legal and religious impediments to the promotion and protection of women's rights still persist in Nigeria. The failure to domesticate CEDAW remains a major obstacle to the full achievement and enjoyment of rights by enshrined in CEDAW by Nigerian women. Harmful traditional and cultural practices such as FGM, widowhood rites and disinheritance still persist. National surveys reveal high incidences of gender-based violence and studies show that women and girls are more likely to be victims of trafficking than boys and men.

### **Poverty**

Gender inequalities play a key role in the persistent poverty levels of women in Nigeria. Statistics show that the incidence of poverty using the rate of US \$1 per day increased from 28.1 percent in 1980 to 46.3 percent in 1985 and declined to 42.7 percent in 1992 but increased again to 65.6 percent in 1996. The incidence increased to 69.2 percent in 1997. The 2004 report by the National Planning Commission indicates that poverty has decreased to 54.4 percent. Nigeria fares very poorly in all development indices. The average annual percentage growth of GDP in Nigeria from 1990 -2000 was 2.4. This is very poor. Poverty in Nigeria is in the midst of plenty. Although there has been steady economic growth in the last few years, the benefits have not been evenly distributed amongst men and women.

### **Political Participation**

Women continue to face severe obstacles to their effective participation in politics, public life and decision making. The last general elections of 2007 revealed a 6% representation of women across all levels of elected offices; a gross under representation when compared to the population size of women in Nigeria as 50% of the Nigerian population as a whole- that is nearly 70 Million women by the latest 2006 Census report. The situation could have been improved with the existence of a clear legal framework for women's political participation in accordance with the object and purpose of Articles 4, 7 and 8 of CEDAW provisions.

### **Environment and Climate Change**

The extent of the survival of women and their enjoyment of guaranteed rights are impeded by environmental and climatic changes. And given the impact of environmental changes on women especially in the Niger Delta region of Nigeria, we have included this aspect in the report for consideration and action.

### **Non State Actors**

In recognition that government is not the only violator of human rights of women, even though, it is their primary responsibility as state party to promote, protect, respect, enforce and ensure fulfilment of rights and obligations under CEDAW, the role of non state actors can no longer be ignored. The activities of non state actors contribute both negatively and positively to the implementation of CEDAW.

## **CONCERNS / QUESTIONS RAISED ABOUT NIGERIAN GOVERNMENT RESPONSE TO THE UN-CEDAW COMMITTEE**

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The participants raised the following questions after a thorough examination of the Nigerian government response to the concluding comments of the UNCEDAW Committee on the 4<sup>th</sup> and 5<sup>th</sup> Country Report, included in the 6<sup>th</sup> Country Periodic Report.

- What is preventing the country from domesticating CEDAW or incorporating its provisions into national and state laws?
- What is the government doing to bridge the gender gap in education and the work place?
- What is the level of women's participation in planning, implementation and monitoring of budget processes at different levels of government in Nigeria?
- Is gender sufficiently mainstreamed in the macro-economic frameworks such as NEEDS/SEEDS and LEEDS?
- In terms of financing for gender equality what is the percentage of national and state budget resources allocated to the Women Ministries?
- To what extent has the problem of internal trafficking been addressed?
- To what extent have other forms of sexual exploitation other than prostitution like sexual harassment, rape, pornography been addressed?
- To what extent have the problems of political violence and monetization of politics that deter women from seeking election and from coming out to vote are being addressed?
- What measures are in place to provide access to justice and remedy for female victims of violence/harmful traditional and religious practices?
- What is being done to tackle rampant sexual harassment/exploitation of young girls in the private sector for personal and organizational gain?
- What steps are being taken to integrate life cycle approach to the overall health care of women?
- How far is health care (especially for pregnant & rural women) accessible and affordable, particularly to low income women?

These questions give a feel of the key concerns of the NGOs with regards to the implementation of CEDAW in Nigeria. The table that follows gives fuller details of these constructive criticisms leveled at the Nigerian Governments response to the CEDAW committee.

## RECOMMENDATIONS

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Given the outcomes of this consultation and the concerns raised about the position of women in Nigeria, this report makes the following 11 key recommendations for immediate action:

1. Immediate moves towards domestication of CEDAW in Nigeria;
2. Urgent action to reduce maternal and child mortality in Nigeria;
3. Institutionalization of gender through gender mainstreaming strategies in all the federal ministries and at all levels of governance;
4. Increase in the budget allocation to the Federal Ministry of Women Affairs to effectively finance its gender equality programmes;
5. Streamline the legal framework for the Federal Ministry of Women Affairs to empower it in carrying out its functions of advancing gender equality in Nigeria;
6. Reposition and strengthen the capacities of the state Ministries of Women Affairs to be able to address gender issues;
7. Strengthen the constitutional and legal framework for the effective implementation of rights of women in Nigeria;
8. Develop a strategic framework with result indicators for bench marking implementation of the recently adopted National Gender Policy;
9. Adoption of Affirmative Action as recommended in Article 4 of CEDAW to increase women's visibility in both elective and appointive positions;
10. Implement programmes that will target eradication of poverty especially of rural women;
11. Adopt as a matter of urgency legislation to ensure elimination of violence against women and girls including effective recourse to gender justice.

This report would not have been possible without the under listed organizations who actively participated in the workshops and processes, which WACOL merely coordinated as a facilitator. Therefore, ownership is jointly and severally shared with all of these organizations. [Please see *Appendix A* for a full list of participating organisations]

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# Part II

## CONSIDERATION OF CEDAW ARTICLES AND GOVERNMENT ACCOUNTABILITY TO GENDER EQUALITY

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This section considers each article of the CEDAW in turn under the following headings:

1. Overview of the Situation/Problem Statement
2. Legal and Policy Framework
3. Gaps and Challenges
4. Recommendations

This systematic consideration of the articles is preceded by a summary of Nigerian NGOs comments and reactions to the Nigerian Governments response to the CEDAW committee contained in its 6<sup>th</sup> periodic country report.

We have also identified two key areas that have not been put in proper perspective in the past, but which affect women and the enjoyment of their fundamental rights. These areas are:

- i. Women and Environment/Climate change**
- ii. Role of non State Actors in the Implementation of CEDAW**

Issues arising from these areas are addressed after the consideration of the listed Articles of CEDAW.

## DETAILED SUMMARY OF NGO'S REACTIONS TO NIGERIAN GOVERNMENT RESPONSE TO THE UNCEDAW COMMITTEE

The Nigerian Government in her report responded to the UN CEDAW Committee's concluding comments on her 4<sup>th</sup> and 5<sup>th</sup> Periodic Report. In the following table a third column as been affixed. This column both comments on the said response, and offers a better reflection of the status of women and the implementation of CEDAW in Nigeria.

<b>PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (4<sup>TH</sup> &amp; 5<sup>TH</sup> Country Report)</b>	<b>TITLE RESPONSIVE MITIGATION EFFORT (6<sup>th</sup> Country Report)</b>	<b>NGO COMMENT ON THE RESPONSIVE MITIGATION EFFORT</b>
Domesticate Convention and clarify its primacy over domestic laws including its justicability and enforcement.	Process for domestication of convention on course Primacy of CEDAW established in certain land mark cases	Process of domestication has been truncated by the National Parliament and needs to be reactivated and fast-tracked process.
Complete domestication process and make Convention integral part of justice and legal administration system.	As in above, process near conclusion	In very few cases, courts have been guided by the provisions of CEDAW. As in above.
Continued existence of discriminatory provisions in Constitution regarding nationality and employment of women; slow pace of legislative reforms to eliminate discriminatory practices.	Emergence of a productive collaboration between Government and women and human rights NGOs in the area of strategic litigation within the provisions of the 1999 Constitution of the Federal Republic of Nigeria and the principles of the provisions of CEDAW.	Legal Aid should cover more areas outside criminal matters.

<b>PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (4<sup>TH</sup> &amp; 5<sup>TH</sup> Country Report)</b>	<b>TITLE RESPONSIVE MITIGATION EFFORT (6<sup>th</sup> Country Report)</b>	<b>NGO COMMENT ON THE RESPONSIVE MITIGATION EFFORT</b>
<p>Set priorities with concrete timetables for amendment of Constitution by Federal and State legislatures; Intensify collaborations with parliamentarians, CSOs and other stakeholders to <u>realize de facto equality for women.</u></p>	<p>Formulation of a gender policy as a tool for mainstreaming gender is one of the concrete strategies Nigeria is employing to achieve the MDGs which by extension encompass the principles of CEDAW. Consequently, a high level of understanding of the concept of gender has emerged and there is significant mobilization for its mainstreaming in policy frameworks and institutional mechanisms to guarantee the achievement and monitoring of gender equality.</p>	
<p>Existence of three-pronged legal system resulting in lack of compliance with obligations under CEDAW.</p>	<p>Findings of survey on contradictions in legal system published and available for reference and wide use</p>	<p>The multi-layered and complex legal system continue to pose a major challenge to women's rights as the status of a Nigerian woman vary according to the legal system applicable to her or that she is subjected. Only a national or federal legislation can protect all Nigerian women/girls.</p>
<p>repetition ( see 19, 22, 21) Prevalence of violence against women and sexual harassment at workplaces; 2002 proposed bill on violence against women yet to be passed.</p>	<p>Bill passed in some states of the federation, awaiting passage at the federal level</p>	<p>Only one state has passed the law on violence against women. This is a very negligible ratio. There is currently no comprehensive bill on Violence against Women before the National Assembly.</p>

<b>PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (4<sup>TH</sup> &amp; 5<sup>TH</sup> Country Report)</b>	<b>TITLE RESPONSIVE MITIGATION EFFORT (6<sup>th</sup> Country Report)</b>	<b>NGO COMMENT ON THE RESPONSIVE MITIGATION EFFORT</b>
<p>Recognize violence against women as violation of women's human rights under the Convention and speed up measures to address it; Access to protection, shelter and other services and effective redress for all women victims of violence and sexual harassment; Gender sensitization training for public officers; Increase public awareness through the media and other education programmes to make such violence socially and morally unacceptable.</p>	<p>Several campaigns on violence against women and girls launched at both federal and state levels, Bill under consideration. Several categories of legal officers, law enforcement and judicial officers trained on women's rights protection and gender issues.</p>	<p>Most of the trainings including running of shelter and support services have been by NGO's without support by the government. We are looking rather at institutionalization of the process. <b>Section 55 of the Penal Code which allows a man to chastise his wife is still in force and that itself is institutionalization of violence against women.</b></p>
<p>Continued acceptance of harmful traditional practices such as widowhood practices, FGM, Child and forced marriages despite prohibitions in legislations.</p>	<p>Nationwide advocacy visits by Minister of Women Affairs to enjoin Governors, Traditional Rulers and other Public Officers to support implementation of legislations on HTPs and Child Abuse.</p>	<p>There is no federal legislation on FGM; widowhood practices or on child marriage ... There is now efforts through NGO and NHRC collaboration to create or formulate policy on sexual harassment.</p>

<b>PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (4<sup>TH</sup> &amp; 5<sup>TH</sup> Country Report)</b>	<b>TITLE RESPONSIVE MITIGATION EFFORT (6<sup>th</sup> Country Report)</b>	<b>NGO COMMENT ON THE RESPONSIVE MITIGATION EFFORT</b>
<p>Ensure full compliance with the Child Rights Act 2003 which set the statutory minimum age of marriage at 18 years in all parts of the country. Stop all forms of apathy of law enforcement agencies with regards to implementing existing legislation to eliminate harmful traditional practices; Intensify efforts at development and implementation of a national action plan with public awareness-raising campaign to eliminate such practices. Undertake such efforts in alliance with CSOs, Women NGOs, traditional and religious leaders and other stakeholders to create enabling environment for accelerated elimination of such practices in compliance with the Convention.</p>	<p>Increased awareness is on. Nigerian Police has set up human rights desk in all police stations of the federation.</p>	<p>Age of marriage – we do not have a nationally accepted age of marriage and the child rights Act is just for the FCT Abuja and does not apply to other states. The state laws are applicable to the states that have passed it. Attempt in some states to pass this law has failed on the ground of marriageable age. If all girls can remain in school, they will get up to marriageable age. The Child Rights Act is a limited law, applying only to the FCT. The Child Rights Act specifically makes it applicable only to those states that expressly adopt it.  The Human Rights Desk at the police station exists in a few states. Where they exist, they are not effective.</p>

<b>PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (4<sup>TH</sup> &amp; 5<sup>TH</sup> Country Report)</b>	<b>TITLE RESPONSIVE MITIGATION EFFORT (6<sup>th</sup> Country Report)</b>	<b>NGO COMMENT ON THE RESPONSIVE MITIGATION EFFORT</b>
<p>Prevalence of trafficking in women and the exploitation of the prostitution of women. Transmission of STIs and HIV/AIDS exacerbated by sexual exploitation.</p>	<p>Key agencies in place with recorded success to deal with trafficking.</p>	<p>There is no mention of sexual exploitation in other forms. There is still increase in the trafficking of women. The focus is limited only to prostitution. There is prevalence of trafficking in women and other forms of sexual exploitation and abuse. This will potentially cause an increase in HIV/AIDS. Other areas that are not covered by the law exist: internal trafficking for economic exploitation, and abuse sexual or otherwise of domestic workers.</p>
<p>Ensure full implementation of Trafficking in persons (Prohibition) Law Enforcement and Administration Act, 2003 and develop comprehensive strategy to combat trafficking in persons, including prosecution and punishment of offenders, counseling and rehabilitation of victims, capacity building for those involved in combating trafficking. Intensify international, regional and bilateral cooperation with other countries of origin, transit and destination for trafficked persons; <u>Introduce measures to improve economic situation of women to eliminate their vulnerability to traffickers.</u></p>	<p>Introduction of NEEDS (replicated at other levels as SEEDS, LEEDS &amp; FEEDS) with the policy thrust to significantly improve the quality of life of Nigerians and also create social safety nets for vulnerable groups, particularly women and youth.</p>	<p>All these are in place but they are not gender mainstreamed and women still constitute the poor of the country. The NAPTIP Act is not well utilized; the ratio of prosecution is poor. Further, the prosecuted cases do not have much desired positive impact on reintegration and rehabilitation of victims/survivors of trafficking.. There is no strategic framework/structure towards rehabilitation of trafficked persons. There is extreme poverty in the country, and women are more affected. Hence easily vulnerable to trafficking in search of work for their survival and that of their families.</p>

<b>PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (4<sup>TH</sup> &amp; 5<sup>TH</sup> Country Report)</b>	<b>TITLE RESPONSIVE MITIGATION EFFORT (6<sup>th</sup> Country Report)</b>	<b>NGO COMMENT ON THE RESPONSIVE MITIGATION EFFORT</b>
<p>Continuing high rates of illiteracy of women and girls especially in rural areas and the decline in the quality of education.</p>	<p>New initiatives such as school feeding programme and improved sanitation among others launched to increase enrolment. Number of years for basic education increased to nine years.</p>	<p>The school meal programme is limited to selected pilots and not nation-wide. It is not a national programme and does not have a sustainable strategy. Not surprisingly it did not expand beyond the pilots and in selected few states that tried it out.</p> <p>No targeted programme on women. Women have not benefited from the adult literacy programme because their needs have not been taken care of, eg. - a woman who has livelihood challenges, domestic and economic realities would not be interested in adult education with inappropriate timings and unmindful of their daily chores.</p>

<b>PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (4<sup>TH</sup> &amp; 5<sup>TH</sup> Country Report)</b>	<b>TITLE RESPONSIVE MITIGATION EFFORT (6<sup>th</sup> Country Report)</b>	<b>NGO COMMENT ON THE RESPONSIVE MITIGATION EFFORT</b>
<p>Ensure full implementation of UBE Policy launched in 1999, and the educational objectives contained in the National Policy on Women, including the support of the international community; Prioritize action in the field of girl's and women's education including sensitizations on the importance of education as a fundamental human right and the basis for women's empowerment; Targeted measures with concrete timeframe be taken, in accordance with general recommendation 25 on temporary special measures, in order to increase literacy level of girls and women, especially in rural areas to ensure equal access of girls and young women to all levels of education, to prevent girls from dropping out of school, especially due to early pregnancy, and to overcome traditional attitudes that constitute obstacles to girls' education; Ensure availability of schools to all, especially girls, to create further incentive for parents to send girls to school and to increase recruitment of qualified women teachers at all levels of education.</p> <p>Persistence of discriminatory legislation, administrative provisions and practices in the labour market; Women's higher unemployment rates, persistent wage gap in the private and public sectors and the lack of adequate social protection for women in the private sector.</p>	<p>Implementation mechanisms reinvigorated and expanded to all states of the federation.</p> <p>Intensive awareness campaign on the importance of girl-child education ongoing across the country</p>	<p>Successful girl's education initiatives are pilot projects and donor funded, therefore sustainability plan is questionable.</p> <p>UBEC did not prepare for the explosion in transition from primary to junior secondary schools. Arising from this, many boys and girls have not been absorbed due to lack of space-particularly in urban schools in some states in Nigeria</p>
<p></p>	<p>Nigerian Labour Congress has adopted a gender policy which is designed to guide and engender women's participation in the labour market</p> <p>Land mark entry of women into leadership positions in the private sector has been recorded</p>	<p>Although we have recorded a few women in top hierarchy, the percentage is still very low.</p> <p>There is still discrimination in taxes, and hence in remuneration. Women are not permitted to include family members when calculating benefits; in the private sector, there is still sexual harassment and women are still made to use their sexuality to attract investment mainly in the private sector.</p>

<b>PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (4<sup>TH</sup> &amp; 5<sup>TH</sup> Country Report)</b>	<b>TITLE RESPONSIVE MITIGATION EFFORT (6<sup>th</sup> Country Report)</b>	<b>NGO COMMENT ON THE RESPONSIVE MITIGATION EFFORT</b>
<p>Ensure equal opportunities for women and men in the labour market, use temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25.</p> <p>The precarious situation of women's health, insufficient and inadequate health-care facilities and services. The high rates of maternal mortality resulting from unsafe abortions. Physical and mental health injury of women and girls resulting from persistence of harmful traditional practices.</p>	<p>Federal Government has adopted measures for enhancement of appointment of women into public sector employment.</p> <p>All tertiary health care facilities in the country renovated and equipped with modern health care equipment. Budget for the year 2006 makes provision for the rehabilitation of primary health care centers across the country.</p>	<p>Affirmative action is not being operated. There is no equal opportunity (Law) in employment. We need an equal opportunity law because the federal character policy does not take gender into contemplation.</p> <p>Health care is still inaccessible and unaffordable for women; maternal mortality is still high. Poorly performed abortions are known to contribute to Nigeria's high maternal mortality rate, which is estimated to be 800 per 100,000 live births. Quality Health care is still inaccessible and unaffordable, particularly to rural women... Social security for health care not available.</p>
<p>Allocate adequate resources to improve women's health, especially with regards to maternal and infant mortality. Increase women's and girl's access to affordable health-care services, including reproductive health care, and increase access to affordable means of family planning for all. Assess the impact of abortion laws on women's health. Introduce holistic and life-cycle approach to women's health, taking into account general recommendation 24 on women and health.</p>	<p>Many states now offer free ante natal care services to women including emergency care in some cases. Increased access to post abortion care services in the country</p>	<p>The free ante natal care is not national in character. There should be available free EOC emergency obstetrics care as well, since, that is one of the major causes of maternal mortality in Nigeria.</p> <p>Ante natal is not actually free, as states still charge user fee. Post abortion and post partum care services are presently lacking.</p>

<b>PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (4<sup>TH</sup> &amp; 5<sup>TH</sup> Country Report)</b>	<b>TITLE RESPONSIVE MITIGATION EFFORT (6<sup>th</sup> Country Report)</b>	<b>NGO COMMENT ON THE RESPONSIVE MITIGATION EFFORT</b>
<p>Low number of women in politics, leadership and decision making positions. Persistence of stereotypical and patriarchal attitudes, which view men as natural leaders and might preclude women from seeking positions of leadership.</p>	<p>Affirmative action measures have been acknowledged as a justifiable step to redress the glaring inequalities that are embedded in Nigeria's socio-cultural setting. This was recommended by the NPRC 2005.</p>	<p>Affirmative action measures have not been adopted officially/legally by political parties, leadership, in Nigeria. Women groups and the Federal Ministry of Women Affairs are still advocating for this to happen.</p>
<p>Take measures to increase the number of women in decision-making positions at all levels and in all areas, considering general recommendation 23 on women in political and public life. Use temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, to promote women to positions of leadership, including diplomatic services. Increase availability of training programmes to women and enhance awareness-raising campaigns to underline the importance of women's participation in decision-making at all levels.</p>	<p>Wide ranging gender sensitive recommendations submitted to National Political Reform Conference. Some of the recommendations are currently being implemented by some agencies e.g. The Federal Character Commission. Gender Affirmative Action Group formed</p>	<p>Women are still underrepresented at decision making at all levels, and there is no law backing the gender policy. The NPRC was just a national conference convoked by former government of President Obasanjo that came out with recommendations without legal backing. The recommendations were not implemented.</p>
<p>Lack of monitoring, evaluation and data disaggregated by sex on results of impact of existing interventions, laws and policies aimed at empowering women.</p>	<p>Increased availability of gender disaggregated data due to reform of key statistically outfits e.g. National Bureau of Statistics</p>	<p>Availability of gender disaggregated data is still very low.</p>
<p>Include in the next report statistical data and analysis disaggregated by sex on the impact of policies aimed at gender equality and the implementation of CEDAW.</p>	<p>Updated data provided in current report where available</p>	

<b>PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (4<sup>TH</sup> &amp; 5<sup>TH</sup> Country Report)</b>	<b>TITLE RESPONSIVE MITIGATION EFFORT (6<sup>th</sup> Country Report)</b>	<b>NGO COMMENT ON THE RESPONSIVE MITIGATION EFFORT</b>
<p>Ratify the optional protocol to the Convention and accept without delay the amendments to article 20, paragraph 1, of the Convention on the meeting time of the Committee.</p> <p>Respond to the concerns expressed in the present concluding comments in the next periodic report, due in 2006, under article 18 of the Convention.</p> <p>Include information on the implementation of aspects of relevant articles of the Convention in the next periodic report.</p> <p>Create awareness by ensuring extensive dissemination of the present concluding comments especially among government administrators, politicians and other Nigerians on steps taken so far and future steps required to ensure de jure and de facto equality for women. Continue to disseminate widely, especially to women's and human rights organizations, the Convention and its optional protocol, the committee's general recommendations, the Beijing Declaration and Platform for Action and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace in the twenty-first century".</p>	<p>Nigeria has ratified one international instrument, the Optional Protocol to CEDAW (2004), signed and ratified two regional instruments, the African Union Protocol on the Rights of Women in Africa and the Solemn declaration of Gender Equality in Africa.</p> <p>Initial response forwarded in 2004 and new developments included in current report</p> <p>Current report includes current information on progress made with implementation process.</p> <p>Concluding report widely circulated among key decision makers.</p>	<p>None of the ratified instruments is domesticated, thus, they lack national effectiveness.</p>

## ARTICLE 1:

### DEFINITION OF DISCRIMINATION AGAINST WOMEN

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#### 1.1 OVERVIEW OF THE SITUATION/ PROBLEM STATEMENT

The Nigerian constitution deals with discrimination based on sex in general as one of the prohibited grounds for which discrimination is prohibited. The definition of discrimination contained in Section 42(1) (a) (b), (2) and (3) of 1999 Constitution of Federal Republic of Nigeria (CFRN) is, however, very narrow. While under the CEDAW, the term “*discrimination against women*” means:

***“ any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.*”**

Despite its prohibition of discrimination on grounds of sex the Nigerian Constitution is embedded in the patriarchal system which produced it. This is quite evident in the language which it utilizes, as well as many of its provisions:

Section 26 of the Constitution discriminates out rightly against women in the area of residency rights. It gives Nigeria men the right to acquire citizenship for their foreign wives by registration. Nigerian women, however, cannot legally extend the same right to their foreign husbands.

Section 29(4) (b) which provides that “any woman who is married shall be deemed to be of full age” is equally discriminatory and encourages child marriages.

Section 42 of the constitution which guarantees freedom from discrimination contains a proviso which indirectly permits discrimination. Under section 42(3), it is provided that nothing in subsection (1) of the section

***“shall invalidate any law by reason only that the law imposes restrictions with respect to the appointment of any person to any office under the State or as a member of the armed forces of the Federation or a member of the Nigeria Police force or to an office in the service of a body corporate established directly by any law in force in Nigeria”.***

This implies that there can be a valid law or policy restraining the appointment of “any” person e.g. a woman, to any office in the State or armed forces or even an incorporated company. This provision can be used to justify discrimination against a woman by an appointing authority. The absence of definition of discrimination against women denies advocates legal backing on issues relating to discrimination especially on private matters and violations caused by non-state actors.

Section 12 of the Constitution restricts implementation of international treaties signed by Nigeria except the treaty has been “***enacted into law by the National Assembly***” The implication of this is that though CEDAW is signed and ratified by Nigeria, it has not

been transformed into a domestic law capable of enforcement. If CEDAW had been domesticated, its provisions would have made up for the lapses in the Constitution e.g. the absence of a definition of discrimination against women or an equal protection/opportunity clause.

The non-justiciability of Chapter II of the Constitution has rendered its noble objectives, particularly Sections 15, 17, and 18 on equality, worthless.

## 1.2 LEGAL AND POLICY FRAMEWORK:

- The National Gender Policy 2006 allows for the general protection of men and women. It allows for the protection of women against maltreatment, discrimination, obnoxious cultural practices and for equality in the socio-economic sphere.
- Nigeria has ratified some other international instruments which deal with women and gender issues, such as the Additional Protocol to The African Charter on Human and People's Rights on the Rights of Women in Africa 2003 and The African Union Solemn Declaration on Gender Equality 2004

### 1.2.1 Constitutional Obligations

- The Constitution<sup>1</sup> of Nigeria confers equality on all citizens of Nigeria irrespective of ethnic group, place of origin, sex, religion or political opinion. However, it does not define discrimination against women in accordance with the provisions of the CEDAW.
- The State is obligated under Chapter II of the 1999 Nigerian Constitution, on the Fundamental Objectives and Directive Principles of State Policy, to ensure the effective realization of the social, economic, cultural, environmental rights and the participation of all citizens in national development. However, it is unenforceable by virtue of the restrictions inherent in Section 6 (6) (c) of the same constitution. Section 6 (6) (c) states:

*The judicial powers vested in accordance with the foregoing provisions of this section shall not ... extend to any issue or question as to whether any act or omission by any authority or person or as to whether any law or any judicial decision in conformity with the Fundamental Objectives and Directive Principles of State Policy set out in Chapter II of this constitution ...*

#### Key Questions

Does any legal instrument have a Nigerian definition of discrimination?

What efforts are being made to eliminate de jure and de facto discrimination?

## 1.3 GAPS AND CHALLENGES

Despite the provision of section 42 that prohibits discrimination on grounds of sex, women are still discriminated in many spheres of life in Nigeria due to patriarchy and cultural practices. There is a huge gap between formal guarantee of equality of sexes as

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<sup>1</sup> Constitution of the Federal Republic of Nigeria (1999)

reflected in the Constitution and the realization of rights in practice. Stereotyped gender roles which reinforce discrimination in law and in practice are still prevalent. This includes the dichotomy of public and private spheres and the restriction of women's roles to the domestic sphere. This results in the denial of voice for women even in the making of laws which affect them.

#### **1.4 RECOMMENDATIONS**

- Domestication of CEDAW and other international instruments that Nigeria has ratified.
- Advocacy and lobbying of members of the National Assembly in order to domesticate all necessary international obligations.
- A legislative definition of discrimination in Nigeria, in line with the CEDAW definition
- A re-orientation of the citizenry to remove gender roles and stereotyping
- Abolition of all obnoxious customary and religious practices affecting women and girls.
- The National Gender Policy should be enacted into law to provide a legal framework for gender mainstreaming in the national development plans and strategies.
- There should be an equal opportunity law to amend Section 14(3) on Federal Character provision and make gender one of the indices
- Amendment of the Constitution to make Chapter II on Fundamental Objectives and Directive Principles of State Policy, legally justiciable.

#### **ARTICLE 2:**

#### **OBLIGATION OF THE STATES TO ELIMINATE DISCRIMINATION AGAINST WOMEN, TO IMPLEMENT PRINCIPLES OF EQUALITY BETWEEN MEN AND WOMEN**

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*States Parties condemn discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women and, to this end, undertake:*

- (a) To embody the principle of the equality of men and women in their national constitutions or other appropriate legislation if not yet incorporated therein and to ensure, through law and other appropriate means, the practical realization of this principle;*
- (b) To adopt appropriate legislative and other measures, including sanctions where appropriate, prohibiting all discrimination against women;*
- (c) To establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public*

*institutions the effective protection of women against any act of discrimination;*

*(d) To refrain from engaging in any act or practice of discrimination against women and to ensure that public authorities and institutions shall act in conformity with this obligation;*

*(e) To take all appropriate measures to eliminate discrimination against women by any person, organization or enterprise;*

*(f) To take all appropriate measures, including legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women;*

*(g) To repeal all national penal provisions which constitute discrimination against women.*

## **2.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT**

Nigerian laws that are discriminatory are still being enforced without any attempt by the Federal Government towards repeal or amendment.

- There is no organized system that provides mechanism which addresses the problem of legal aid for women at government level or support efforts of NGOs in bridging the gap and providing access to justice to thousands of women and girls.
- The Sharia Penal Code is still practiced in over thirteen Northern States in Nigeria. It has been misunderstood to mean same thing with culture and tradition. Consequently Sharia is seen to be an obstacle to women's rights. The provisions still include discriminatory stoning to death and flogging for committing fornication and adultery. This poses a lot of threat to women's rights as seen in the case of Saffiya Tugartudu and Amina Lawal<sup>2</sup>.
- Rule of evidence under Sharia are particularly weighted against the women. The evidence of a woman is half of a man in Islamic jurisprudence.
- Section 55 of the Penal Code, which operates in Northern Nigeria, allows a man to beat his wife in "so far as it does not constitute grievous harm". This section is not only discriminatory, but also encourages violence against women.
- The Police Regulation 127's requirement that a female police officer desirous of marrying must first apply in writing to the commissioner requesting permission to marry and giving the name, address and occupation of the person she intends to marry, is discriminatory as it is not also applied to male officers.

### Key Questions

What is preventing the country from domesticating CEDAW?

What efforts are being made at removing the discriminatory provisions in the constitution and national laws?

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<sup>2</sup> Sharia and Women's Rights in Nigeria: Strategies for Action; A publication of Women Aid Collective (WACOL) and Womens's Advocates Research and Documentation Center (WARD C)

- Section 124 of the Nigeria Police Force Act discriminates against the woman by requiring that an unmarried police officer who becomes pregnant shall be discharged from the force, and shall not be re-enlisted except with the approval of the Inspector General”
- Policies in banks and other private corporations, in Nigeria also discriminate against women.
- The Marriage Act<sup>s</sup> requirement of mother’s consent only when the father of the child is dead or of unsound mind or out of the country is discriminatory.
- Marital rape is as yet unknown in the Nigerian criminal justice system.

## **2.2 LEGAL AND POLICY FRAMEWORK**

Apart from the general provision of Section 42 which prohibits discrimination on grounds sex amongst others, there are very few anti-discriminatory laws at the national level.

### **2.2.1 Policy**

Below are a list of national policies and efforts relating to the protection of the rights of women. These policies exist, but are not being implemented.

- The 2000 Millennium Development Goals (MDGs) especially Goal 3 specifically recognizes the need for gender equity in development
- National Gender Policy, 2006 replaced the National Policy on Women, 2000.
- National Gender Policy and Strategy for the Acceleration of Girls’ Education in Nigeria 2003
- National Policy on Reproductive Health
- National Strategic Framework on HIV/AIDS (NSF)
- National Strategic Framework and Plan for Vesico-vaginal Fistula (VVF) Eradication in Nigeria
- National Guidelines and Strategies for Malaria Prevention Control During Pregnancy 2005
- National Reproductive Health and Strategic Framework and Plan
- National Policy on women trafficking.

### **2.2.2 State Laws**

Some state laws (within the federation of Nigeria) now exist to address specific issues of concern for women such as FGM, Early Marriage, Drop out of School by girls for purposes of Marriage, Maternal Mortality, Reproductive health services, trafficking, and other forms of violence. Additionally 18 out of the 36 states of Nigeria have passed the Child's Rights Act in their states. While commending these laudable efforts at state levels it should be clearly noted that none of these recent legislative developments targets

elimination of discrimination and promotion of equal opportunity and access to women and girls in all spheres of life.

### **2.3 GAPS AND CHALLENGES**

- Existing impediments in socio-cultural, economic, political, and religious spheres still constitute stumbling blocks to the promotion and protection of women's rights.
- The state laws are limited to the states where they are in operation. Hence there is need for nationwide national laws on many of these issues.

### **2.4 RECOMMENDATIONS**

- Education and public enlightenment on the contents of the convention through simplification and translation into local languages.
- Involvement of religious and traditional leaders in an open discussion to clarify all misconceptions and allay all their fears in relation to the convention and how it affects the culture and religion of their people.
- Partnership with and support from government especially the Ministry of Women's Affairs to NGOs, CBOs to strategically advocate for the domestication and monitor the implementation of CEDAW in Nigeria.
- Additional anti-discrimination legislation that will entrench the principle of equality and expand constitutional provisions to create equal opportunities for both sexes. This legislation should ensure legal action can be taken against discrimination and create institutions and procedures for claiming equal rights.
- There should be general review of our laws. All laws that are discriminatory should be amended.
- Statistics and other data on the discriminatory policies and practices, and their negative impacts on women should be generated and disseminated in order to support advocacy and positive mind shifts.
- A free legal aid mechanism should be provided to assist women whose rights have been violated, in addition to the traditional legal aid for criminal cases particularly homicide provided by the Legal Aid Council.
- Sensitization campaign should be carried out to clear the misconceptions about CEDAW
- Capacity development trainings and retreats should be organized for law makers and other stakeholders on the importance of domesticating CEDAW

## ARTICLE 3: MEASURES FOR ENSURING THE FULL ADVANCEMENT OF WOMEN

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*States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.*

### 3.1.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT

Though efforts have been made to give more women political appointments, the ratio of women to men is still insignificant. Socially, women are still regarded as inferior and denied equal treatment in the family, religious bodies and in political associations. Women still constitute the poorest group in the society.

Some women have been given chieftaincy titles but that does not allow them to be part of decision making or ascend to the position of becoming a traditional ruler in their constituencies/localities.

Apart from the National Gender Policy on women, all the other policies on women have very little input from women who are routinely absent from their formulation. Government has not taken adequate measures to ensure participation of women in issues affecting them. Women bear most of the economic burdens of the family; they are therefore more susceptible to effects of climate change, as it affects their economic power.

#### Key Questions

What is the level of women's participation in planning, implementation and monitoring of budget processes at different levels of government in Nigeria?

What is the level of implementation of existing laws and policies on violence against women and the girl-child, and discrimination against

## 3.2 LEGAL AND POLICY FRAMEWORK

### 3.2.1 National Laws

Chapter IV of the Nigerian Constitution on Fundamental Rights is addressed to both men and women, and does not specifically seek to advance gender parity.

### 3.3 GAPS AND CHALLENGES

- There is no faithful implementation of the established policy framework hence there is a wide gap between policy prescription and practice.
- Resources are not budgeted towards accomplishing goals and objectives even where policies are made on specific issues.
- There is low awareness of state laws that seek to protect the rights of women.
- The budgetary allocation to the Women Ministries for successive years has been low; accordingly they cannot meet the expectations women have of them. These constraints have made the women ministries redundant and distant from their primary constituency.

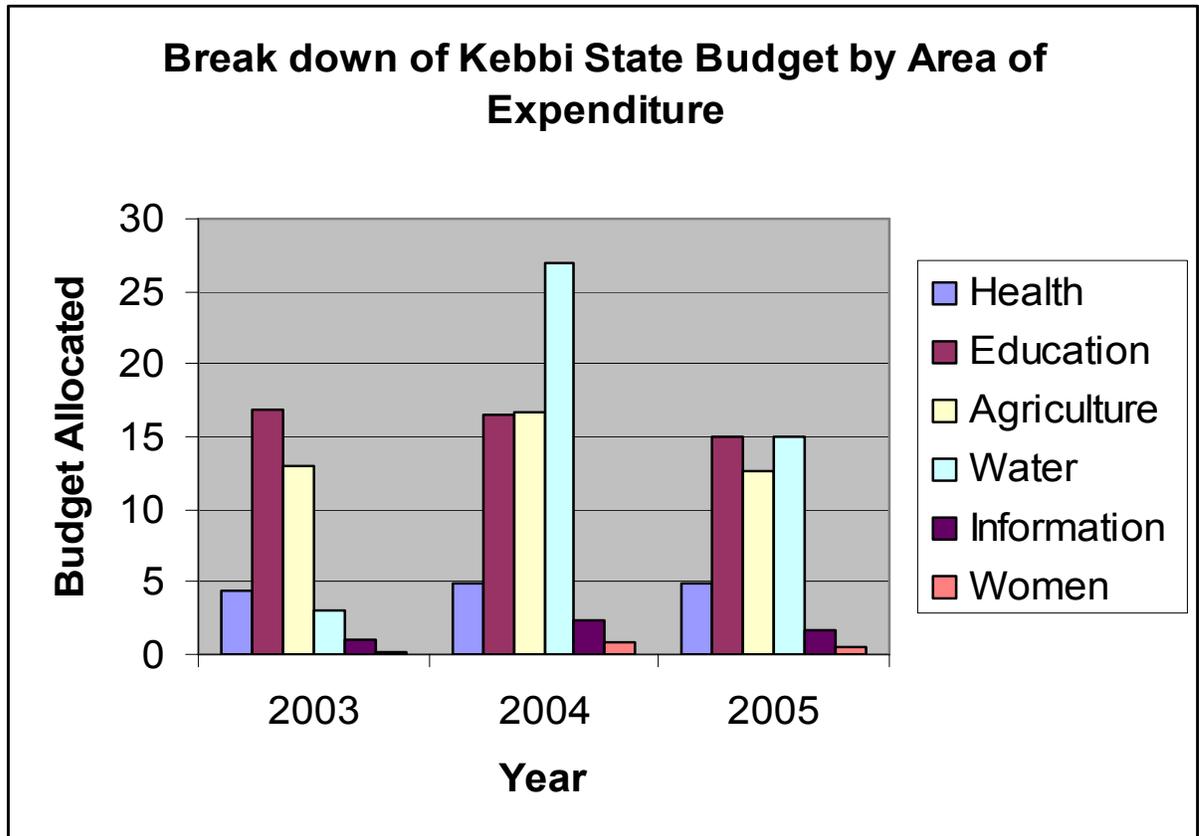
Key Questions

What is the percentage of the resource allocation towards women's health issues?

Has gender been effectively mainstreamed into NEEDS, SEEDS, and LEEDS?

#### Breakdown of Kebbi State budget for years 2003 to 2005.

		% SHARE TO THE CAPITAL BUDGET		
S/N	SECTOR	2003	2004	2005
1	Health	4.45	4.83	4.81
2	Education	16.87	16.58	15.08
3	Agriculture	13.05	16.66	12.69
4	Water	3.03	27.01	14.97
5	Information	0.97	2.34	1.71
6	Women	0.11	0.8	0.58
	<b>TOTAL</b>	<b>38.48</b>	<b>68.22</b>	<b>49.84</b>



*Source: CAPP Budgeting in Nigeria: The Missing Links (2004) P. 1*

### 3.4 RECOMMENDATIONS

- There should be an increase in allocation of budget and proper dissemination of information to the women in rural areas to be more educated on issues of national interest.
- Gender Budget tracking mechanism should be in place, including, proper monitoring and evaluation in all government sectors.
- Government should take positive efforts towards passing the Bill on Violence against Women into law; and the domestication of CEDAW.
- Mechanisms to evaluate and monitor the implementation of the different policies should be put in place with active participation of all relevant stakeholders
- The Beijing Platform of Action, +5, +10, Affirmative Action provisions should be implemented
- Gender should be mainstreamed in all government and non-governmental establishment to ensure collation of gender disaggregated data that will inform national planning and engender budget and resource allocation that will make a difference in women's lives.

- Abolition of obnoxious cultural practices
- Massive public enlightenment on the need for girl-child education and shunning of the practice of early marriage.

## ARTICLE 4:

### TEMPORARY SPECIAL MEASURE TO ACCELERATE EQUALITY BETWEEN MEN AND WOMEN

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*1. Adoption by States Parties of temporary special measures aimed at accelerating de facto equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved.*

*2. Adoption by States Parties of special measures, including those measures contained in the present Convention, aimed at protecting maternity shall not be considered discriminatory.*

#### 4.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT

Gender inequality pervades Nigerian society at all levels. The government has not instituted any special measures to improve the situation of women in Nigeria. For instance, there are no targeted measures to prevent girls from dropping out of school, or to overcome traditional attitudes that constitute obstacles to girls' education.

More than 80% of Nigerians still live below the poverty line and women constitute a sizable portion of this. Women are still denied the right to inherit property in many parts of the country.

With an estimated 54,000 maternal deaths annually, Nigeria has the 2<sup>nd</sup> highest maternal mortality rate in the world at 800 – 1600 per 100,000 live births. Additionally many women die as a result of unsafe abortions and HIV/AIDS, which has a high prevalence among women. Yet, most health facilities are non functional and drugs are not readily available. Have we not reached a crises point deserving of drastic government measures?

#### Key Questions

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What ways have women benefited from the debt relief?

What mechanisms have government put in place to ensure that women are enlightened and that they benefit?

Have women and groups of women, benefited from these debt relief funds?

## 4.2 LEGAL AND POLICY FRAMEWORK

The Constitution of the Federal Republic of Nigeria prohibits discrimination against any citizen of Nigeria on the grounds of ethnicity, place of origin, sex, religion, political opinion and circumstances of birth<sup>3</sup>. This provision is commendable but there have been unsuccessful moves by the women's movement in Nigeria for its amendment to include gender as one of the grounds.

The Fundamental Objectives and Directive Principles of State Policies in the 1999 Constitution of the Federal Republic of Nigeria (CFRN) provide that it shall be the duty and responsibilities of all organs of government to direct its policies towards ensuring that there are equal and adequate opportunities for all irrespective of sex, to access employment, education, governance, and to harness resources and health facilities.<sup>4</sup> However, these provisions in chapter II though laudable, are not mandatory obligations on the government.

The National Gender Policy adopted in 2006 incorporates the principles of CEDAW and other global and regional frameworks that support gender equality and women empowerment in the country's laws, legislative processes, judicial and administrative systems.

Two out of 36 states have passed Gender and Equal Opportunities Laws (Imo and Anambra 2006). The laws also incorporate and enforce certain aspects of CEDAW. They provide for the adoption of temporary special measures aimed at accelerating de facto equality between men and women, such measures shall not be considered discrimination.<sup>5</sup>

## 4.3 GAPS AND CHALLENGES

The National gender Policy on Affirmative Action is yet to be operationalized and translated into action.

- Policy statements by Ministries of Women Affairs in Nigeria are difficult to implement as a result of the failure to legislate on Affirmative Action or adopt a legal framework for gender mainstreaming.
- Lack of gender disaggregated data is a major constraint to the achievement of equality of women and men before the law, depriving gender actors' evidence to argue for affirmative action and gender specific concessions and interventions as a strategy for attaining gender equality. There is need to have useful data on the prevalence and pattern of violence against women and discriminatory practices in the various parts of the country.
- The political climate is still not gender friendly. Women are not able to compete favourably with men, thus making it difficult to accelerate equality in political participation and governance in general.

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<sup>3</sup> Section 42.

<sup>4</sup> Chapter 11 Section 17.

<sup>5</sup> Section 9(a) of the Anambra State law 2006.

#### 4.4 RECOMMENDATIONS

- Chapter II of the Nigerian Constitution on fundamental objectives and directive principles of state policy should be amended and made justiciable.
- Affirmative action principles should be integrated into the national constitution, state laws and constitutions of Political parties.
- The Constitution should be amended to include affirmative action by providing in Section 15 (2) that women represent at least 40 percent of all levels of governance and programming.
- The capacity of Ministries of Women Affairs, CSOs, and legislators to carry out advocacy on Affirmative Action should be further developed.
- The National Assembly particularly the committee on women affairs and MDGs as well as relevant development partners should work together to draw up an action plan to implement appropriate Affirmative Action measures.
- All Harmful Traditional Practices (HTP) should be outlawed.
- An Equal Opportunities Commission should be created to replace the Federal Character Commission so that besides geography and ethnicity, gender and disability are reflected in the criteria for operating the federal character principle/policy.
- Government should expand opportunities for ‘second chance’ education to girls and women
- The judiciary should be more active by applying the repugnancy test when confronted with discriminatory customs and practices.

#### ARTICLE 5: GENDER ROLES AND STEREOTYPES

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*States Parties shall take all appropriate measures:*

- (a) To modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of prejudices and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women;*
- (b) To ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children, it being understood that the interest of the children is the primordial consideration in all cases.*

## 5.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT

The problem of gender roles and stereotyping continues to exist in the socio-economic life of women in Nigeria. This has affected their involvement in decision making process limiting them to stereotyped careers and professions. The gender roles and stereotypes we still experience are based on the cultural and religious beliefs that affect decisions that men and women make on issues that affect women. Women are still relegated to careers that are regarded “feminine”, thus not enabling them to explore their natural potentials. Nigeria is a typical patriarchal society and gender stereotypes are both pervasive and strongly held.

The maternal function of women is not being appreciated; hence there is no payment for pre and post maternal care for working mothers. Most companies do not cover it in their healthcare scheme even though they cover prostrate for men. Some private establishments still terminate the employment of female employees on account of pregnancy or make it a condition for employment that the women will not get pregnant.

Despite the high maternal mortality rate, nothing is visibly being done by government to tackle the problem.

## 5.2 LEGAL AND POLICY FRAMEWORK

The National Gender Policy 2006 allows for the general protection of men and women. It allows for the protection of women against maltreatment, discrimination, obnoxious cultural practices and for equality in the socio-economic sphere.

### 5.2.1 Constitutional Obligations

- The State is obligated under chapter IV of the 1999 Constitution to guarantee, promote and protect every citizen’s civil and political rights as fundamental rights.
- The State is obligated under Chapter II of the 1999 Nigerian Constitution to ensure the effective realisation of the social, economic, cultural, environmental rights and the participation of all citizens in national development.
- Section 34 provides for the respect of the dignity of the human person. These sections apply to women and men alike, although chapter II is non- justiciable rights.

### 5.2.3 National Laws

- Domestication of the African Charter on Human and Peoples’ Rights Act CAP (9) LFN 2004.
- National Agency for the Prohibition of Trafficking in Persons (NAPTIP) Act 2003 amended in 2005.

### Key Questions

What efforts are being put into reviewing existing educational materials to remove gender stereotypes; and to incorporate gender responsive information/material, such as maternal health and family life education?

To what extent have laws and policies on careers and policies been reviewed to give equal opportunities to men and women?

In what ways have we broken barriers of social patriarchal nature of society to involve women in decision making processes at all levels?

### **5.3 GAPS AND CHALLENGES**

The State laws passed which complement the provisions of CEDAW emanate from Southern part of the country and may prove more difficult to enact in some states of Northern Nigeria, where Sharia laws are applicable. There is therefore a dearth of national laws to protect women and girls from violence and discrimination emanating from gender roles and stereotype.

Other challenges include:

- Culture and religious practices
- Ignorance and illiteracy
- Lack of proper interpretation of religious texts
- Lack of awareness and enforcement of the existing laws
- Slow response to change

### **5.4 RECOMMENDATIONS**

- Increased advocacy/sensitisation to traditional rulers, religious leaders, community leaders, women/men groups, policy makers and other stakeholders. The message will be the need to abolish those harmful traditional and cultural practices that are impediments to national and individual development of women.
- Regular dialogue at the local, state and national level on issues of gender stereotyping and cultural practices.
- Review of school curriculum to remove the continued teaching of stereotypes about gender relations.
- That it becomes a statutory requirement for employers to include in their health scheme, payment of pre and post-natal medical bills.
- It should be made a crime to terminate the employment a woman on grounds of pregnancy. Equally all agreements to the effect that a woman will not get pregnant while in employment should be void and of no effect.

## **ARTICLE 6:**

### **TRAFFICKING IN WOMEN AND EXPLOITATION FOR PROSTITUTION**

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*States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.*

#### **6.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT**

In Nigeria, poverty, socio- cultural values and an absence of a social support system or safety net encourage trafficking of people - particularly women. Traffickers send often vulnerable individuals to other countries to work under unfavorable conditions. The victims of this trade get involved in these schemes as a bid to earn money and social respect.

The legal measures against trafficking of women and children for the purpose of prostitution and/or other sexual exploitations and other criminal activities are limited. Over the years, traffickers have devised different means of trafficking women and children, some of which ostensibly seem ‘above board’ including getting parental consent, legal travel papers and using different commercial carriers.

In line with CEDAW Article 6, which states that state parties should take all appropriate measures including legislation to suppress all forms of trafficking in women and children, Nigeria, currently has an office of the Special Assistant to the President on human trafficking and child labour which complements the National Agency for Prohibition of Traffic in Persons (NAPTIP).

In addition, Nigeria has a cooperative agreement with Italy, UK and Netherlands to protect trafficked women and girls against violation of their human rights through indiscriminate deportation.

## 6.2 LEGAL AND POLICY FRAMEWORK

The relevant legal frameworks pertaining to trafficking in Nigeria are as follows:

- NAPTIP: the law prohibiting the trafficking of persons enacted in 2003 and amended in 2005. This law also criminalizes parents, herbalists and commercial carriers involve trafficking in persons especially women and children.
- The Prohibition law incorporated some of the provisions of the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children*, (The PALERMO Protocol) signed in Italy in 2000.
- Child Rights Act (2003) - through which the UN Convention on the Rights of the Child had been domesticated.

In addition to these the Edo State Criminal Code Amendment in 2000 criminalized parents and herbalists involvement in trafficking of women and children, but this legislation obviously only covers this particular state.

## 6.3 GAPS AND CHALLENGES

The menace of trafficking in women and children both within and outside the country is on the increase. All the factors that influence trafficking in women are feminized, showing women’s vulnerability in a highly patriarchal society:

- The increasing poverty and low standard of living of people living in the rural areas make them vulnerable to trafficking as victims, both for external and internal trafficking;

### Key Questions

To what extent has the problem of internal trafficking been addressed?

To what extent have other forms of sexual exploitation other than prostitution (sexual harassment, rape, pornography) been addressed?

How far has the NAPTIP Act been complied with, in respect to rehabilitation, integration, restoration of victims into society?

- The continuing subordination of women as reflected in economic, political, educational, and work disparities fuels trafficking, by limiting other options available to women.
- Many families still favour sons to girls
- Demand for commercial sex (sex tourism) and cheap labour: if there is no demand, there would be no supply, and
- Inadequacy of laws and law enforcement in most origin, transit, and destination countries hampers efforts to fight trafficking.
- Inadequate awareness of victims' rights under the law to seek redress at the law courts gives room for offenders to escape conviction.
- NAPTIP is the only agency addressing human trafficking issues which includes prevention of human trafficking, protection of persons and prosecution of offenders. The law is weak in the area of protection and rehabilitation of trafficked persons, especially from the human rights perspective.
- Insufficient monitoring of NAPTIP implementation..
- Lack of resources to rehabilitate and reintegrate traumatized and exploited trafficked persons - The challenges of poverty and absence of communal structure for the re-integration of victims socially, educationally and financially, leaves them susceptible to being re-trafficked

#### **6.4 RECOMMENDATIONS**

- There should be punitive measures against people travelling with children without appropriate documentation.
- The Ministry of Internal Affairs should ensure strict adherence to the guidelines for the issuance of travelling passports. In addition, there should be a centralized data base to ensure accurate information on travelers.
- Security personnel including immigration and police at the borders should be adequately equipped and trained to ensure control of cross border movement and easy tracking of trafficked persons.
- NAPTIP should continue to collaborate with other agencies like Immigration, Police, NPC, and Customs to generate a national database that will control cross border movement.
- The laws should be tightened and victim-friendly, e.g victims could be allowed to give evidence against offenders on camera.
- The government should create a suitable communal structures for proper re-integration of trafficked persons into the society.
- Public awareness programmes on the prohibition laws should be increased amongst the populace and particularly the police, immigration, customs and civil society organizations.
- As preventative action against the social conditions that lead to trafficking. Government through the implementation of NEEDS, SEEDS, LEEDS, CEEDS,

- 7-point Agenda and Vision 2020 should address poverty. Funding for education (UBE) and secondary education should be increased.
- State level and local governments should establish special desks / lines in the ministries of women affairs where complaints on internal trafficking can be made.
  - Promotion of cooperation among international community is vital to combating human trafficking particularly international trafficking.

## ARTICLE 7:

### WOMEN IN POLITICAL AND PUBLIC LIFE

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*States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:*

- (a) To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;*
- (b) To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;*
- (c) To participate in non-governmental organizations and associations concerned with the public and political life of the country.*

#### **7.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT**

The gender roles and stereo-types which predominate in Nigeria militate against the full participation of women in political and public life. The place of women is seen to reside in the domestic sphere. They are also often in a poorer position than their male counterparts both financially and educationally which also functions to exclude them from contesting for political positions or taking other leadership roles.

A negligible number of women are members of political parties in Nigeria. Very few occupy executive positions in political parties and no pro-active measures are being undertaken to increase women's participation in the political arena. Although, parties like the People's Democratic Party (PDP) and the Alliance for Democracy (AD) have waived payment fees for nomination forms to female aspirants, they often demand other payments that are unaffordable for women.

In the just concluded PDP National Convention held on the 8<sup>th</sup> of March 2008, only five women made it onto the list of the party national executive committee out of 41 posts representing 12.19%. None was elected into any substantive post.

Only very few women contest for elective positions. Their level of involvement has, however, improved from mere voting and belonging to women's wing of political parties where they act as dancers or mobilisers. Women are now more frequently involved in constructive participation in politics. It remains very difficult for women to successfully stand for elective positions, and their representation at all levels of politics and especially

at the national level is woefully low. The table below shows the regrettably low numbers of women elected in the last 3 general elections.

**Number and percentage of female candidates who successfully contested in the 1999, 2003 and 2007 General Elections**

S/N	Position	No of Available Seats	1999		2003		2007	
			No of women Elected	% of Total	No of women Elected	% of Total	No of Women Elected	% of Total
1.	Presidency	1	0	0%	0	0%	0	0%
2.	Senate	109	3	2.75%	4	3.7%	8	7.33%
3.	House of Representatives	360	12	3.33%	21	5.83%	23	6.38%
4.	Governorship	36	0	0%	0	0%	0	0%
5.	Deputy Governorship	36	0	-0%	2	5.55%	6	16.6%
6.	State Houses of Assembly	990	12	1.21%	38	3.84%	52	5.25%

*[Please see Appendix B for a full list of female politicians who were successfully elected at the state and national level]*

Women are also vulnerable to come up against rival male candidates who can draw on political networks and utilize underhand tactics to undermine and even threaten their female opponents. Many female candidates in the 2007 elections reported that they were either schemed out by their male counterparts or openly threatened to step aside.

“Indigene-ship” also works to hamper women’s electoral bids, for politicians are hindered if they go for a position without being an indigene of the state in which they are contesting. As woman’s state ‘of origin’ changes on marriage and the high value given to indigene-ship means that women are rarely considered for political position unless they are married and also come from the same state as their husband. The above position worsens the case of a foreign woman married to a Nigerian who may never be appointed into any noteworthy political office, because she can never be considered a true ‘indigene’ of any state.

A similar scenario can be seen in the domain of political appointments where women have frequently had to contend with tokenism. It is also common to find the few women in appointive positions occupying junior ministerial positions or heading Ministries dealing with issues traditionally seen the women’s realm such as the Ministries of Women Affairs and Social Welfare. These ministries themselves tend to often be

marginalized and under funded. The tables below show how women are marginalised in appointed positions in the civil service and in ministries.

### Percentage of Women & Men in Federal Civil Service

	% of Women	% of Men
<b>2001</b>	28.5	71.5
<b>2002</b>	28.7	71.3
<b>2003</b>	30.7	69.3
<b>2004</b>	29.5	70.5

*Source: NBS, NISH, 2004*

### Percentage of Women & Men in selected Federal Ministries

	% of Men	% of Women
<b>Presidency</b>	69.9	30.1
<b>Defence</b>	60.3	39.7
<b>Justice</b>	81.3	18.7
<b>Labour</b>	61.7	38.3
<b>Power</b>	68.5	31.5
<b>Women</b>	59.4	40.6
<b>Works</b>	72.1	27.9

*Source: Civil Service Commission*

The marginalisation of women in politics and the public sphere is very detrimental. For, politics provides a vital channel through which women can affect laws, policies and practices of their communities and this why it is important that government ensures that women are there.

## 7.2 LEGAL AND POLICY FRAMEWORK

Section 77 (2) of the constitution of the Federal Republic of Nigeria confers upon all citizens equal rights to belong to political parties, to be entitled to be registered, to vote and be voted for, during elections and form or belong to any political party.

## 7.3 GAPS AND CHALLENGES

- In 2003 and 2007, political space in Nigeria was liberalized and this has created more opportunities for the participation of women in politics. Disappointingly the last election did not produce a significant number of women in elected posts. The improvement of the position of women in politics in Nigeria has thus been marginal and significant progress remains to be made.
- Political Party programmes and manifestos are yet to articulate women issues.

- The unfavourable political terrain characterized by thuggery, monetization of politics and entrenched patriarchal attitudes have discouraged many women from participating in politics
- Concept of ‘godfatherism’ and male centred politics implicitly excludes women from politics.
- The low financial status of women also hinders their ability to contest for political positions and to influence policy.
- Cultural practices inhibit women’s participation

#### **7.4 RECOMMENDATIONS**

- The government should institute a quota system in appointments and elective positions. Quota systems adopted by many countries including African countries, have motivated political parties to actively recruit women to fulfil the quota. This has enabled women to overcome the issue of tokenism and as they become part of a “critical mass” and are thus able to act as a centre of power to influence change.
- While commending the government for adopting the national Gender Policy that provides for a minimum 35% of representation of women at all levels of political participation, it has become imperative to back this up legislatively. We recommend therefore that the 35% representation should be integrated into the appropriate provision in the constitution or instituted via other specific legislation.
- Gender mainstreaming must become mandatory in all government, political party and private sector policies in Nigeria.
- Political parties should be compelled to address the problem of violence within the parties, as this constitutes a hindrance to women’s participation in politics and generally distorts the political terrain.
- Political parties should be required to waive all nomination fees payable by female candidates. Measures should be taken to ensure that these fees are not reintroduced in another guise by party officials.
- Ensure that all appointments conform to the National Policy on Women, which stipulates that at least 35% of all positions should be reserved for women.
- Political Parties working in collaboration with the Federal and States Ministries of Women Affairs should establish a trust fund for women political aspirants as part of the affirmative action measures.
- Independent National Electoral Commission (INEC) is obviously overburdened and cannot effectively monitor campaign finances for parties and candidates, this responsibility should be given to another institution.
- The electoral law should be re-examined and reformed where appropriate, to take gender issues into account. The same representational levels of women demanded in political parties and in government should also apply to the electoral institutions.

- A woman should have a choice in residency/state of domicile for the purposes of elections – rather than having to battle with the indigene-ship issue.

## ARTICLE 8:

### REPRESENTATION AT THE INTERNATIONAL LEVEL

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*States Parties shall take all appropriate measures to ensure to women, on equal terms with men and without any discrimination, the opportunity to represent their Governments at the international level and to participate in the work of international organizations.*

#### 8.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT

Only two Nigerian women are occupying Nigeria’s quota on international bodies. These are the President of Economic Community of West African States (ECOWAS) and the Court of Justice and Secretary-General of ECOWAS Parliament.

Out of 593 career diplomats in the Foreign Service, 63 (10.6%) are female, and only 7 (8.04%) out of the 87 Ambassadors are women. These female Ambassadors are made up of 2 career and 5 non-career. In spite of policy measures and advocacy on women’s equal participation in public life, gains in the Foreign Service have remained minimal since the last report.

#### 8.2 LEGAL AND POLICY FRAMEWORK

There are no legal backings or policy regulating the representation or participation of women in the international arena.

#### 8.3 GAPS AND CHALLENGES

- Lack of gender mainstreaming in government ministries, departments and agencies.
- Lack of constitutional and legal framework for affirmative action.
- Lack of implementation of gender policy and monitoring mechanism.

#### Key Questions

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What is being done by government and international bodies to ensure adequate representation of women at the international level?

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#### 8.4 RECOMMENDATIONS

- It should be ensured that all appointments to international positions conform to the National Gender Policy, which stipulates that at least 35% of all positions should be reserved for women.
- The provisions of the UN Convention on Elimination of all forms of Discrimination against Women should be implemented.

- Women’s concerns and perspectives in all policies and programmes should be mainstreamed.
- Scholarship schemes at the secondary and tertiary levels should be developed to expand educational opportunities, specialized training and careers guidance for female students.
- Conscious efforts should be made to recruit women into Foreign Affairs and Inter-governmental Agencies.
- International Conventions on gender equality participation should be domesticated

## ARTICLE 9: WOMEN AND NATIONALITY

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*1. States Parties shall grant women equal rights with men to acquire, change or retain their nationality. They shall ensure in particular that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless or force upon her the nationality of the husband.*

*2. States Parties shall grant women equal rights with men with respect to the nationality of their children.*

### 9.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT

Section 42 of the Constitution guarantees the right of citizens to freedom from discrimination. Women, however, married or not, do not have equal rights with men to acquire, change or retain their nationality. Section 26 (2)(a) of the 1999 constitution provides that a male Nigerian can confer citizenship on his foreign spouse. This is not extended to a foreign spouse of a female Nigerian. The foreign spouse of a female Nigerian has to go through the more rigorous process of naturalization.

In addition, section 29(4) (b) dealing with renunciation of citizenship recognises any woman who is married to be of full age. (There is no similar provision regarding a man.) This provision encourages and condones child marriage.

The ‘indigene-ship’ issue also plagues women’s citizenship rights as many bureaucratic rights are only granted to people who are indigenes of a state. As a woman’s state of origin changes on marriage it often leaves her in a bureaucratic no-mans land with out full rights either in her state of birth or in her state of marriage.

Women’s freedom of travel and access to nationality documents is also routinely constrained. In some cases, women are required to obtain their husbands’ consent before they can obtain international passports. In certain circumstances they are also allowed only to travel with their husband or male guardian’s consent. In some states women travelling on Hajj may have to be accompanied by their husband or a male relation.

## 9.2 LEGAL AND POLICY FRAMEWORK

### 9.2.1 Constitutional Obligations

Section 25 (1)(a)-(f) of the Constitution confer citizenship by birth on a person where either or both of his parent or grandparent are Nigerian before or after Nigeria got its independence whether or not they were born within Nigeria or outside Nigeria.

Section 26 further confers citizenship by virtue of registration on a person who is not a Nigerian by birth, if the president is satisfied that that “he is a person of good character..., has shown intention to domicile in Nigeria and has taken Oath of Allegiance prescribed in the Constitution. There is however a proviso to Section 26. This section shall only apply to a foreign woman who is married or has been married to a Nigerian. This invariably means that Section 26 (1) does not apply to a foreign man married to a Nigerian woman but applies to a foreign woman married to a Nigerian man.

Section 27 confers citizenship by naturalisation provided that the person applying fulfils the required conditions to the satisfaction of the President. The procedures are however not clear<sup>36</sup>.

Section 28 permits dual citizenship, but where a person becomes a Nigerian citizen by registration or naturalization, such a person cannot acquire the citizenship of another country other than that of their birth.

Section 32 empowers the President to make regulations that would make the aforementioned section effective and for the granting of the special immigration status to a non- Nigerian spouse of a Nigerian citizen who do not wish to acquire Nigerian citizen by registration. These actions must however be consistent with the provision of the Constitution.

### 9.2.2 Policies

There was a federal circular from the office of the Nigerian Immigration Service with Ref No: Imm/S/30/T/138 dated the 17<sup>th</sup> day of August 1994, which provides that:

- Re-entry visa /permit issued to foreign women married to Nigerian men remains valid as long as the passport remain valid and her husband continues to accept immigration responsibilities on behalf of his wife.
- The foreign woman can work in a private company without being counted on the companies quotas provided, the usual formalities are fulfilled

#### Key Questions

Are women full citizens in democratic Nigeria given the indigenization policy that discriminate against women in their birth place and in their state of marriage, because of the so called state of origin which may have no bearing to their place of work and their place of birth?

To what extent is government committed to the reforms and implementation of the constitution to remove the provisions that discriminate against women on nationality issues?

- Where such wives are widowed or divorced, it would not be necessary to demand responsibilities from their husband. Such a divorced or widowed wife can only remain in the country based on a request for permission to remain in the country such request would be taken on merit after due examination from the Comptroller General of Immigration.

There are no corresponding provisions in relation to non-Nigerian men, married to Nigerian women.

### **9.3 GAPS AND CHALLENGES**

The discriminatory practices and laws outlined above are treat women as appendage to men. Patriarchy is thus the greatest challenge to enforcing equal rights of women in nationality matters. Women are seen to come under the auspices of their husbands in all matters. Thus Nigerian women who are married to foreign men are not considered, nor are their husbands considered as joining them. Equally women who are married to Nigerian men and then divorced or widowed are expected to depart. Patriarchy and tracing lineage through the male line clearly influences all of these practices which are clearly discriminatory in a variety of ways.

### **9.4 RECOMMENDATIONS**

A Constitutional review should include amendment of its discriminatory provisions highlighted above. So that the constitution deals with both genders on an equal footing. This would serve to guarantee women and men their rights as full citizens in a democratic state.

## **ARTICLE 10: EDUCATION**

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*States Parties shall take all appropriate measures to eliminate discrimination against women in order to ensure to them equal rights with men in the field of education and in particular to ensure, on a basis of equality of men and women:*

*(a) The same conditions for career and vocational guidance, for access to studies and for the achievement of diplomas in educational establishments of all categories in rural as well as in urban areas; this equality shall be ensured in pre-school, general, technical, professional and higher technical education, as well as in all types of vocational training;*

*(b) Access to the same curricula, the same examinations, teaching staff with qualifications of the same standard and school premises and equipment of the same quality;*

*(c) The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim and, in particular, by the revision of textbooks and school programmes and the adaptation of teaching methods;*

- (d) The same opportunities to benefit from scholarships and other study grants;*
- (e) The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;*
- (f) The reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely;*
- (g) The same Opportunities to participate actively in sports and physical education;*
- (h) Access to specific educational information to help to ensure the health and well-being of families, including information and advice on family planning.*

## **10.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT**

Education delivery in Nigeria has suffered major setbacks over several years. The decay started with the huge decline in the provision of social services by the State in the 1980s. Education along with nearly all social welfare sectors were neglected in this period.

Nigeria's education system remains seriously flawed:

- Nigeria's literacy rate is currently 68%
- 49% of the teaching force is unqualified.
- There are acute shortages of infrastructure and facilities at all levels – primary, secondary and tertiary.

Worryingly, according to the Nigerian Millennium Development Goals 2005 report, literacy levels in the country have steadily and gradually deteriorated, especially within the 15-24 age group. This decline in literacy amongst the group which has the most recent contact with the Nigerian education system is damning indeed.

Gender issues and socio-cultural beliefs and practices, inhibit access to education and there are wide disparities in the educational standards and learning achievements between men and women. The literacy rate defined as those aged 15 and over can read and write for the total population is 68% however, for men it is 75.7% and for women 60.6%.<sup>6</sup> Families regularly prioritise the education of boys over girls. This privileging of male education can be seen in the Nigerian school enrolment statistics for 2005.

### Key Questions

Is there a national legal compulsory school age and ensuring that it is not lower than age for admission into employment?

What is the government doing to bridge the gender gap in education?

<sup>6</sup> Literacy figures are for 2003 and are taken from the CIA – The World Fact Book <https://www.cia.gov/library/publications/the-world-factbook/print/ni.html>

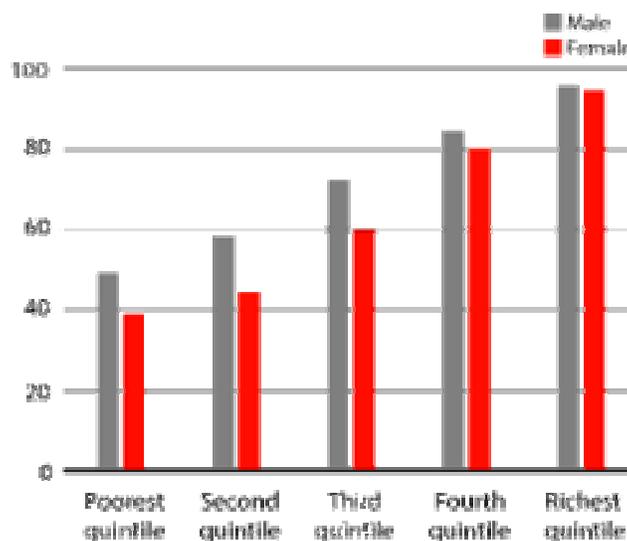
**Table showing percentage breakdown of school enrolments by sex**

Level	Boys	Girls
Primary	55.9%	44.1%
Secondary	55.45%	44.55%
University	60.3%	39.7%
Polytechnic	62.46%	37.54%

Moreover, the dropout rate also remains consistently and substantively higher for females than males. Secondary school completion rate for girls is 44%, while that of boys is 75%. The reasons for this are varied but often centre on stereotypes which mean that it is more likely for a girl to be withdrawn from school to care for relatives or take on other domestic responsibilities. There is also discrimination in handling of pregnancy in schools. The girls are sent out of school and there is no programme to re-integrate them back into the school.

Poverty also plays a role in the levels of education. “In Nigeria only the wealthiest families are able to provide primary education for all their children.”<sup>7</sup> As can be seen from the chart below taken from The World Bank, World Development Indicators website shows that poverty affects the education levels of girls disproportionately. As families struggle to educate all of their children it is generally the girls who are withdrawn from school first.

**Share of children ages 6–11 enrolled in primary school, by gender (%) 2003**



Source: The World Bank, World Development Indicators website  
[http://devdata.worldbank.org/wdi2006/contents/Section1\\_1\\_2.htm](http://devdata.worldbank.org/wdi2006/contents/Section1_1_2.htm)

<sup>7</sup> Quote taken from The World Bank, World Development Indicators website  
[http://devdata.worldbank.org/wdi2006/contents/Section1\\_1\\_2.htm](http://devdata.worldbank.org/wdi2006/contents/Section1_1_2.htm)

## 10.2 LEGAL AND POLICY FRAMEWORK

Education is a human right and this right is asserted in several International Human Rights Instruments including:

- The Universal Declaration of Human Rights 1948)
- The International Convention on Economic, social and Cultural Rights (1966)
- The African Charter on Human and Peoples' Rights (1981)

Nigeria as a signatory to all of the above and is therefore bound to effectively implement them.

### 10.2.1 Constitutional Obligations

- Section 18 of the 1999 Constitution provides for equal educational opportunities at all levels to every citizen. It provides for the provision of free, compulsory and universal primary education, free secondary education, free university education and free adult literacy programme.
- Section 42 provides non discrimination on the basis of sex.

### 10.2.2 National Laws

- The Compulsory, Free, Universal Basic Education Act 2005
- The Child Rights Act 2003
- The NAPTIP Act 2003 as amended in 2005

### 10.2.3 State Laws

- Prohibition of Early marriage Law (Kebbi & Niger States)
- Prohibition of Withdrawal of Girls from School for Marriage Law of Bauchi, Borno, Gombe and Kano States.
- A law to Prohibit Girl Child Marriages and Female Circumcision Cross River State 2000
- The Child Rights Laws of the various States where it has been passed
- Street Trading Restriction Law 2004 Anambra State
- Schools (Parents, Children and Teachers) Law No. 2 2005 Rivers State.

## 10.3 GAPS AND CHALLENGES

- Nigeria has over 7million out of school children
- Early Child Care Development (ECCD) still requires government intervention

### Key Questions

Does the ICT policy and practice of online registration and admission take into account the problem of rural communities without access to ICT and the digital divide between men and women, boys and girls in terms of ICT access?

Is there security of girls within the school and on the way to school?

What special programmes are provided for encouraging science education for women at all levels?

- Child Rights Act has only passed into law in 19 of Nigeria's 36 states.
- The Federal Ministry of Education has had 5 Ministers within 6 years. This has led to inconsistency and confusion in the education sector.
- There are successful girl's education initiatives operating in Nigeria. Many of these however, are pilot projects funded by donors their sustainability is therefore questionable.
- The quality of education in Nigeria remains a major challenge whilst teaching staff are un-trained
- Erratic power supply affects the development of ICT education.
- There is a lack of government commitment to implement its ICT policies.
- Early child marriage/Teenage Pregnancy disrupts girls education.
- A low value is placed on girls education
- The rural locations and transportation difficulties in Nigeria means that long distances from schools can affect school attendance.
- Culture of female seclusion among Muslims [Purdah]
- Many girls who are orphans stop school to care for their younger siblings and/or for other relatives i.e. aged grandparents.
- There are poor monitoring and evaluation mechanism for both public and private schools.
- Persistent cases of VVF continue to lead to low girls participation in schools.
- The budgets allocated to the education sector are invariably inadequate
- Inadequate data is collected which hinders effective planning

## **10.1 RECOMMENDATIONS**

- The development of sustainable adult education that takes into account life challenges that face women at the family and community levels.
- There should be a programme to re-integrate girls who drop out of school due to pregnancy back into the school after childbirth.
- The gender policy in education should be widely publicized and disseminated to all stakeholders. State and non state actors should be involved in this process to ensure its full implementation.
- There is need to give equal attention to enrolment, retention and completion.
- A programme to map and follow up children who are not enrolled in school needs to be developed. About ten million children in Nigeria are out of school with girls being 70 % of this number. It is important to map where these children are, when they dropped out of school and why they dropped out of school.

- A consistent gender disaggregated data must be kept for all aspect of education. This data should then be used to plan and budget taking into account gender issues and requirements.
- It is important to give more opportunities to girls and women if gender gap in education is to be addressed. The current catchment area admission system used by some schools should be extended to preference girls admission into schools.
- It is necessary that there is systemic collaboration between Federal Ministry of Education, Federal Ministry of Women Affairs, Universal Basic Education Commission, National Planning Commission and their State counterparts with Civil Society groups. This collaboration should make way for proper planning, implementation and monitoring of gender and education intervention.
- Cultural practices that obstruct girl-child education particularly early and forced marriage should be abolished.
- 26% of the national budget should be allocated to education as recommended by UNESCO with specific targets on girl-child education including science promotion among girls.
- Promotion of ICT education through the provision of workable computers in the school.

## ARTICLE 11: EMPLOYMENT

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*1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of employment in order to ensure, on a basis of equality of men and women, the same rights, in particular:*

- (a) The right to work as an inalienable right of all human beings;*
- (b) The right to the same employment opportunities, including the application of the same criteria for selection in matters of employment;*
- (c) The right to free choice of profession and employment, the right to promotion, job security and all benefits and conditions of service and the right to receive vocational training and retraining, including apprenticeships, advanced vocational training and recurrent training;*
- (d) The right to equal remuneration, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;*
- (e) The right to social security, particularly in cases of retirement, unemployment, sickness, invalidity and old age and other incapacity to work, as well as the right to paid leave;*
- (f) The right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction.*

*2. In order to prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work, States Parties shall take appropriate measures:*

*(a) To prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status;*

*(b) To introduce maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances;*

*(c) To encourage the provision of the necessary supporting social services to enable parents to combine family obligations with work responsibilities and participation in public life, in particular through promoting the establishment and development of a network of child-care facilities;*

*(d) To provide special protection to women during pregnancy in types of work proved to be harmful to them.*

*3. Protective legislation relating to matters covered in this article shall be reviewed periodically in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.*

### **11.1 OVERVIEW OF THE SITUATION /PROBLEM STATEMENT**

There are many practices and policies within Nigerian companies and public bodies which discriminate against women and hinder their full participation in the work force:

- In many private companies there are unwritten policies which mean that women lose their jobs when they become pregnant. In some establishment like the First Bank Plc and small private banks when two people working in the same establishment get married one of them has to quit their job and most times it is the woman who leaves.
- The lack of or inadequacy of maternity leave policies is also an issue, particularly in private companies.
- Child care is similarly a major issue for women who wish to work and the absence of sufficient child care provision hinders many women from taking job opportunities.
- The health and safety of women in the work place is often not secured and some women are exposed to reproductive hazards in particular those who are exposed to harmful chemicals in factories and laboratories.
- Stereotypes at the workplace and the gender divisions of labour have continued to encourage disparities between women's and men's pay as well as between their respective career ceilings.

### **11.2 LEGAL AND POLICY FRAMEWORK**

- The Labour Act (CAP 198, Laws of the Federation 1990) contains provisions that are discriminatory against women:
  - Section 55 prohibits women from night work, or any agricultural undertaking;

- Section 56 prohibits women from employment underground;
- The Factories Act Cap 126 1990 legislates for the health and safety of workers but omits to take into account the reproductive rights / functions of women. So risks to their fertility, general health and the health of their unborn foetus are not incorporated in this legislation.

The Nigerian Police Regulations which is a subsidiary legislation contains a host of provisions that discriminate against women:

- Regulation 122 prohibits the enlistment of a married woman in the police force;
- Regulation 124 requires woman police officer who is desirous of marrying to first apply in writing to the Commissioner of Police requesting permission to marry and giving the name, address, and occupation of the person she intends to marry. This regulation does not apply to men.
- Regulation 121 provides that a married woman police officer shall not be granted any special privileges by reason of the fact that she is married and shall be subject to posting and transfer as if she were unmarried.

### 11.3 GAPS AND CHALLENGES

The poor economic conditions in Nigeria have affected individual's ability to challenge gender unfriendly practices and policies in workplaces in Nigeria. In other words, people are afraid to negotiate for their rights because of fear of losing their jobs. Thus private employers abuse their rights without any restraints. The failure of the state to provide adequate legislation and policies to support the rights of women in private sector has further impeded their prospects of obtaining their rights in the workplace.

One of the effects of this inaction by the government is the rising numbers of incidents of sexual harassment in the workplace. Non-governmental organizations in Nigeria are working towards a law on sexual harassment to guarantee women's fundamental rights in work places. A draft harassment policy for educational institutions and corporations in Nigeria has been produced by Women Aid Collective (WACOL) and the National Human Rights Commission (NHRC).

#### Key Questions

To what extent are women's employment rights protected and promoted, in view of existing practices?

What is being done to tackle sexual harassment and exploitation of young girls in the private sector for personal and organizational gain?

Are the rights of women to freedom in the realms of marriage and maternity ensured?

To what extent is the discrimination on tax benefits and deductions against women being addressed to ensure equal pay for work of equal value?

## 11.4 RECOMMENDATIONS

- Government as a matter of priority should compel private sector employers to implement good maternity and sexual harassment policies and ensure a safe working environment for women.
- The private sector needs to examine the gender friendliness of its work practices and consider its employees child care needs.
- Legislation to compel private sector to respect the provisions of three months paid maternity leave should be brought into force.
- Civil society should design an approach to monitor and ensure compliance of gender friendly policies.
- The Labour Act should be reviewed to remove the discriminatory provisions against women and to also provide for paternity leave and free pre/post natal care for women

## ARTICLE 12:

### EQUALITY IN ACCESS TO HEALTH CARE

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*1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.*

*2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.*

## 12.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT

The Nigerian health system currently performs poorly.

- In the year 2000, the country ranked 187<sup>th</sup> of the one hundred and ninety one member nations of the WHO.
- Infant and Under-5 Mortality rates are disturbingly high at 115/1000 live births and 205/1000 respectively,
- The Maternal Mortality Ratio of 800/100,000 live births is the second highest in the world.
- The facilities that exist are under-utilised - Primary health care facilities, serve only five to ten percent of their potential load.
- HIV/AIDS and Malaria present a huge disease burden under which the health system is faltering.

At the beginning of the AIDS epidemic in the 1980s, men vastly outnumbered women among people infected with HIV. In 2000, of the 5.3 million women living with HIV/AIDS, 2.2 million (41.5%) were women. By 2007, UNAIDS report showed that among 5,800 new infections occurring daily in adults, 15 years and above, 50% were in

women. Today, nearly 50% of adults living with HIV globally are women, but in sub-Saharan Africa the proportion of women living with HIV/AIDS is close to 60%. For Nigeria, the proportion is estimated at 62%.

Women face a number of barriers to their access to health care:

- Poverty
- Socio-cultural values and practices
- Gender disparities in level of education and educational opportunities
- Health service delivery system lacking in focus of women and children needs
- Under-representation of women in Community Based Organizations and Development projects
- Lack of gender disaggregated data for planning and monitoring,
- Political will and governance are lacking in vigour on gender issues.

#### Key Questions

To what extent are the barriers to accessing health care services at primary, secondary and tertiary health care level being addressed?

What steps are being taken to integrate life cycle approach to the overall health care of women?

## **12.2 LEGAL AND POLICY FRAMEWORK**

- The Revised National Health Policy (2004) has the overall objective to strengthen the national health system such that it would be able to provide effective, efficient, qualitative, accessible and affordable health services that will improve the health status of Nigerians through the achievement of the health-related Millennium Development Goals (MDGs). The main targets of this health policy are also related to the MDGs 4, 5 and 6.
- The National Health Policy on HIV/AIDS (2003) was also developed to guide the Federal Ministry of Health and other partners in their programming towards the reduction of the prevalence of HIV/AIDS and other STIs in Nigeria.
- According to Nigeria's 6th Periodic Report of State Parties on CEDAW, there are about twelve (12) Policies, Acts and frameworks that have been developed to address the various issues of maternal, adolescent and child health.
- Nigeria is also a signatory and has ratified some other international declarations and commitments on key health issues particularly on HIV/AIDS such as the Abuja Declaration and the UNGASS 2001 Declaration of Commitment.

## **12.3 GAPS AND CHALLENGES**

- The frameworks of existing policies are weak and have consistently led to poor implementation. These weak frameworks are related to poor funding allocations and disbursements, poor accountability of expenditures, poor data availability, low

capacity of staff and low number of health professionals particularly at the rural areas.

- Primary health care is the first point of contact, receives inadequate funding, and infrastructural provision. It is unsurprising therefore that it fails to provide quality services. These issues combined with low levels of public information about health care have led to poor utilization of primary health care facilities by patients.
- The contraceptive prevalence rate in Nigeria remains at 13% as at 2005 (UNICEF). The poor uptake of family planning services is still being affected by cultural and religious values. One of the underlying issues of low contraceptive usage in Nigeria is related to the cultural pressure for women to prove their fertility as a sign of womanhood.
- The maternal mortality indicators show that the status of maternal health has not improved and there are suggestions that the trend is worsening. In Nigeria, 1 in 18 women as at 2000 (UNICEF) are at a lifetime risk of maternal death. As at 2005 (UNICEF), Nigeria has a 58% antenatal coverage. The non-improvement in the maternal mortality rates is a product of the weak health system and as well as socio-cultural issues as women utilise traditional birth attendants (TBAs) or are at higher risk due to FGM.
- Only limited post-abortion care services provided in public health institutions.
- About 62% of those infected with HIV at the end of 2005 were women. Furthermore, inadequate availability of PMTCT, HCT and ART centres at the community levels contributes to poor quality care and treatment of women who are vulnerable to or are already living with HIV/AIDS.
- HIV/AIDS related stigma and discrimination at the community levels is increasing the spread of HIV infection among women.
- About 6,280 women die from abortion related complications annually in Nigeria (FMOH/FOS 2005). Abortion laws are not liberalised leading many women to seek clandestine abortions. In addition, Section 297 of the Criminal Code is unclear about the definition of “reasonable care and skills” in performing abortion where it is permissible under the law. This is a contributory factor to the high mortality and morbidity rates of women and girls from abortions.

#### **12.4 RECOMMENDATIONS**

- Policies that were made pre-2000 should be reviewed in line with current changes in the statistics of the problem in the country i.e. Maternal and child health policy (1994); Breast feeding policy (1994); National adolescent health policy (1995); and Plan of Action for control of non-communicable diseases in Nigeria (1999).
- The strategic plans should be strengthened and these policies should be implemented.
- The funding of primary health care should be increased, so that quality health services at community level will be provided.

- Health centres should be located within 20 kilometres so that all have easy access to health facilities.
- Free ante/post natal and EmOC care should be provided particularly for rural women.
- Evidence based findings suggest strongly that TBAs do not have the skills to reduce maternal mortality reduction by their practice. They are, however, available and respected at the community level thus we recommend that TBAs should be trained to become “demand creators” for improved access to health care at the community levels.
- Government should invest, with the support of donor agencies, into the re-designing of the female condom in order to increase use acceptability of the method.
- There should be enabling environment for private sector participation in financing of the health services in Nigeria.
- Maternal mortality should be declared a crisis and a Maternal Mortality Reduction Agency should be set up and given the mandate to reduce the rate of maternal deaths within a given time period.
- The existing criminal/penal code should be revisited to address reproductive health problems arising from rape and incest.
- More support should be given to INGOs such as IPAS training nurses/midwives on post-abortion care.
- Anti-shock and misoprotol garments should be used more widely to save lives from haemorrhage.
- MgSO<sub>4</sub> should be used to prevent of pre-ecampsia and use of Pantograph in all labour rooms should be encouraged.
- Government should improve reproductive services to include treatment of infertility in women and men.
- Government should invest in the production and supply of family planning commodities to increase affordability and accessibility.
- Family planning education should be improved so that it can be utilised to prevent pregnancies in adolescents, to limit number of pregnancies and to space births.
- Private sector provision of health care services should be standardized and regulated along the public sector provision.
- Male participation in family planning should be encouraged through community education.
- PMTCT/ART services should be scaled up across the various states in Nigeria

- There should be promotion of integrated reproductive health services particularly in public health institutions to address the sexual and reproductive health needs of women and girls.
- Efforts should be made to reduce stigma and discrimination of people infected with HIV at the community levels such as the passing into law the bill on stigma and discrimination.
- Full implementation of the National Prevention plan to reach various categories of MARPs in Nigeria.
- Intensified efforts to improve Blood transfusion services particularly at the tertiary, secondary and private institutions.
- Advocacy efforts to implement the Child Rights Act (2003)
- The implementation of NHIS to cover the private sectors particularly the self-employed women at the community levels.
- The childhood survival strategies which include roll-back malaria, mosquito treated bed nets, NPI, ORT and breast-feeding should be strengthened at all levels to cover all children particularly female children.
- The following approaches are specifically potentially useful controlling HIV transmission in Nigeria, particularly among women:
  - Expansion of fee-exempt ANC, VCT, STI and Family Planning services. Making them available at easily accessible PHC centres throughout the country is most desirable.
  - Promotion of HIV/AIDS related behavioural change programmes in secondary and tertiary level of education and informally through media modes for the non-school goers.
  - Scaling-up MTCT/ARV coverage programme throughout the country
  - Promoting availability and use of Female Condoms.
  - Support for and promotion of research into Microbicides and HIV vaccine.
  - Identification and support programs for AIDS orphans.
  - Encouraging Female Education and Empowerment processes.

## ARTICLE 13:

### SOCIAL AND ECONOMIC RIGHTS

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*States Parties shall take all appropriate measures to eliminate discrimination against women in other areas of economic and social life in order to ensure, on a basis of equality of men and women, the same rights, in particular:*

*(a) The right to family benefits;*

*(b) The right to bank loans, mortgages and other forms of financial credit;*

*(c) The right to participate in recreational activities, sports and all aspects of cultural life.*

### **13.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT**

Gender inequalities substantially limit women’s access to, control over, and use of services and productive resources.

Agriculture is the single largest employer of labour in Nigeria and women face numerous challenges within the agricultural sectors, including lack of control over land, capital and even their own labour. According to the National Bureau of Statistics, only 10% of land in Nigeria is owned by women<sup>8</sup>. Generally, because of their restricted access to land, female farmers find it more difficult to undertake commercial scale farming, a situation that has a severe impact on widows.

Over the past several years, poverty has increased in a number of states in Nigeria. As a result of low income earning capacities, a substantial number of women and young girls resort to transactional sex. This has profound implications for the health of the women and young girls and has helped to fuel the spread of HIV/AIDS and STI s in the country.

The table below gives an indication of the economic activities undertaken by men and by women. It is striking that men have over twice the level of purchasing power as women and have far more access to disposable properties.

#### **Gender Stratification within the Overall Economy and Private Sector**

<b>Economic Indicator</b>	<b>Men</b>	<b>Women</b>
Below Poverty Line	35%	65%
Purchasing power	\$1,495	\$614
Fed. Civil Service	76%	24%
Mgt. Staff	86%	14%
Medical Doctors	82.50%	17.50%
Informal sectors	13%	87%
Industrial sector	30%	11%
Land ownership	90%	10%
Agriculture work	30%	70%
Line	35%	65%
Animal Husbandry	50%	50%
Food Processing	10%	90%
Marketing inputs	40%	60%
Properties disposable at will	95%	5%

*Source: National Bureau of Statistics, CWIQ 2006*

<sup>8</sup> “National Gender Profile of Nigeria”, An Assessment Submitted to UNIFEM, For The United Nations Systems in Nigeria, By Professor Jadesola Akande, LL.B (Hons); Ph.D; OFR (Consultant) And Tyoor, F. M Terhemba, Ph. D; FIAMN, August, 2007.

### 13.2 LEGAL AND POLICY FRAMEWORK

The Nigerian constitution provides for non-discrimination on the basis of sex, but the reality on the ground is stacked against women's socio-economic rights. National measures taken to ensure that women have access to their socio-economic rights including:

- The regular submission of periodic country reports related to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) to the UN
- The adoption of the Gender Policy of the African States (ECOWAS)
- The creation of a National Secretariat for Millennium Development Goals (MDG) (which is headed by a woman) to monitor and track performance towards the attainment of the MDGs. Of particular concern are the attainment of goals 1, 3 & 8.21

### 13.3 GAPS AND CHALLENGES

There are a number of employment / labour practices common within the private sector which constitutes challenges in the enhancement of the economic status of the woman:

- In many private companies there are unwritten policies which mean that women lose their jobs when they become pregnant.
- In some companies when two people working in the same establishment get married one of them has to quit their job and most times it is the woman who leaves.
- Many young women are exploited for their sexual appeal by companies. Marketing jobs are frequently offered to young, beautiful girls. The strategy is to exploit the young ladies' sexual appeal to attract funds. The young women are given very high sales targets and to meet these they are expected to 'entertain' prospective clients to encourage them to purchase products. These women are then laid off, if they do not meet these targets for what ever reason. So many loose their jobs once their 'appeal fades', to be replaced by younger and more attractive ladies.
- The conditions for lending in commercial Banks places undue emphasis on land and other property as collateral. Such policies are deliberately skewed against women as available statistics show that 90% of all land is registered in men's names.<sup>9</sup>
- Although women bear the brunt of oil-production related hazards, men are often the beneficiaries of compensation paid by multinational oil companies for land degradation, as they traditionally hold titles to land.

#### Key Questions

What schemes have been put in place to facilitate women's access to credit?

What are the measures in place to enable women to access farming implement and life skills for rural women?

<sup>9</sup> Nigeria 4<sup>th</sup> and 5<sup>th</sup> Periodic Country Report on CEDAW

#### 13.4 RECOMMENDATIONS

- There is a need to link national policies with the available machinery for NEEDS/SEEDS implementation.
- The National Policy on Women and even the National Gender Policy need to be linked to the National Economic and Empowerment Development Strategies (NEEDS) for Nigeria.
- Gender analysis should be integrated into the revised policy and the MDGs, NEEDS and SEEDS to facilitate coherence on gender equality issues.
- State Women's Affairs Ministries will also need to play policy advisory roles in the development of the SEEDS, in particular with reference to monitoring and evaluation, in order for them to become major stakeholders in implementation process, while the FMoWA should be prepared to assist state counterparts in this task.
- The government should enact relevant laws against discriminatory practices in the economic sphere to ensure that women meet the human security challenges.
- The private sector should make substantial social investments for poverty reduction programmes targeting the poorest women in the country.
- The CSR policies of corporations should specifically incorporate strategies for addressing the economic disadvantages faced by women in their areas of operation.
- Corporate organizations should incorporate gender & human rights training for management and staff as part of their human resource development strategy.

#### ARTICLE 14:

#### WOMEN IN RURAL AREAS

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*1. States Parties shall take into account the particular problems faced by rural women and the significant roles which rural women play in the economic survival of their families, including their work in the non-monetized sectors of the economy, and shall take all appropriate measures to ensure the application of the provisions of the present Convention to women in rural areas.*

*2. States Parties shall take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on a basis of equality of men and women, that they participate in and benefit from rural development and, in particular, shall ensure to such women the right:*

*(a) To participate in the elaboration and implementation of development planning at all levels;*

*(b) To have access to adequate health care facilities, including information, counselling and services in family planning;*

*(c) To benefit directly from social security programmes;*

*(d) To obtain all types of training and education, formal and non-formal, including that relating to functional literacy, as well as, inter alia, the benefit of all community and extension services, in order to increase their technical proficiency;*

*(e) To organize self-help groups and co-operatives in order to obtain equal access to economic opportunities through employment or self employment;*

*(f) To participate in all community activities;*

*(g) To have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes;*

*(h) To enjoy adequate living conditions, particularly in relation to housing, sanitation, electricity and water supply, transport and communications.*

#### **14.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT**

Rural women are excluded from most of the programmes of government. They are discriminated against in the areas of access to adequate health care facilities including information, counselling and services in family planning and education. There are few existing family/health centres and where they do exist, they are located some distance away from the villages. Badly maintained, poorly supplied, infrastructure afflicts the rural areas. Roads are poorly maintained. Schools and health centres lack basic provisions and even trained staff.

Rural women are frequently the wrong side of the growing poverty gap between the rich and the poor. They are ‘doubly disadvantaged’ both by their rural location with its dilapidated or non-existent services and infrastructure and by their gender. Their access to land is very limited due to the social structures which discriminate against them through source and thus their gender serves to impoverish them. Land is a vital economic resource and this inadequate access severely affects their economic well being. This is both through their increased vulnerability to food shortages due to reduced opportunities to growing their own food. Their lack of land also affects their ability to borrow from banks and other lenders. Rural women also have only limited access to agricultural credit and loans. Thus, their socially ascribed exclusion from land ownership contributes significantly to their economic disempowerment.

##### Key Questions

Are the developmental programmes/schemes and agricultural schemes gender mainstreamed?

Are the women involved in the planning and execution of these programmes?

Is there any social safety net for poor rural women who are faced with increasing livelihood costs?

Whilst, no serious action to ameliorate their difficulties has been undertaken by government, NGOs have had particularly strong influence on rural women’s rights. They have been actively engaged in promoting and positively affecting the lives of Nigerian Rural women. These interventions have had to occur as a result of lack of commitment and political will of the government to engage with the admittedly daunting task of developing the rural infrastructures and empowering the rural women. These efforts of NGOs whilst laudable and important are only able to have limited impacts due to a Major

lack of consistent funding. This negatively affects the sustainability of programmes so interventions often end up being one off events which can not change the structures which continue to disadvantage rural women.

#### **14.2 GAPS AND CHALLENGES**

- Lack of consistent funding and sustainability of programmes have continued to challenge any significant improvement in the state of rural women in Nigeria, making interventions at best a one – off event.
- Other obstacles to CEDAW achieving any impact on rural women are religious and cultural practices which are generally carried on by traditional and religious bodies that exist closest to the rural women.

#### **14.3 RECOMMENDATIONS:**

- Traditional institutions must acknowledge and be involved in rural women’s improvement.
- Multinationals and other enterprises should support efforts of non-governmental organizations and government in creating awareness on rights among women in rural areas.
- There is a need to incorporate the principle of equality of women and men in Nigeria’s legal system. This will promote the rights of women in areas such as inheritance and property rights which have seriously impaired the rights of rural women in most parts of Nigeria.
- There needs to be considerable efforts made to bridge the gap in provision of social infrastructure between the rural and urban areas.
- Elderly women in rural areas who can no longer farm or fend for themselves require special protection. Many belonging to that category are dying due to want and hunger.
- Land reforms should be undertaken to provide equal access to women farmers and ensure food security.
- Micro credit facilities and skill acquisition centres including support for medium scale enterprise for women economic empowerment, should be initiated.

### **ARTICLE 15:**

#### **EQUALITY BEFORE THE LAW**

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- 1. States Parties shall accord to women equality with men before the law.*
- 2. States Parties shall accord to women, in civil matters, a legal capacity identical to that of men and the same opportunities to exercise that capacity. In particular, they shall give women equal rights to conclude contracts and to administer property and shall treat them equally in all stages of procedure in courts and tribunals.*

3. States Parties agree that all contracts and all other private instruments of any kind with a legal effect which is directed at restricting the legal capacity of women shall be deemed null and void.

4. States Parties shall accord to men and women the same rights with regard to the law relating to the movement of persons and the freedom to choose their residence and domicile.

## 15.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT

Despite partial guarantee of formal equality by the Constitution, discriminatory clauses abound within the constitution and in other systems of laws such as Customary and Sharia'h. The position is that both Customary and Sharia'h law are recognized under the law as crucial sources of Nigerian law upon which the Pluri-Legal System(s) is rooted. The status of women unfortunately varies according to what system of law they are subjected to. For example, women who contracts customary or Islamic marriage are treated differently from women who are married under statutory law, with the later enjoying better status in relation to dissolution of marriage, custody of children, property, land rights etc. Is only when the principle of incompatibility is invoked with regards to the status of customary law vis a vis the constitution or individual constitutional rights that it may be declared null and void to the extent of its inconsistency. In relation to constitutionality of Sharia'h law it has been very controversial and the court has avoided a confrontational approach of declaring it null and void. This raises pertinent questions around equality before the law, hierarchy of laws and position of women living under Sharia'h law in Nigeria's constitutional democracy.

### 15.1.2 The Constitution

This is seen in some provisions of the Constitution, notable amongst which is Section 26 on citizenship and section 29(4) on full age of a woman. (*Cf. Article 9 on Women and Nationality*)

### 15.1.3 Laws

This discrimination can be found in numerous clauses within national and state law some examples of these clauses are:

- Sexual Assault Section 353 of the Criminal Code (CC) makes it a felony when the victim of an indecent assault is a man, while section 360 of the CC makes it a misdemeanour where the victim is a woman.
- Rape under section 357 of the CC, the law requires corroboration which makes proof of the offence an arduous task.
- 'Chastisement' Section 55 of the Northern Nigeria Penal Code (PC) allows for chastisement of the wife by the husband.
- Evidence and representation Under the Sharia Law in operation in some Northern states of Nigeria, the evidence of two women is equal to that of one man, which is

#### Key Questions

To what extent have barriers to equality of women to men under the law and in practice been addressed?

How far is justice accessible and affordable, particularly to low income women?

itself a form of inequality. In addition, a woman cannot serve as a judge under the Sharia law or appear in court to directly represent clients even female clients.

#### **15.1.4 Practices in the legal system**

In addition to the discrimination within the laws there are practices surrounding the legal system which work against women.

- For instance, the law does not prohibit a woman from standing as a surety in a case of bail, but in practice women are denied this right both by the Court and the Police
- Formally, women have a right in administering their husband's property but problems frequently arise when they have only a customary marriage or where the marriage is polygamous in nature.

#### **15.1.5 Case law evidence of inequality**

- *Nezianya v. Nezianya*<sup>10</sup> where the court held that under the native law and custom of Onitsha, a widow's possession of her deceased husband's property is not that of a stranger, and however long it is, it is not adverse to her husband's family and does not make her the owner.
- *Nzekwu v. Nzekwu*<sup>11</sup> where the Supreme Court of Nigeria restated that the widow's dealings with her husband's property must receive the consent of his family, and she cannot claim the property as her own.

### **15.2 LEGAL & POLICY FRAMEWORK**

National laws aimed at achieving gender equality are almost non-existent. The state laws only apply to the particular states. This leaves the remainder of the states without any form of legislation to seek the actualization of Article 15. Even where the laws exist, there is low awareness.

#### **15.2.1 Constitutional Provisions**

- Chapter II and IV both contain several provisions on Government's commitment to ensure equality of men and women.
- The National Policy on Women "articulates into a coherent whole, all Gender and Development (GAP) policies and programmes ...that will actualize the provisions of the Constitution"<sup>12</sup>.

#### **15.2.2 National Laws**

- The Marriage Act<sup>13</sup> – which strives to grant equal status in marriage.
- The Evidence Act<sup>14</sup>: Section 14(3) invalidates any customary law that is repugnant

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<sup>10</sup> 1963 NLR 352

<sup>11</sup> 1989 2 NWLR P. 373

<sup>12</sup> Government's combined 4<sup>th</sup> and 5<sup>th</sup> Report p.51

<sup>13</sup> Cap M6, Laws of the Federal Republic of Nigeria 2004

<sup>14</sup> Cap E , Laws of the Federal Republic of Nigeria 2004

to natural justice, equity and good conscience.

### 15.3 GAPS AND CHALLENGES

- There remains no legislation with which to challenge the discriminatory clauses to be found in a number of laws in Nigeria.
- One of the key areas where women suffer discrimination under the law is in regard to inheritance laws. Women do not have the automatic legal right to inherit their husbands' property. This acts to marginalise women both economically and socially.

### 15.4 RECOMMENDATIONS

- Review of sexual offences law to make for equality of man and woman.
- Review of Sharia and Customary Laws to guarantee equality of man and woman before the law and equal access to court of law.
- Capacity building of judicial officers to increase their understanding of gender issues.
- Training of law enforcement agents on gender issues.
- Legal aid should be made more accessible to women.
- Creation of awareness of rights-based laws.

## ARTICLE 16

### EQUALITY IN MARRIAGE AND FAMILY LAW

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*1. States Parties shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and in particular shall ensure, on a basis of equality of men and women:*

*(a) The same right to enter into marriage;*

*(b) The same right freely to choose a spouse and to enter into marriage only with their free and full consent;*

*(c) The same rights and responsibilities during marriage and at its dissolution;*

*(d) The same rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children; in all cases the interests of the children shall be paramount;*

*(e) The same rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise these rights;*

*(f) The same rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children, or similar institutions where these concepts exist in national legislation; in all cases the interests of the children shall be paramount;*

*(g) The same personal rights as husband and wife, including the right to choose a family name, a profession and an occupation;*

*(h) The same rights for both spouses in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property, whether free of charge or for a valuable consideration.*

*2. The betrothal and the marriage of a child shall have no legal effect, and all necessary action, including legislation, shall be taken to specify a minimum age for marriage and to make the registration of marriages in an official registry compulsory.*

## **16.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT**

- Under customary law, women do not have rights to enter into marriage, decide freely and responsibly on the number and spacing of their children.
- There still exist cases of forced marriage, child betrothal, wife inheritance, and widowhood practices across Nigeria.
- Under Customary and Sharia law, women and men do not have equal rights in dissolution of marriage.
- In Nigeria, the man is viewed as the ‘head of the family’ and as the provider of food, shelter and clothing for the family. This gives the man greater rights to exert authority in the family even where he fails to provide or the woman earns a higher income.
- Under citizenship, a woman cannot confer citizenship on her foreign husband.
- Indecent assaults on male and females do not carry equal punishment. The punishment is lighter for the man where the victim is a woman.
- Under the Penal Code, wife battery is legal.
- Under Section 18 of the Marriage Act, the mother of a minor can only give valid consent to his/her marriage where the father is dead, or is of unsound mind or absent from Nigeria.
- The same Act does not specify the minimum age for marriage as required by Article 16 (2).
- Under most customary laws widows are denied in inheritance from the estate of their deceased husbands. Even where they are allowed inheritance the share is not equal to that of a man.
- The municipal legal standards in Africa are

### Key Questions

What measures have been put in place to ensure equality of men and women in marriage and registration of all marriages?

What efforts are being made to eliminate marriage customary practices that are repugnant to natural justice, equity and good conscience and public policy?

What is the official and general minimum marriageable age in Nigeria?

generally weighted against women.<sup>15</sup>

## **16.2 LEGAL & POLICY FRAMEWORK**

### **16.2.1 Constitutional Obligations**

- Section 43 of the 1999 Constitution on the right to acquire and own immovable property anywhere in Nigeria.
- Section 42 of the Constitution confers equality before the law on all Nigerian citizens

### **16.2.2 National**

- The Marriage Act – which strives to guarantee equality in marriage.
- The Child Rights Act 2003 – States minimum age of 18, and enshrines the principle of the best interest of the child.
- The Evidence Act Section 14(3) invalidates any customary law that is repugnant to natural justice, equity and good conscience.
- National Agency for the Prohibition of Trafficking in Persons (NAPTIP) Act 2003 amended in 2005.

### **16.2.3 State Laws**

- Many states have a range of laws protecting womens rights including: widows’ laws, female genital mutilation laws and domestic violence laws.
- In Kebbi and Niger States they also have a Prohibition of Early Marriage Law

## **16.3 GAPS AND CHALLENGES**

- Decision making in the family still rests on the man and affects women and girls survival and development;
- Gender role and stereotyping affect the equality of men and women in the family.
- Low literacy level of women, often limits their ability to argue their cases even where legislation exists to assist them.
- Poverty prevents women from utilising the legal system to combat practices considered traditional sanctioned.

## **16.4 RECOMMENDATIONS**

- Government should intensify efforts towards girl-child education

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<sup>15</sup> Joy Ezeilo, “The Courts and Access to Justice for Women” in Joy Ezeilo, Human Rights Protection in Adiminstration of Sharia Justice System, (Enugu, Women’s Aid Collective (WACOL),2005)

- Government and non-state actors should create awareness on existing laws protecting women from violation.
- The courts should ensure enforcement of existing laws particularly laws which protect women from all forms of discrimination.
- The law governing indecent assault should be changed so that the offence is treated as seriously with the same sentences whether the victim was male or female.
- Legislative changes should be made at the national, not just the state level, to:
  - protect widow' inheritance rights,
  - lay down an appropriate age of consent for marriage,
  - protective law on domestic violence

## ARTICLE 18: COUNTRY REPORTS

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*1. States Parties undertake to submit to the Secretary-General of the United Nations, for consideration by the Committee, a report on the legislative, judicial, administrative or other measures which they have adopted to give effect to the provisions of the present Convention and on the progress made in this respect:*

*(a) Within one year after the entry into force for the State concerned;*

*(b) Thereafter at least every four years and further whenever the Committee so requests.*

*2. Reports may indicate factors and difficulties affecting the degree of fulfilment of obligations under the present Convention.*

### Key Questions

The Nigerian government has transformed the African Charter into a domestic legislation why can it not domesticate CEDAW and the Protocol to the African Charter on the Rights of Women in Africa?

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### **18.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT**

Nigeria signed the UN CEDAW Convention in 1984 and ratified it in 1985. Nigeria then signed the Optional Protocol in 2000 and ratified it in 2004, thereby consolidating its commitment to the obligation of the treaty.

As a signatory to the UN convention on CEDAW, and in fulfilment of its obligation under article 18, Nigeria submits a Periodic Country Report outlining progress recorded towards implementation of the convention. These reports are considered at the CEDAW Committee of Experts meetings. In keeping with its reporting responsibility, the committee on January 20<sup>th</sup> 2004 considered the 4<sup>th</sup> and 5<sup>th</sup> Combined Reports of Nigeria

at its 639<sup>th</sup> meeting at the UN in New York. These periodic reports aim at highlighting concrete evidence, of Nigeria's progress towards introducing measures for achieving the aspirations of CEDAW.

## **18.2 LEGAL FRAMEWORK**

The 1999 Nigerian constitution provides for non-discrimination on the basis of sex, religion, ethnicity, age or circumstances of birth against any citizen.

The Nigerian Government has commendably signed and ratified a number of international, regional and sub-regional treaties and agendas of non-discrimination, promotion and protection of women's rights, for instance:

- CEDAW
- International Covenant on Civil and Political Rights
- International Covenant on Economic Social and Cultural Rights
- The Convention on the Rights of the Child
- Convention Against Torture
- The African Charter on Human and Peoples Rights
- The African Charter on the Rights and Welfare of the Child
- The protocol to the African Charter on the Rights of Women in Africa

But it is yet to take concrete action towards the implementation of these treaties. .

## **18.3 GAPS AND CHALLENGES**

- Non domestication and poor implementation of signed Conventions/Treaties.
- Poor coordination, harmonization and documentation of advocacy activities on periodic basis.

## **18.4 RECOMMENDATIONS**

- Proper coordination, harmonization and documentation of periodic reports government and the dissemination of these to all stakeholders. Especially the observations and recommendations of the treaty bodies.
- Governments active involvement of NGOs and CBOs in the production of the periodic CEDAW reports.

## **ARTICLE 24:**

### **ADOPTION OF NATIONAL MEASURES**

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#### **24.1 OVERVIEW OF THE SITUATION/PROBLEM STATEMENT**

Article 24 provides that state parties undertake to adopt all necessary measure at the national level aimed at achieving a full realization of the rights recognized in the Convention.

Nigeria being a commonwealth country has a legal system with a British background.

Like any other Commonwealth country, it inherited the British common law rules governing the municipal application of international law. Thus international treaties do not form part of domestic law unless enacted by the legislature. Treaties that have been unincorporated in Nigeria are therefore not legally enforceable. Due to this, CEDAW, though ratified, can only become enforceable after it is incorporated by an Act of the Parliament.

The Nigerian government has, however, followed this process and transformed the African Charter into a domestic legislation through an act of parliament. The question is why has it not domesticated CEDAW?

## **24.2 LEGAL FRAMEWORK**

Section 12 of the 1999 constitution of the Federal Republic of Nigeria clearly adopts the transformation doctrine, which does not consider the rules of international laws except if they have been transformed and made part of that law by an Act of Parliament.

## **24.3 GAPS AND CHALLENGES**

- Section 12 of the constitution acts as a hindrance to the enjoyment of the rights provided in all the international treaties and conventions to which Nigeria is a party to.
- CEDAW could become domestic legislation but there is a lack of political will in Nigeria to make this happen.
- Thus, though the laws exist, the ordinary Nigeria woman cannot benefit from its provisions.

## **24.4 RECOMMENDATIONS**

- Constitutional amendments to make certain human rights treaties ratified by the government automatically enforceable in Nigeria, without need for another long process of transformation by the parliament.
- Amendment of Section 12(3) to liberalise the provisions on domestication of international treaties that currently require approval of 2/3 of all the states of the federation of Nigeria for a treaty to be incorporated into the domestic legal system.

# PART III

## KEY ISSUES

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### ROLE OF NON STATE ACTORS IN THE IMPLEMENTATION OF CEDAW

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Non state actors are crucial to the implementation of CEDAW in Nigeria. Yet it is a role which has been historically overlooked. The activities of non state actors sometimes enhance and sometimes militate against the implementation of the provisions of the CEDAW. The state is, however, responsible for the actions of these non-state actors under CEDAW and other such treaties. Thus, the state held to account for violations perpetrated by Non State Actors for it is the states responsibility to regulate these actors. Non State Actors is a term that incorporates many varied actors; NGOs, multi-national corporations (MNCs), private educational institutions, religious organisations, private companies, the media, individuals and other social organisations clubs societies.

This section will briefly out line some of the practices undertaken in Nigeria, many of these examples are drawn from a WACOL Working Paper *'Role of Non-State Actors in the implementation of CEDAW'*<sup>16</sup>

### **NON STATE ACTORS NEGATIVE IMPACTS ON THE IMPLEMENTATION OF CEDAW**

#### **Virginity, pregnancy and HIV testing**

Private schools are a growing sector in Nigeria, as the standards of their education are seen as much higher than state schools. Many of them are very reputable and students from these schools consistently perform better. These institutions are however completely un-regulated by government. As the aspiration to send children to private schools is growing in Nigeria badly equipped private schools with un-trained teachers are emerging. The un-regulated status of these schools not only means that they can take advantage of parents desire to provide a private education for their children which is automatically seen as superior but it also leaves girls who attend these institutions very vulnerable to many types of abuse. These schools are also able to set their own regulations leading to practices which denigrate, violate the privacy and the rights of the girls who attend them.

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<sup>16</sup> Prepared by Abiola Akiyode- Afolabi for the Stakeholders Consultative Forum on CEDAW 12th -16th of March, Organized by WomenAid Collective (WACOL) and Held at Gubabi Royal Hotel, Abuja.

- In June 2003, female students of Beacon International Secondary School, Amuwo-Odofin, were subjected to virginity test by the school authorities. The matter was of high concern enough that it was raised in the Lagos State House of Assembly.
- In Covenant University, Ota, in Ogun State, female students are expected to undergo pregnancy and HIV tests as pre-conditions for admission and graduation.<sup>17</sup> This private university has no plans to change this policy. A worrying development both for the rights of women and the campaign to destigmatise those living with HIV.

It is not only these private schools that engage in this sort of testing.

- A politician and traditional ruler in Sagamu, Ogun state made virginity testing on 100 young girls a pre-condition for awarding them scholarships.<sup>18</sup>

Religious bodies are also known to undertake these tests on girls to check their purity:

- In January 2008 a pastor in conjunction with a gynaecologist Dr. Ekemode, Adunni, assembled and conducted virginity testing on over 50 women in the name of religion. According to the 63-year-old mother and gynaecologist, she is pleased that 95 per cent of girls who walk the streets half-clad may after all not be sex sports and layabouts.

This testing not only violates the rights of the individual women involved but also serves as a general tool of a patriarchal system to keep women in their place by sanctioning and surveying them.

### **Violence against Women**

Violence against women is a form of rights violation that is often perpetrated within the private sphere and is often invisible to the public eye. Nigerian women are still subject to gender-based violence in the home, and at the community level through their association with, and subjugation to, traditional kinship networks. Such violence further deepens women's poverty and deprives them of many other rights.

Domestic violence is endemic in Nigeria as many of the NGOs who contributed to this report can attest, as they see high numbers of battered women on a daily basis. In Nigeria divorce is a social Taboo which carries high levels of social sanction; women are deterred by the harsh economic consequences of such a move and the possibility for many of not retaining custody of their children mean that many women remain in domestic situations that are continually periodically violent.

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<sup>17</sup> CDHR kicks against pregnancy HIV tests on students By Idowu Adelusi - 19.08.2007

<sup>18</sup> See Sun of September 25, 2005,

### **Privatisation and Economic Discrimination**

Between, 1999-2006, privatization and deregulation process in Nigeria, driven by the policies of International Funding Institutions (IFIs) led to the transfer of about 116 enterprises to the private sector, including various loss-making government enterprises operating in industries such as aluminium, telecommunications, petrochemical, insurance, and hotel businesses. In addition, the private sector is substantially taking over the provision of health, education, shelter, water, sanitation, urban waste management and other services hitherto provided by the State in Nigeria through the so-called public/private partnership (PPP). Hence the government through its economic policies has transferred its responsibilities of providing the basic necessities of life to private actors through its numerous economic policies.

This privatisation process has adversely affected women disproportionately as they are often the poorest and the most vulnerable to the price inflations that have often accompanied privatisation. For example in Cross River and Lagos States, where the public water supply has been commercialized, the prices have increased astronomically. The result is that women in those states, who are traditionally the drawers of water, have become burdened with more work, in the absence of the alternative of purchasing water.

### **NON STATE ACTORS POSITIVE IMPACTS ON THE IMPLEMENTATION OF CEDAW**

#### **Women's NGOs**

NGOs have been in the forefront of promoting the rights of rural women. Their efforts are various and they have made the greatest impact on implementing CEDAW in Nigeria. Their activities include:

- For example, Baobab for Women's Human Rights, WRAPA, WACOL, CIRDOC and WARDC have outreach centers through which women are enlightened on their rights, receive counseling, and empowered to make their voices heard in issues affecting them.
- The Socio-Economic Rights Action Centre (SERAC) has consistently campaigned for the rights of displaced rural women in communities affected by free trade zone projects.
- NGOs such as Project Alert and WACOL have created safe havens / halfway centres for battered women. Others have promoted skills for returnee victims of trafficking.
- Lift Above Poverty Organisation (LAPO) , COWAN have provided micro-credit, grassroots management training and micro-insurance scheme for thousands of women to reduce their vulnerability.
- Other NGOs have lobbied for the passage of laws against widowhood rites, disinheritance of women, and Female Genital Mutilation (FGM) and early marriage (such laws have been passed in the following states: Enugu, Cross River,

- Ebonyi, Edo and Oyo States). Some other NGOs promote paralegal education and legal aid for victims of women's rights abuses in rural communities.
- Women's groups and organizations have also organized capacity building for women in politics and these has facilitated greater number of women in politics.

### **Corporate Responsibility**

We have discussed above the frequently negative impact of privatisation on women in Nigeria but there are also corporations who are taking seriously their corporate responsibility to women.

- Access Bank Plc, one of Nigeria's leading banks recently signed an agreement with the International Finance Corporation for a \$15 million loan to be used to extend lines of credit to women entrepreneurs.
- MTN Nigeria a leading mobile communications provider has through its Corporate Social Responsibility interventions contributed to promoting the rights of women in the rural areas. One example is the MTN Rural telephone project. It is a micro finance scheme whereby rural women in Nigeria, referred to as "Phone Ladies" are loaned money through microfinance institutions to operate call centres in their communities. The telephone project is aims to accelerate the standard of living in rural communities by improving the livelihoods of our rural women and bridge the communication gap between the rural and urban communities.
- Multinational oil companies such as Shell, Exxon Mobil and Chevron, also run schemes aimed at reducing rural women's poverty through provision of boreholes, health centres, school blocks and equipment, and micro-credit.

As laudable as these efforts are it is important to sound a note of caution for many of the later schemes by oil companies which run predominantly in the Niger Delta region have been criticised on various grounds. They have been critiqued for their un-sustainability of the schemes and the poor participation of stakeholders, particularly women. In addition frequently they have been found not to be operating effectively on the ground – unfinished boreholes, non-working water pumps and so forth.

In addition to these philanthropic endeavours a number of companies and organisations have got involved in initiatives promoting gender equality:

- Global Compact - The Global Compact is a framework for businesses that are committed to aligning their operations and strategies with ten universally accepted principles in the areas of human rights, labour, environment and anti-corruption<sup>19</sup>. A good number of Nigerian companies have committed themselves to the Global Compact principles, opening the way for enhanced peer accountability on human rights issues by corporations.

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<sup>19</sup> The Compact Quarterly, UN Global Compact, March 2007

- Gender Equity Policies - The Nigerian Labour Congress, for example, has a Gender Equity Policy which it adopted in 2003. The policy seeks to promote women's rights and the need for affirmative action within the labour movement and in its external partnerships with other organizations. If consistently implemented, the policy has the potential to promote gender equitable practices in the labour movement and in affiliated organizations.

## **LEGAL AND POLICY FRAMEWORK**

- The National Gender Policy was adopted in 2006 in line with relevant regional and international instruments and has provided the foundation for responses to gender issues in Nigeria. The policy recognizes the interventions by non state actors in the implementation of its gender mainstreaming focus or goal, thus it identified private sector formal and informal, civil society as its stakeholder.
- Prior to the Gender Policy, at the 8th delegates' conference of Nigeria Labour Congress which held in February 2003, the NLC has adopted a number of policies including "The Gender Equity Policy". And also amended the Congress Constitution and provided for a National Women Commission whose Chairperson "shall have the status of Vice President of NLC, and shall enjoy all rights, duties and responsibilities accruing to the position.
- The Lagos State Ministry of Justice also adopted a policy for the creation of the Office of the Public Defenders to respond to issues of human rights abuse in the state. This serve mostly victims of violations of rights by non state actors.
- Some multinationals and national companies have recently adopted gender policies but the number is still few particularly in adopting a policy against sexual harassment in the workplace.
- Some Non- governmental organizations, like CDD, WANEP, ACTION AID – NIGERIA, JDPC Ijebu Ode also have gender mainstreaming policies in their organizations.

## **GAPS AND CHALLENGES**

The incorporation of non state actors into the programme of implementation of CEDAW is vital. Yet where non state actors have been involved it has only been in an ad hoc manner. This lack of integration of policy and coordination of action occurs for a number of reasons:

- The disinclination of the Nigerian government to make laws which oblige non-state actors to eradicate discrimination and promote women's needs.
- The reluctance of non state actors in Nigeria to fully embrace gender equality provisions in their policies particularly in the workplace.
- Lack of capacity of non state actors in promoting women's human rights and mainstreaming gender equality goals.

## **RECOMMENDATIONS**

- The government should put in place a law to compel private corporations to mainstream gender in their policies.
- Civil Society should promote women's human rights understanding in work places particularly in the privates sectors, both formal and informal.
- Accord legal force to the National Gender Policy to make it enforceable.
- International Financial Institutions (IFIs) are another set of non-state actors that have an important role of in implementing Nigeria's economic reforms. The country's obligations under CEDAW and other treaties should be cited whenever the country is negotiating with IFIs. This will ensure a gender equality perspective in formulation of externally-driven economic policies.
- Corporate organizations should incorporate gender & human rights training for management and staff as part of their human resource development strategy.
- Media organizations, themselves non-state actors, can play an important role in naming and shaming entities that violate women's socio-economic rights through investigative journalism. They can also highlight the human rights situation of rural women, thus attracting support and remedies from the state and other non-state actors.

## **WOMEN AND THE ENVIRONMENT /CLIMATE CHANGE**

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Whilst environmental degradation has severe consequences for all human beings, it particularly affects the most vulnerable sectors of society, namely women and children. The world's poor women play a decisive role in managing and preserving biodiversity, water, land and other natural resources. Yet their interaction with these environmental resources is often ignored or exploited. Through, omitting to consider the special position of these women the chance for better management of those resources is lost. A close engagement with the inter-relations between women and these environmental resources offers opportunities for greater ecological diversity, sustainability and for economic and social development.

The explicit emphasis on the gender related aspects of land, water and sanitation, urbanization and human settlement, pollution, energy, agriculture, rural development, drought and desertification, biodiversity and conservation, taken in the following section, reveals the links between gender and the environment. It is hoped that the highlighting here of the interconnections between these two will encourage actors - including U. N. CEDAW Committee, Commission on Sustainable Development, ECOSOC - recognise the importance of gender and environment.

## **OVERVIEW OF THE SITUATION/PROBLEM STATEMENT**

### **Environmental Degradation and Pollution**

The traditional roles and responsibilities of women mean that they are highly dependent on the environment for their survival and welfare. The environmental impacts of

women's work, their roles as family educators and the significance of their decisions as consumers have made sustainability a key issue for women and women's movement around the world.<sup>20</sup> According to the Beijing Platform of Action "...The deterioration of natural resources displaces communities, especially women, from income-generating activities, while greatly adding to unremunerated work. In both urban and rural areas, environmental degradation results in negative effects on the health, well-being and quality of life of the population at large, especially girls and women of all ages. Particular attention and recognition should be given to the role and special situation of women living in rural areas and those working in the agricultural sector,... Environmental risks in the home and workplace may have a disproportionate impact on women's health because of women's different susceptibilities to the toxic effects of various chemicals. These risks to women's health are particularly high in urban areas, as well as in low-income areas where there is a high concentration of polluting industrial facilities.<sup>21</sup> The following environmental problems affect the livelihood strategies of women, particularly rural women across Nigeria.

- **Gully/coastal erosion** are a problem in a number of States in Nigeria. This erosion results in the loss of arable land, migration, internal displacement of families and other social consequences. Poorer families in particular women headed households are more adversely affected by this erosion.
- There is rampant **spillage of oil** in the oil producing States (Rivers, Bayelsa, Imo, Abia, Akwa Ibom, Ondo, Delta, Edo) and States with oil pipelines and refineries (Lagos, Ogun & Kaduna) which have grave consequences on the environment resulting in loss of biodiversity, aquatic life, economic activities, sanitation and health problems among others.
- **Flooding** has become increasingly problematic in a large number of States particularly in Northern Nigeria. The consequences are; destruction of marine life, loss of farm land, loss of stored food and seed, migration, conflicts, dislocation of social life and loss of livelihood. Whilst the flooding hits all of the poor, it is particularly difficult for women subsistence farmers and are often less able to make up for lost crops through wage earning.
- **Desertification** is at the core of serious challenges and threats facing sustainable development and livelihood in Nigeria. It has been reported that desert encroachment is at the rate of 2 kilometres per annum. About 35 million people in 10 states in Northern Nigeria are suffering from the effect of desertification.
- In Nigeria more than 70% of the nation's population depends on **fuel wood**. At the present rate of deforestation it is estimated that Nigeria will have no forest by 2010 owing to the present level of deforestation activities. Re-forestation is less than 0.2% of deforestation so the rate of consumption far exceeds the

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<sup>20</sup> See Women 2000 and Beyond: Making Risky Environments Safer Published by United Nations Division for the Advancement of Women, P.7

<sup>21</sup> Paragraph 247, Beijing Platform of Action

replenishment rate. This situation is compounded by the increasing dependence on fuel wood due to the rising cost of alternative fuel sources such as kerosene and cooking gas. Rural women who are often the gatherers of fuel wood are therefore spending more time and walking further to collect wood. Their dependence on this fuel is high and the increasing scarcity will affect them as well as the environment greatly.

- The amount of **gas flared** annually in Nigeria is up to 2 billion standard cubic ft of gas is flared annually which translates to about 2.5 billion dollars annually.. The economic loss due to gas flaring is enormous and the resource really should be harnessed. The flaring also has serious implications for health implications and lowers crop yields. These effects impact poor women more extremely as they are often subsistence farmers and also less able to access medical care.

### **Water**

More than 60% of Nigerians do not have access to **clean and safe water**. The government's 'National Water & Sanitation Policy' drawn up in 2002. This policy does not mention gender. Although efforts have subsequently been made by government with support from the EU to mainstream gender and the policy is currently being reviewed to incorporate gender. The draft released about two months ago indicates that gender issues have been mainstreamed into the document and we hope that the final document will reflect this welcome development.

### **Land**

Land is a key social and economic asset, crucial for cultural identity, political power and participation in decision-making, providing a secure place to live, a site for economic and social activity, and collateral for credit and other resources and services. Women's rights to land is therefore critical for their social status, economic well-being and empowerment. In addition women can often be excluded from compensation for pollution and other environmental damage due to their non-land owning status.

Section 43 of the Nigerian Constitution guarantees every Nigerian (man or woman) the right to acquire and own immovable property anywhere in Nigeria. The Land Use Act, 1978 also confers general powers to own real property upon both men and women. By these provisions, all Nigerians regardless of sex are in principle, entitled to own land or other movable property, under the same conditions as prescribed by law. However, customary laws and practices of numerous communities in Nigeria do not support the right to own immovable property by Nigerian women. Such Laws and practices constitute derogations from the rights conferred upon Nigerian women by the above cited *constitutional* provision which means that they are often barred from effectively engaging in economic activities in their own rights; and having a secure and sustainable livelihood.

### **Housing**

In some cases in Nigeria women are not allowed by landlords to rent houses in their own rights unless, they produce a man as a husband, even if they are earning in their own

right. In the urban cities, the commercialization and co modification of lands have further pushed women out of the cities and in some cases to the slums.

### **GAPS AND CHALLENGES**

- CEDAW document is silent on the issue of women and environment. In view of the fact that the roles of women make them more dependent on the environment and more vulnerable to environmental changes it is important that these issues are considered by CEDAW in tandem with its consideration of the other arenas in which women are marginalised and discriminated against. .
- Owing to the fact that Women and environment has not been a provision under CEDAW, the sixth country report is silent on these issues except water.

### **RECOMMENDATIONS**

- The CEDAW committee should start to require that governments report on the gendered aspects of environmental problems and what they are doing to address them.
- When environmental issues are addressed or discussed measures must be taken to ensure that women are represented.
- There should be adequate compensation and restitution for communities affected by environmental and climate changes. This compensation should incorporate the whole community not just the land owners.
- Provision of social and affordable housing by governments to the poor especially women
- Action should be taken to challenge local customary laws on land ownership and women should have equal access to land ownership.
- A gender disaggregated data of land ownership should be maintained by the Bureau of Statistics.
- The gender analysis of the results of the 2006 Population and Housing census conducted by the National Population Commission (NPC) should be immediately released.
- Government should partner with community based organizations and NGOs in the implementation of all water policies and projects.
- Effort should be made to reduce cost of alternative sources of domestic energy both to slow deforestation and to make cooking fuel more affordable.
- UNCEDAW should adopt urgently a general recommendation on the issue of women, environment and climatic change.

## WOMEN'S RIGHTS CASE LAW

Over the years, women's rights have been neglected. Women themselves are ignorant of the existence of their rights and even when they are aware they often fail, for various reasons, to seek or to achieve redress for violations of their rights. Thus, despite growing awareness of women's rights there is still a dearth of legal case law on women's rights.

Poverty and cultural barriers have contributed to the current low level court cases which test women's rights. The societal expectations placed on women mean that they are not encouraged to stand up and defend their rights. Access to justice through the court system is an expensive process which deters many women from seeking legal redress. Only a handful of few non-governmental organizations: Women Aid Collective (WACOL), FIDA and WRAPPA amongst others provide legal aid for poor women in Nigeria.

By courageous individual action and sometimes through taking advantage of the legal aid offered by NGOs, some women have however taken their cases through the courts. Their efforts have however had mixed results. The tables below give examples of both retrogressive judicial decisions and progressive judicial decisions

### Retrogressive Judicial Decisions

Case/Citation	Area of Law	Judgment
<i>Mrs. Georgiana Ahamefule v. Imperial Medical Center and Dr. Alex Molokwu</i> , Suit No.ID/1627/2000 (Unreported Lagos High Court, Ikeja.)	Reproductive Rights/HIV and AIDS Litigation:	Court refused plaintiff attendance to court to give evidence and requested for expert opinion to show that it was safe for the plaintiff to appear in court.
<i>Onwucheke v. Onwucheke</i> (1991) 5 NWLR (pt. 197) 739	Inheritance/Succession	Upheld a custom where a wife is owed with her properties by her husband as chattel.
<i>Nzelu v. Nzelu</i> (1998) 1 NWLR 683	Custody/maintenance	Custody was given to the husband because he was richer and thus in a better position to take care of the child. (Note: This position will lead to perpetual denial of custody to women since they are often expected not to work in order to take care of the family.)

<i>Nkeaka v. Nkeaka</i> (1994) 5 NWLR (Part 346) 599	Inheritance	Female children do not inherit land but may have shares in money
<i>Amadi v. Nwosu</i> (1989) 2NWLR 373	Marriage Rights	Under customary law marriage, where a wife does not have a right to property ownership, she must prove her monetary contribution to family property before she can invoke other laws to claim joint ownership of property.

### Progressive Judicial Decisions

<b>Case/Citation</b>	<b>Area of Law</b>	<b>Judgment</b>
<i>Mojekwu v. Mojekwu</i> (1997) 7 NWLR (Pt. 512)	Inheritance/Property rights	The Oli-ekpe custom of Nnewi under which males and not females inherit the father's property was unconstitutional.
<i>Uke v. Iro</i> (2001) 11 NWLR 196	Inheritance/discrimination	Rights of all sexes are protected under the constitution; thus any law or custom that seeks to relegate women to the status of second class citizens, depriving them of their invaluable and constitutionally guaranteed rights are laws and customs fit for the garbage and should be consigned to history.
<i>Ukeje v. Ukeje</i> (2001) 27 WRN 14 CA 31 (2001)	Inheritance	The Igbo native law and custom disentiitling a female child from sharing in her deceased father's estate is void as it is in conflict with the provisions of Section 42 (2) of the 1999 Constitution.
<i>Amusan v. Amusan</i> (2002) FWLR 1385	Inheritance	Under Yoruba customary law, all children, male and female are entitled to inherit their parents' land.
<i>Muhammadu v. Muhammadu</i> (2003) 6 WRN 36	Inheritance under Sharia law	Female heirs are allowed to partake like their male counterparts in a modified manner.
<i>Folami v. Cole</i> (1990) 2 NWLR (pt. 133) 455	Inheritance	Held that a female child could be made head of the family if she is the eldest child; and all the surviving children are females.

<p><i>Hon. Emokpae &amp; 3 Ors. V. Mrs. Nekpen Idubor (2003)</i> 12 NWLR Part 849</p>	<p>Administration of Estates/Inheritance under Bini Law</p>	<p>The widow of a deceased intestate married under Bini native law and custom who is not entitled to benefit under the estate of the deceased, can commence an action against the administration of such estate to protect the interest of her children who are beneficiaries of the estate and to protect her personal interest where it is affected by the actions done by the administration of the estate in a purported gathering of the estate.</p>
<p>Mgbemere v. Mgbemere and Oyigboku Suit No/WWD/143/04</p>	<p>Dissolution of Marriage</p>	<p>The court granted the wife ownership of one of the properties of the marriage.</p>

# PART IV

## CONCLUSIONS AND RECOMMENDATIONS

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Since the last country report, some efforts have been made by government and NGOS to implement CEDAW in Nigeria. A lot, however, remains to be done. The government's report indicates that the gender equality has acquired more prominence in development programming in Nigeria, which has led to concrete engagements with gender by high level government decision-making organs and development agencies. Whilst some of this has taken place the level of engagement has been minimal. The Nigerian Government has generally not made issues on women a priority and our budgetary process has not taken into consideration the needs of women. The allocation of resources and direct expenditures to women issues is inadequate to execute the task.

This shadow report has shown that, the gains have been small and little improvement on the status of women has been achieved. The key reasons for this lack of progress are; entrenched patriarchal attitudes, ineffective enforcement/implementation machinery, and most vitally a lack of political will and as a result the absence of a concerted effort on the part of government.

On the ground in Nigeria widowhood practices, early marriage, FGM, and forced marriage are still disturbingly regular occurrences. All forms of abuse and exploitation of women are on the increase. Policies and laws that fail to accord women equal rights as full citizens have not been reformed. Maternal mortality rates are scandalously high and rural women can not access adequate health care.

In the political terrain in Nigeria, the report has shown a low performance of women, issues like gender and cultural patterns, ideology, predetermined social roles, male dominance and control help to reinforce female subordination. Party politics and structures still remain overwhelmingly male. This has been due to a failure by the government to put concrete structures and policies on ground and most importantly to make enabling laws to increase women's participation and empowerment.

While we commend the 6<sup>th</sup> periodic report of the government as a appreciable improvement on the previous reports, we wish to point out that some of the state laws, national policies and administrative steps mentioned in the report are not yet fully in place and where they are in place they are frequently not effective. Additionally the report fails to demonstrate any improvement in the following areas:

- Efforts to curb violence against women.

- The implications of Sharia law on women's rights. (It is surprising given the amount of international interest in the impact of Sharia law on women that this is not discussed in the report)
- Government's initiatives, if any, on establishing safe houses and support services to victims/survivors of sexual and gender based violence. (All safe houses mentioned in the report are credited to NGOs.)
- Concrete steps taken by the government to actually empower women in Nigeria politically, economically and otherwise.

In conclusion, the following recommendations are proffered for achieving the standards set out in CEDAW:

## **CONCLUDING RECOMMENDATIONS**

### **The government of Nigeria should take the following actions:**

- Immediately domesticate CEDAW and undertake action towards its full implementation;
- Undertake Constitutional Review which will include the elevation of the status of Chapter II on Fundamental Objectives and Directive Principles to justiciable provisions, and the amendment of section 26(2), 29(4) (b), 42(3) to eliminate de jure discrimination in the 1999 constitution of the Federal Republic of Nigeria;
- Enact national legislation that eliminates all forms of discrimination against women;
- Strengthen institutional mechanisms to enforce women's rights particularly for women subject to customary and religious laws. Sharia compliant states in Nigeria should work towards a justice system that guarantees equality and non-discrimination of all persons;
- Enact national legislation on Sexual and Gender Based Violence (SGBV) and Sexual abuse and Exploitation (SEA) including provisions of support services that will ensure total re-integration of both victims and survivors of violence;
- Effectively enforce laws and policies directed at the advancement of women. In particular the recent National Gender Policy should be operationalized;
- Mainstream gender in macro-economic reforms of government. Adequate measures should be put in place to ensure that policies and programmes targeted at poverty reduction will in reality enhance women's economic status and general empowerment;
- Take action towards the elimination of discrimination in education, especially monitoring policies and laws to ensure girl child completion of compulsory education;
- Protect of women's reproductive health and rights through legislation. Including legislative action to eliminate discrimination and stigmatization of women infected and affected by HIV and AIDs ;
- Take urgent action towards promotion of safe motherhood and drastic reduction of maternal and child mortality rate;
- Ensure that language in all policy and legal documents is gender sensitive;

- Establish comprehensive, up-to-date, statistical databases concerning gender inequalities;
- Provide women with unrestricted access to information, and take action to ensure that they benefit from ICT development and that the digital divide between rural and urban areas is broken down;
- Adopt a Gender budgeting policy and law that will ensure that the national budget is gender responsive;
- Sensitize the judiciary on gender issues and women's rights. They should guarantee women who seek redress access to court;
- Sensitize and train law enforcement officers including Customary and Sharia Court Judges on women's rights and international and regional normative framework for its enforcement;
- Initiate programs and policies including legislative measures that will urgently improve women's representation in public life-targeting elective and appointive positions;
- Put mechanisms in place to ensure full accountability by non state actors who violate women's human rights;
- Take adequate steps towards resettling and compensating women who have been displaced from their communities due to oil exploration and gas flaring;
- Set up massive public enlightenment campaigns that will sensitise people on women's rights and dissemination of rights based information;
- Publish and disseminate the concluding observations and recommendations made by the CEDAW Committee on the Nigeria's 6th country report.

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# APPENDICES

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## APPENDIX A

### PARTICIPATING ORGANISATIONS

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1. A- CODE, Enugu
2. Abantu for Development, Kaduna
3. Adnet, Enugu
4. African Women Empowerment Guild (AWEG), Edo
5. Adolescent Health & Information Project (AHIP), Kano
6. Almanah Rescue Mission, Plateau
7. Annabelles Bogi Development Initiative(ANNABELLES), Abia
8. Association of Lady Pharmacists, Rivers
9. AWORD, Borno
10. BAOBAB for Women’s Human Rights (BAOBAB), Borno
11. BICD, Gombe
12. Breakthrough Initiative, Gombe
13. Catholic Women Organization (CWO), FCT
14. Centre for Agric & Rural Development, Akwa Ibom
15. Centre for Democracy & Development (CDD), FCT
16. Centre for Development Support Initiative (CEDSI), Rivers
17. Center For Gender Studies, Benue State University, Benue
18. Centre For Information Technology & Development (CITAD), Jigawa
19. Centre for Niger Delta Women’s Human Rights, Rivers
20. Center For Women & Adolescent Empowerment (CWAE), Adamawa
21. Center For Women, Youths & Community Action (CWYCA), Nasarawa
22. Change Managers International Network, FCT
23. Christian Association of Nigeria (CAN), Kaduna
24. Civil Liberties Organization (C.L.O.), Lagos
25. Civil Resource Development And Documentation Centre (CIRDDOC NIG), Enugu
26. CIVIL RIGHT CONCERN, Enugu
27. Coalition Of Women NGOs, Bauchi
28. Community Based Development Non Governmental Organization Forum (CBD-NGO Forum), Plateau
29. Community Empowerment Initiative Organization (CEIO), Plateau
30. Community Partners For Development (CPD), Akwa Ibom
31. Country Women Association Of Nigeria (COWAN), Ekiti/Ondo
32. Country Women Association Of Nigeria (COWAN), Plateau

33. ECEWS, Akwa Ibom
34. Environmental Rights Action (ERA), Rivers
35. Equal Rights International, Bayelsa
36. Evangelical Development Association Of Christian Widows (EDACW), Nasarawa
37. Evangel Support & Empowerment Initiative (ESEIN), Rivers
38. FENNAM, Rivers
39. Federation of Muslim Women Association of Nigeria (FOMWAN), Kaduna
40. International Federation Of Women Lawyers (FIDA), Anambra
41. International Federation Of Women Lawyers (FIDA), Enugu
42. International Federation Of Women Lawyers (FIDA), FCT
43. International Federation Of Women Lawyers (FIDA), Kaduna
44. International Federation Of Women Lawyers (FIDA), Nigeria
45. International Federation Of Women Lawyers (FIDA), Rivers
46. Federation Of Muslim Women Association Of Nigeria (FOMWAN), Adamawa
47. Federation Of Muslim Women Association Of Nigeria (FOMWAN), National, Kaduna
48. Gender And Development Action (GADA), FCT
49. Gender Awareness Trust (GAT), Kaduna
50. GECORN, FCT
51. Gender Equality, Peace And Development Centre (GEPaDC), Borno
52. Gender Equity Network (GENO), Ekiti
53. Gender Environment and Rural Development Initiative (GEARDI), Borno
54. Girls Power Initiative (GPI), Cross Rivers
55. Global Health Awareness Research Foundation (GHARF), Enugu
56. Gumrama for Widows & Orphans Association (GFW&O), Adamawa
57. Heal the Land Initiative, Akwa Ibom
58. Heinrich Boll Foundation (HBF), Lagos
59. Human Rights Commission (HRCR), Ebonyi
60. Inter African Committee on Harmful Traditional Practices Affecting the Health of Women, Ogun
61. Inter-Gender Development Centre (Inter-Gender), Plateau
62. Institute for Human Rights and Humanitarian Law (I.H.R.H.L), Akwa Ibom
63. Institute for Human Rights and Humanitarian Law (I.H.R.H.L), Rivers
64. International Women Communication Center (IWCC), Kwara
65. Innovative Strategy for Human Development.(ISHD), Lagos
66. Justice Development & Peace Commission (JDPC), FCT
67. Justice Development & Peace Commission (JDPC), Ogun
68. LEAD-Nigeria, Kaduna
69. League For Human Rights, Plateau
70. Man & Water Survival Foundation, Bayelsa
71. MIWA, Akwa Ibom
72. Mother Care Forum, Kaduna
73. Muslim Sisters Association Of Nigeria, Plateau

74. National Centre for Women, Youth & Community Action, Nasarawa
75. National Council Of Women Societies (NCWS), Abia
76. National Council Of Women Societies (NCWS), Borno
77. National Council Of Women Societies (NCWS), Plateau
78. National Council Of Women Societies (NCWS), Rivers
79. Niger Delta Youth Forum (NDYF), Imo
80. National Industrial Court, FCT
81. Nigerian Association of Women Entrepreneurs (NAWE), Akwa Ibom
82. National Association Of Women Journalists (NAWOJ), New Wave Newspapers, Bayelsa
83. National Association Of Women Journalists (NAWOJ), Enugu
84. National Association Of Women Journalists (NAWOJ), FCT
85. National Association Of Women Journalists (NAWOJ), New Wave Newspapers, Imo
86. National Association Of Women Journalists (NAWOJ), Plateau
87. National Women Peace Group (NAWOPEG), ANAMBRA
88. Nigerian Bar Association (NBA), Rivers
89. Nigerian Concerned Group For Environment, Population & Development (N – COGEP-D), Imo
90. Niger Delta Network, Rivers
91. Nigerian Network Of NGOs (NNNGO), Lagos
92. Oasis of the Elderly, Youth and Family Development (OEYFAD), Imo
93. Omoku Emohua, Rivers
94. Oxfam, Plateau
95. Poverty Alleviation Programme (PAP), Imo
96. Partnership for Justice, Lagos
97. Peace & Development Organization (PEDO), Zamfara
98. Public Enlightenment Project, Katsina
99. Rural Health & Women Development. Akwa Ibom
100. Rural Widows Action Centre (RUWAC), Imo
101. Rural Women Empowerment Network (RUWEN/WUF), Lagos
102. Rural Widows and Orphan Foundation (RUWOF), Imo
103. SEDO, Borno
104. Society for the Preservation & Restoration of Women Honour & Dignity (SPRAD), Kaduna
105. Society for the Welfare of Women Prisoners (SWEWP), Enugu
106. Society For Women And Aids In Africa (SWAAN), Taraba
107. Society for Women & Development & Empowerment of Nigeria, Kano
108. Support for Women & Teenage Children (SWATCH), Kano
109. Taraba Youth Forum, Taraba
110. TEMPLORS, Lagos
111. The Heralds, Rivers
112. Top Choice Nigeria, Benue
113. Women Action Organization (WAO), Rivers
114. Women Aid Collective (WACOL), Abia

115. Women Aid Collective (WACOL), Enugu
116. Women Aid Collective (WACOL), FCT
117. Women Aid Collective (WACOL), Imo
118. Women Aid Collective (WACOL), Rivers
119. Wadi Initiative (WADI), Ondo
120. Women Advocates Research And Documentation Centre (WARD C), Lagos
121. Women Association of Maiduguri University (WAMU), Borno
122. Women & Development Movement(WADEM), Osun
123. Women Development & Resource Center (Kebetkache), Rivers
124. Women Empowerment Initiative (W.E.I), Anambra
125. Women Environmental Programme (WEP), FCT
126. WIDO, Enugu
127. Women for women in Distress (WWD), Abia
128. Women Information League, Akwa Ibom
129. Women in Media, Kano
130. Women in Nigeria (WIN), Imo
131. Women Information Network (WINET), Enugu
132. Women In Peace Building (WANEP/WIPNET), Lagos
133. Women in Politics (WIP), Abia
134. Women in Health Development, Zawan
135. Women in Law & Development in Africa (WILDAF), Lagos
136. WISSO, Enugu
137. Women Consortium of Nigeria (WOCON)/ Women Political Empowerment Center, Osun
138. WORNACO/WARDC, Lagos
139. Women & Orphans Soul Saving Aid (WOSSA), Delta
140. WRAPA, FCT
141. WRDC, Akwa Ibom
142. Women's Right to Education Programme (WREP), FCT
143. Women's Right Initiative (WRI), Yobe
144. Women & Youth Opinion Leaders Forum (WOLF), Niger
145. YEAR OF ULTIMATE TALENTS HARVEST(YOUTH), Enugu
146. Youth Awareness Advancement & Patriotic Association (YAAPA), Zamfara
147. YORDEL AFRICA, Enugu
148. YONAARD, Yobe

## WOMEN ELECTED THE 2007 NATIONAL ELECTIONS

**List of Elected Women**

	<b>NAME</b>	<b>STATE</b>	<b>POSITION</b>	<b>ZONE</b>	<b>PARTY</b>
1	Dame Virgy N Etiaba	Anambra	D/Governor	South East	APGA
2	Lady Ada Okwuonu	Imo	D/Governor	South East	PPA
3	Sarah Bisi Sosan	Lagos	D/Governor	South West	AC
4	Salmot Makanjuola Badru	Ogun	D/Governor	South West	PDP
5	Erelu Olusola Obada	Osun	D/Governor	South West	PDP
6	Mrs. Pauline Tallen	Plateau	D/Governor	North Central	PDP
1	Mrs Nkechi Nwogu	Abia	Senate	South East	PDP
2	Grace Folashade-Bent	Adamawa	Senate	North East	PDP
3	Eme Ufot Ekaette	Akwa-Ibom	Senate	South South	PDP
4	Joy Emodi	Anambra	Senate	South East	PDP
5	Chris Anyanwu	Imo	Senate	South East	PDP
6	Gbemisola Saraki	Kwara	Senate	North Central	PDP
7	Hon. Patricia Akwashiki	Nassarawa	Senate	North Central	ANPP
8	Hajiya Zainab Kure	Niger	Senate	North Central	PDP
9	Iyabo Bello-Obasanjo	Ogun	Senate	South West	PDP
1	Nnenna Elendu Ukeje	Abia	House of Reps	South East	PDP
2	Nkiru Onyejiocha	Abia	House of Reps	South East	PDP
3	Binta Masi Garba	Adamawa	House of Reps	North East	PDP
4	Dr Uche Lilian Ekwunife	Anambra	House of Reps	South East	PDP
5	Lynda Chuba-Ikpeazu	Anambra	House of Reps	South East	PDP
6	C.Demnege Alaaga	Benue	House of Reps	North Central	PDP
7	Doris Uboh	Delta	House of Reps	South South	PDP
8	Hon. Mercy Almona Isei	Delta	House of Reps	South South	PDP
9	Elizabeth Ogbaga	Ebonyi	House of Reps	South East	PDP
10	Fatima Raji-Rasaki	Ekiti	House of Reps	South West	PDP
11	Titilayo Akindahunsi	Ekiti	House of Reps	South West	PDP
12	Florence Akinwale	Ekiti	House of Reps	South West	PDP
13	Princess Peace Nnaji	Enugu	House of Reps	South East	PDP
14	Mrs. Juliet Akano	Imo	House of Reps	South East	PDP
15	Saudatu Sani	Kaduna	House of Reps	North West	PDP
16	Halima Hassan Tukur	Kebbi	House of Reps	North West	PDP
17	Nimota Suleiman	Kwara	House of Reps	North Central	PDP

18	Hon. Memunat Adaji	Kwara	House of Reps	North Central	PDP
19	Abike Dabiri	Lagos	House of Reps	South West	AC
20	Jumoke Okoya-Thomas	Lagos	House of Reps	South West	AC
21	Hon. Patricia Etteh	Osun	House of Reps	South West	PDP
22	Mulikat Akande Adeola	Oyo	House of Reps	South West	PDP
23	Folake Olunloyo-Oshinowo	Oyo	House of Reps	South West	PDP
24	Beni Lar	Plateau	House of Reps	North Central	PDP
25	Mrs. Martha Bodunrin	Plateau	House of Reps	North Central	PDP
26	Betty Okagua-Apiafi	Rivers	House of Reps	South South	PDP
27	Khadija Abba Ibrahim	Yobe	House of Reps	North East	ANPP
1	Blessing Azuru	Abia	House of Ass.	South East	PPA
2	Grace Uche	Abia	House of Ass.	South East	PPA
3	Alice Ekpenyong	Akwa-Ibom	House of Ass.	South South	PDP
4	Ekaette Ebong Okon	Akwa-Ibom	House of Ass.	South South	PDP
5	Bridget C Chukwuka	Anambra	House of Ass.	South East	PDP
6	Chinwe Clare Nwaebili	Anambra	House of Ass.	South East	PDP
7	Lillian Okosi	Anambra	House of Ass.	South East	PDP
8	Njideka Ezeigwe	Anambra	House of Ass.	South East	PDP
9	Nkiru Ugochukwu	Anambra	House of Ass.	South East	PDP
10	Rifkatu Samson	Bauchi	House of Ass.	North Central	PDP
11	Ruby Benjamin	Bayelsa	House of Ass.	South South	PDP
12	Hembadoon Amena Mercy	Benue	House of Ass.	North Central	PDP
13	Mrs. Pauline Ekuri	Cross River	House of Ass.	South South	PDP
14	Mrs. Uduak Akiba Ebo Hon. Beatrice Omawunmi	Cross River	House of Ass.	South South	PDP
15	Udoh	Delta	House of Ass.	South South	PDP
16	Irene Imilar	Delta	House of Ass.	South South	PDP
17	Joan Onyemaechi Bielonwu	Delta	House of Ass.	South South	A
18	Princess Patience Ajudua	Delta	House of Ass.	South South	A
19	Helen Nwobasi	Ebonyi	House of Ass.	South East	PDP
20	Dorathy Obasi	Ebonyi	House of Ass.	South East	PDP
21	Elizabeth Ativie	Edo	House of Ass.	South South	PDP
22	Elizabeth Ezeugwu	Enugu	House of Ass.	South East	PDP
23	Mrs. Chika Eneh	Enugu	House of Ass.	South East	PDP
24	Mrs. Edith Nnamani	Enugu	House of Ass.	South East	PDP
25	Princess Eugenia Ogbu	Enugu	House of Ass.	South East	PDP
26	Theresa Egbo	Enugu	House of Ass.	South East	PDP
27	Rosemary Ismaila Mairnngu	Gombe	House of Ass.	North East	PDP
28	Hajiya Zainab Alman	Gombe	House of Ass.	North East	PDP
29	Nwaneri Oyibo Norah	Imo	House of Ass.	South East	PDP
30	Ukachi Amaechi	Imo	House of Ass.	South East	PDP
31	Amina Dalhatu	Kaduna	House of Ass.	North West	PDP
32	Esther Abba	Kaduna	House of Ass.	North West	PDP
33	Cecilia Bose Ore	Kwara	House of Ass.	North Central	PDP
34	Raliat Aremu Adifa	Kwara	House of Ass.	North Central	PDP
35	Ramatu Adesina Abaya	Kwara	House of Ass.	North Central	PDP
36	Ajoke Adeniyi-Adegeye	Lagos	House of Ass.	South West	AC
37	Akande, Lola Fibisola	Lagos	House of Ass.	South West	AC
38	Badmus Olujobi Bola	Lagos	House of Ass.	South West	AC
39	Mrs Funmi Smith-Tejuosho	Lagos	House of Ass.	South West	AC

40	Olatunji Edet Omowunmi	Lagos	House of Ass	South West	AC
41	Mary E Enwugulu	Nassarawa	House of Ass.	North Central	ANPP
42	Afinike Eunice Dauda	Niger	House of Ass.	North Central	ANPP
43	Comfort Yuda	Niger	House of Ass.	North Central	PDP
44	Adijat Motunrayo A.Oladapo	Ogun	House of Ass.	South West	PDP
45	Rt. Hon. Titi Oseni	Ogun	House of Ass	South West	PDP
46	Olubitan C. Asake	Ondo	House of Ass.	South West	PDP
47	Barr. Idiat Babalola Olaruwaju	Osun	House of Ass.	South West	PDP
48	Dinah Lar	Plateau	House of Ass.	North Central	PDP
49	Joyce Ramdap	Plateau	House of Ass	North Central	PDP
50	Felicia Taneh	Rivers	House of Ass.	South South	PDP
51	Golden Ngozi Chioma	Rivers	House of Ass.	South South	PDP
52	Iren Martins Inimgba	Rivers	House of Ass.	South South	PDP
53	Lady Maureen Tamuno	Rivers	House of Ass.	South South	PDP
54	Linda S. Stewart	Rivers	House of Ass	South South	PDP

**Table of Cases:**

<b>S/NO</b>	<b>Title of Case</b>	<b>Citation</b>
1	Ajiboye V. Dresser Nigeria Limited	(1972) 7 CC HCJ 57
2	Akinbuwa V. Akinbuwa	(1998) CA/B/6/94(Benin CA 1998)
3	Aumeeruddy-Cziffra V. Mauritius ('Mauritian Women's Case')	(35/78), CCPR/C/12?D/35/197
4	Badejo V. Minister for Education	(1996) 8 NWLR 464 p.15
5	Bello V. AG Oyo	(1985) 5 NWLR45 p.828
6	Brown V. Board of Education	(1954) 347 US p.483
7	Coker. V. Coker	(1938) 14 NLR 83
8	Folarin V. Cole	(1986)2 NWLR (Part 22)236
9	Ibidapo V. Lufthansa	(1997) 4 NWLR 500 p. 754
10	Mary Amafili V. Rev. Fr. Amafili & Ors	Suit No. M/186/2000 (unreported)
11	Mojekwu V. Iwuchukwu	(2004) 11 NWLR 883 p.196.
12	Mojekwu V. Mojekwu	(1997) 5 NWLR 521 p.283
13	Nzekwu V. Nzekwu & Ors	(2002) 11 Nwlr 723 p. 196
14	Ogwugwu V. The State	(1998) 1 HRLRA p.169
15	Osehevire V. British Caledonia Ltd	(1990) 7 NWLR 163 p.159
16	Otti V. Otti	(1992) CA/J/164/89, 136 (Jos CA 1992)
17	Solomon V. Ogbodo	(1974) 4 ECSLR 457
18	Uke V. Iro	(2002) 11 NWLR 723 p. 196
19	Unity Doe V. A-G of Botswana	(1991) 13 Human Rights Quarterly, 614
20	Yusuf V. Okhia	(1976) 6 ELSLR

## CONSULTATION SCHEDULE

## CEDAW FORUM 2008 SCHEDULE FOR CONSULTATION WITH STAKEHOLDERS

	Forum	Venue	Date	No of Participants
1	National Forum	Gubabi Royal Hotel, Wuse Zone 5	March 12-16 <sup>th</sup> 2008	62
2	South West	Women Advocate Research & Development Centre (WARD C) Lagos-	28th March 2008	11
3	North West	ABANTU For Development Conference Hall, Ahmadu Bello Way , Kaduna	29th March 2008	17
4	North East	University of Maiduguri Commercial House, Maiduguri	31 <sup>st</sup> March 2008	16
5	South South (Uyo)	Conference Hall, Community Partners for Development, Uyo	31 <sup>st</sup> March, 2008	15
6	North Central	INTER-GENDER Conference Hall	1 <sup>st</sup> April, 2008	15
7	South East (Enugu )	WACOL Shelter, Enugu	1 <sup>st</sup> April 2008	19
8	FCT	Civic Rights Hall, Ministry of Justice, Abuja	2 <sup>nd</sup> April 2008	10
9	Port Harcourt	WACOL, Port Harcourt	3 <sup>rd</sup> April, 2008	16
10	Imo	South East Zonal Women Political Empowerment centre, Old Orlu Road Secretariat, Amakohia Owerri.	April 4 <sup>th</sup> 2008	14
11	Peer review	HS Continental Blue Ribbon hotel. off Allen avenue , Ikeja, Lagos	3 <sup>rd</sup> - 4 <sup>th</sup> April, 2008	9

# ABOUT WACOL

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Women's Aid Collective (WACOL) is a non-governmental, non-profit making organization registered as a company limited by guarantee with Corporate Affairs Commission (No. RC. 388132) and has an observer status with the African Commission on Human and People's Rights. WACOL is committed to promoting human rights of women and young people. We are gender conscious and work towards gender equality and human rights for all. Our vision is a society free from violence, all forms of abuses, where human rights of all, in particular women and young people are recognized in law and practice. WACOL assists in the educational, social, economic and political development of women and young people through a wide range of services: Training, Research, advocacy, Shelter, Legal and Financial aid. It has branches in the Federal Capital Territory Abuja, and seven other states of Nigeria: Enugu, Rivers, Katsina, Abia, Imo, Anambra and Ebonyi State and the combined staff strength is currently forty-six.



## WACOL LOCATIONS/ADDRESSES IN NIGERIA

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**g) Katsina Office:** No 102 Zaria Road, Funtua, Katsina State

**Free Legal Aid Hotline** Tel: 042-303333

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