

LIST OF PRIORITY ISSUES AND QUESTIONS PUT TOGETHER BY NIGERIA GENDER FOCUSED GROUPS FOR SUBMISSION TO CEDAW EXPERT COMMITTEE CONSIDERING NIGERIA 7TH & 8TH REPORT, AT A MEETING ON THE 21ST NOVEMBER 2016, ORGANISED BY WOMEN ADVOCATES RESEARCH AND DOCUMENTATION CENTER (WARDC) AND CENTA FOR ORGANISATIONAL DEVELOPMENT (COD -NIGERIA)

Background

World Bank (October, 2015) report indicate that the half of world extreme poor live in Sub Saharan Africa, with Nigeria contributing most of the poor population. Nigeria is ranked 159 out of 177 countries in Human Development Index. With a depressed economy that has been in recession since June 2016 and growing inflation, there are indications that more Nigerians are daily falling into poverty with over 70million unable to access one USD per day (NBS) 2016 report.

Nigeria is also one of the most unequal societies in the world (AEO 2010), with a gini coefficient value of 0.49 (HDR 2009), which, like the rates of poverty, has also been deteriorating. Approximately 20% of the population own 65% of the national wealth. UNDP (2009). nequality exacerbates poverty with over 100million Nigerian living in active poverty and unable to access one good meal per day. 70% of people that live in poverty in Nigeria are women. Inequality and poverty increase women's vulnerability to violence.

To this end, gender focused civil society organizations, concerned at the lack of concrete efforts to address vulnerabilities induced by inequality and poverty, especially the exacerbating violence against women and girls in both public and private spaces, and in parts of Nigeria in conflict situation (North East States of Bornu, Yola, Bauchi, Gombe, Taraba etc plagued with insurgency & Niger Delta States Plagued with Militants as well as South east states plagued with Kidnapping for ransom hereby list the following priority issues and questions for your consideration for Nigeria's 8th country report:

1. PRIORITY ISSUE 1 – Urgent need to review the 1999 Constitution of Nigeria, to ensure non-discrimination and guarantee women's substantial equality (Article 1,2,9 & 15)

- (a) **Non –Discrimination Clause-** Nigeria's 1999 Constitution by virtue of Section 42(1) (a) (b) provides for a general non discriminatory clause which prohibits discrimination on the basis of sex or other status including ethnic groups, place of birth or origin. While this is desirable for the protection of women and other vulnerable groups, we are concerned that same constitution by virtue of **S42 (3)** validates any law which imposes restriction with respect to the appointment as a member of the Nigerian Police Force or an office of a body corporate recognized by law. This provision is a claw back on the principle of non- discrimination and essentially compromises in particular rights of women.
- (b) **Citizenship-** Section **26(2)(a)** is an outright discrimination against women, when this section gives citizenship by registration only to 'any woman who is or has been married to a Nigerian man' but excludes any man married to Nigerian woman.
- (c) **Renunciation of Citizenship** –whereas the Constitution on one hand accepts age 18 as deem the age of adulthood or "full age" but by virtue of Section **29(4) (b)**; allows 'any woman who is married'

to be an adult, in a country where about half of the women in the North are married off by age 16. (Gender in Nigeria, Report 2012)

Questions:

- (a) What is the State doing as regards the amendment to section 42 (3) of the 1999 constitution that allows for discrimination with regards to armed forces, public enterprise and police force?
- (b) What concrete steps are being taken to ensure the current constitutional amendment takes into consideration the issue of foreign spouses of Nigerian women being stopped from being citizens of Nigeria as contained in S26 (2)?
- (c) What steps are been taken to curb child marriage or early marriage in Nigeria? Considering that four consecutive houses of the National Assembly between 1999 to 2015 have at various times in its constitution review process thrown these amendment away or stepped them down on the grounds of patriarchy, cultural norms and Religious values- we are concerned that extreme majors are needed to get these reviews in place in Nigeria.
- (d) What steps are being taken to curb child marriage or early marriage in Nigeria? (Considering that four consecutive houses of the National Assembly between 1999 to 2015 have at various times in its Constitution review process rejected these proposed amendments or stepped them down on grounds of patriarchy, cultural norms and religious values - we are concerned that extreme measures are needed to get these reviews in place in Nigeria.)

2. Issue 11- Gender Audit and review of laws that violate women's rights

Although substantial progress has been made, with the enactment of gender friendly laws across some states of the federation since the country's last report eight years ago in July 2008; several laws affecting the lives of women remain in need of amendment to bring them in line with CEDAW provisions. Implementation and enforcement of gender based laws in Nigeria are weak thus leaving women vulnerable to violence.

Questions:

- (a) What has Nigerian government done to review /repeal gender blind sections of the Criminal Code, Penal Code and other laws to be gender responsive and in concomitance with CEDAW provisions?
- (b) What steps have been taken by government to ensure the Violence Against Persons Prohibition (VAPP) Act is domesticated in all states in Nigeria?
- (c) The Gender and Equal Opportunity (GEO) Bill which seek to domesticate CEDAW and the AU Protocol had suffered set backs in recent time; What other concrete steps are been taken by the government to ensure the GEO bill is not rejected by the National Assembly and it is subsequently passed into law?

3. Issue 111- Political Participation

Nigeria has ranks very low with regards to Women's Political Participation, such that in 16years of un interrupted democracy, the number of women elected into public office, show a record of less than 8%. The most recent election (March 2015) has further shown much retrogression.

Available statistics from the 2015 general election revealed that women won, at the National level, 8 out of 109 (7.3 %) senatorial seats, and 20 out of 360 that is a mere 5.6 % of House of Representatives seats. The story at state parliaments is even the worst, as women won only 39 out of 991 available seats at the state houses of assembly. These figures represent a paltry percentage of 3.9. The overall percentage of seats won by women at the national assembly is just about 6.5, a decrease from 2011 election that stood at seven percent (Prof. Joy Ezeilo, 2015“ An Assessment of Women's Participation in the 2015 General Election in Nigeria).

Questions:

- (a) What steps are taken by government to ensure equal opportunity in political participation particularly in elective positions?
- (b) What concrete steps are been taken to activate the National Gender Policy and ensure at least 35% affirmative action in appointive and elective position in Nigeria?
- (c) Women Political Empowerment Offices have existed since 2007 in all the six geo-political Zones in the country principally to increase women's political participation, yet our numbers and figures are neither growing nor increasing- Why is this so ?

4. Issue IV – Education and the protection of the Girl Child against insurgents and other violation (Article 10)

Nigeria in recent time has witnessed attacks on schools by insurgents, kidnapers and abductors; making schools more unsafe for children particularly for the girl child. She is exposed to high levels of insecurity, abduction from schools and sexual violence. While progress has been made in government commitment towards the support of girl child education and retention in school, implementation is still poor, a large proportion of girls still remain out of school especially in northern region due to unsafe nature of schools and other cultural and religious factors.

Question

- (a) What concrete steps are been taken by government to ensure that schools are safe and secure for girls?
- (b) What efforts are being made to ensure the return of the remaining 195 abducted Chibok Girls considering that 21 were released on October 13 2016 and three had previously ran away on their own ?
- (c) What steps are been taken to stop issues of adoption of girls and their subsequent forceful marriage and religious conversion, which is becoming a rampant phenomenon in Nigeria with likely effect on girl child education as they are impregnated shortly after abduction?

- (d) What can be done to address the failure of government agencies and established traditional institutions to enforce extant laws that protects the girl child? To this end, we call on Nigerian government to ensure the full implementation and enjoyment of the Child rights Act in remaining 12 states of the federation that are yet to domesticate the Act 13 years after it was enacted into law in Nigeria.
- (e) What steps are being taken by government to address issues of sexual harassment of girls and women in IDP camps and other government institutions including prisons, police cells and shelters?
- (f) What is government doing to curb practices of “baby factories” where young girls are groomed with the aim of producing babies for sale a growing business culture in Southern Nigeria?

5. Issue V- Maternal Health (Article 12)

We recognize that appreciable progress have been made in the last few years in reducing maternal mortality rates and child mortality rates in Nigeria. However the maternal health facilities are still plagued with poor infrastructure, corruption, poor services, which continue to make Nigeria one of the most unsafe places to give birth in the world. The current ratio of 576 to 100,000 live births remain a source of great concern especially with the poor implementation of the National Health Act, alongside issues of accessibility, affordability, availability and quality of health care remain critical in maternal health services in the country. Of immense concern is stopping of health programs including SURE-P that recorded remarkable improvements in access to qualitative health services by the poor and vulnerable groups in Nigeria.

Questions

- (a) What steps is the state taking to ensure that women have access to appropriate maternal health services including contraception so as to prevent unwanted pregnancies, unsafe abortion and high maternal death?
- (b) What steps can be taken by the government to repeal all laws affecting women’s enjoyment of their freedom of sexuality including rights to bodily integrity or acts that can further compromise sexual rights particularly violations as a result of the passage of the anti same sex discrimination law, which has exposed more women to different forms of violation and in particular sexual abuse?
- (c) What can be done to stop detention of pregnant women in public hospitals for failure to pay maternal health fees or the compulsory condition of spousal blood donation in our health facilities?

6. ISSUE VI: Socio economic rights of women (Article 13, 14,15 &16)

There is lack of concrete data on the beneficiaries of the Federal Ministry of Women Affairs & Social Developments initiatives particularly WOFEE and BUDFOW economic empowerment programs. Considering that these programs have been in existence since 2007 and were reported in the 2008 6th country report. Research has shown that few women benefited from these socio economic programs of the government and employment opportunities. Women generally remain less economically empowered than men and the recent economic crisis in Nigeria has had more negative impact on women than men and their economic empowerment.

Questions:

- (a) What is the government doing to address the growing menace of Fulani herdsmen who in search of grazing lands have invaded communities in Enugu state - Agatu and Benue States, raised down houses, raped women and girls and maimed and killed innocent Nigerians?
- (b) Since the last administration, lauded programs like GWIN, You-Win mentioned in the Nigeria report have been ineffective, what are the plans of the government to reactivate these programs so as to ensure more women are empowered economically?
- (c) What is the government doing to accelerate economic empowerment programs for women in rural communities so as to enable rural women in particular smallholder women farmers and marginalized young women overcome poverty?
- (d) In respect of Nigeria's commitment to the UN Resolution 1325, what percentage of women are participating in peace deals in the north east and Niger delta and what roles are women and their agencies playing in conflict and post conflict reconstruction in Nigeria?
- (e) What is the government doing about protecting the girls and women from sexual harassment and rape in the IDP camps?

Issue 7: Violence against women Article 5 and GR 24

Studies by civil society organizations and the academia in Nigeria show that one in every three female has suffered one form of violence or the other before age five. Violence against women cuts across age and social strata. Subordination and subjugation of women in Nigeria is without considerations to their educational, social or economic status despite constitutional provisions that guarantee equality of men and women and non discrimination based on sex, creed, religion and cultural groupings:

Women and girls human rights abuses vary by geographic location with southern states recording higher reported cases than the Muslim North. While violence against women in the north is exacerbated by boko haram insurgency and its attendant consequences including large numbers of women and girls exposed to violent vulnerabilities in IDPs camps, the issue of child marriages remain very significantly with emerging trends including the abduction of fourteen year old Ese Oruru (a Christian) from Bayelsa State by Yunufa a Northern Moslem in August 2015, took her to the Emirates palace in Kano, converted her to Islam and forced her into marriage under Islamic rites. Meanwhile, in southern Nigeria, high rates of unemployment and few livelihood opportunities in rural and urban areas limit economic opportunities for more women and girls in comparison with men and boys thereby effectively preventing a route out of poverty and ability to protect and defend abuses and denial of their rights thereby increasing cases of violence against women.

Over 60% of victims of human rights abuses prefer to deal with them quietly within the confines of the family. The few cases that are reported do not want their names and history of abuses documented and published. The culture of

silence has led to several deaths. Between June 2009 and 2014, over 2000 women were reported to have died due to violence and abuse of their rights perpetrated by relations, spouses and friends in North East, South East and South West zones of Nigeria alone. The July 10 2011 flooding of Lagos State after two days of torrential rain claimed at least 35 lives, 30 of them were women and children. Unfortunately, it is long after the victim of domestic violence and human rights abuses are dead that these cases are published or discussed in the media. Sensitization, awareness creation and economic empowerment of women and girls remain the veritable tools to prevent domestic violence, human rights abuses and denial of rights for women and girls in Nigeria.

In sum, women are exposed to different forms of violence in Nigeria ranging from rape and sexual assault including in IDP camps to domestic violence. It is commendable that finally, Nigeria has a Violence against Persons Prohibition Act which was passed in 2015. This Act is limited in its application as it applies only to the Federal Capital Territory.

Suggested Questions:

1. What measures have been put in place by the government towards the implementation of the VAPP Act especially with respect to the training of law enforcement agents, prosecutors, judges and magistrates on the use of the law?
2. What steps are being taken by government to address issues of sexual harassment of girls and women in IDP camps and other government institutions including prisons, police cells and shelters?
3. What gender machineries are in place to attract and release funds and grants for gender equality and empowerment of women? Where are the funds? Where are they domiciled? Who can access them? What are the criteria for its assessment and disbursement?

ENDORSED BY THE FOLLOWING ORGANISATIONS:

AAWORD
ACTION HEALTH INCORPORATED
AFFIRMATIVE ACTION INITIATIVE FOR WOMEN (NCAA)AFRICAN WOMEN LAWYERS
ASSOCIATION (AWLA)
AJEGUNLE COMMUNITY PROJECT
CENTA FOR ORGANISATIONAL DEVELOPMENT (COD)
CENTER FOR TWENTY FIRST CENTURY ISSUES (C21ST)
CENTER FOR WOMEN STUDIES AND INNOVATION (CWSI)

CENTRE FOR THE RULE OF LAW (CENTROLAW)
CENTRE FOR WOMEN'S HEALTH AND INFORMATION (CEWIN)
CENTREFOR MMADU ON HUMAN RIGHTS (C4M)
CHANGE MANAGERS INTERNATIONAL NETWORK, NIGERIA
CIVIL RESOURCE DEVELOPMENT AND DOCUMENTATION CENTER (CIRDDOC) ENUGU
CIVIL SOCIETY LEGISLATIVE CENTER (CISLAC)
COMMITTEE FOR THE DEFENSE OF HUMAN RIGHTS (CDHR)
COMMUNITY EMPOWERMENT PARTNERS INTERNATIONAL (CEPI)
CORE HUMAN RIGHTS INITIATIVE (CHRI)
DEVELOPMENT COMMUNICATIONS NETWORK (DEVCOMS) LAGOS
ENVIRONMENTAL RIGHTS ACTION/FRIENDS OF THE EARTH (ERA/FOEN), BENIN
GENDER AND CONSTITUTION REFORM NETWORK (GECORN)
GENDER AND DEVELOPMENT ATION (GADA) KADUNA
GENDER AWARENESS TRUST (GAT)
GENDER CHILD AND RIGHTS INITIATIVE
GENDER EQUALITY, PEACE AND DEVELOPMENT CENTRE (GEPaDC)
GENDER TECHNICAL UNIT (GTU)
GIRLS POWER INITIATIVE
GLOBAL COMMUNITIES PRIME INITIATIVES KADUNA
HENRICH BOLL FOUNDATION (HBF)
HUMAN ANGLE
INTERNATIONAL FEDERATION OF WOMEN LAWYERS (AWKA, ANAMBRA)
INTERNATIONAL PRESS CENTRE (IPC)
IPAS NIGERIA
KETBEKACHE
KUDIRAT INTIATIVE FOR DEMOCRACY (KIND)
LABOUR HEALTH AND RIGHTS DEVELOPMENT CENTRE
LACVAW
LADY MECHANIC INITIATIVE
LEGAL DEFENSE AND ASSISTANCE PROJECT (LEDAP)
LEGAL RESEARCH RESOURCE AND DOCUMENTATION CENTER (LRRDC)
LPI-FLEDSR GWARIMPA ABUJA
MODEL MISSIONS AFRICA (MOMI AFRICA)
NATIONAL ASSOCIATION OF DEMOCRATIC LAWYERS (NADL)
ORGANISATION FOR NON-FORMAL EDUCATION FOUNDATION
ORGANISATION FOR THE CHILD, WOMAN AND FAMILY (ONEF)
PARTNERSHIP FOR JUSTICE
PROJECT ALERT
UTMOST CARING WORLD
WADSS

WEST AFRICA NETWORK FOR PEACE (WANEP)
WOMEN ADVOCATES RESEARCH AND DOCUMENTATION CENTER (WARDC)
WOMEN AIDS COLLECTIVE (WACOL)
WOMEN EMPOWERMENT PROGRAM (WEP)
WOMEN INFORMATION NETWORK (WINET, ENUGU)
WOMEN INITIATIVES FOR AFFIRMATIVE ACTION
WOMEN LAW & DEVELOPMENT CENTER (WLDCN)
WOMEN LAW AND DEVELOPMENT CENTRE (WLDCN)
WOMEN OPTIMUM FOUNDATION (WODEF)
WOMEN PROTECTION ORGANISATION (WOPO)
WOMEN'S HEALTH AND RIGHTS INITIATIVE
WOMEN'S OPTIMUM DEVELOPMENT FOUNDATION (WODEF)
WOMEN'S RIGHT TO EDUCATION PROJECT (WREP)
WOMEN'S RIGHTAND HEALTH PROJECT (WRAHP)
WOMEN'S RIGHTAND HEALTH PROJECT (WRAHP)
WOMEN'S RIGHTS ADVANCEMENT AND PROTECTION ALTERNATIVE (WRAPA)
WOMEN'S RIGHTS ADVANCEMENT AND PROTECTION ALTERNATIVE (WRAPA)