



10 July 2017

Statement by the CEDAW Coalition on Women, Peace and Security CEDAW67, Review of Nigeria

READ VERSION¹

I speak on behalf of a coalition of NGOs who have submitted a report on some aspects of the Women, Peace and Security agenda.

Women in Nigeria have paid a heavy price in the conflicts that have been ravaging areas of the country. These include the herdsmen crisis that has caused killings and massive displacement, especially affecting rural women.

Nigeria recently launched its second National Action Plan 1325. The Plan requires adequate dedicated funding. A low level of representation in decision-making positions is a serious obstacle to its effective implementation. Moreover, the very high proliferation of small arms and light weapons continues to have a serious impact on women both in conflict and non-conflict areas. It is estimated that over 70% of illicit SALW in West Africa are located in the country

Provisions of the Violence against Persons Prohibition Act, Childs Rights Act and Disability Rights Bill on response protocols to cases of sexual and gender-based violence are not enforced. At the moment, even police refuses to treat sexual and gender-based violence as a crime.

Because of serious obstacles in accessing justice, some survivors have turned to other avenues to seek justice and redress. For example, Dorothy Njemanze, sitting next to me, and three other women have filed a case against the government with the ECOWAS Court of Justice.

In addition to these issues, we have brought to your attention our concerns and recommendations with regard to inheritance laws, gender-based violence, including domestic violence, access to employment and education, and discrimination against persons with disabilities.

¹ Because of speaking time restrictions, it was possible to make only a one-and-half minute statement

LONGER VERSION

Our shadow report² highlights gaps in the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women with a **specific focus** on some aspects of the **Women, Peace and Security agenda** more broadly.

Women in Nigeria have paid a heavy price in the **conflicts that have been ravaging** the country, especially in the past two decades. They have endured **unprecedented levels of sexual violence, along with related HIV infection, involuntary pregnancies and health complications, increased food insecurity and internal displacement**. Ongoing conflicts in Nigeria include those linked to **violent extremism** in the **North East**, resurgence of **militancy over economic grievances and kidnapping** in the **Niger Delta** and **grievances over land use** due to competition over natural resources **between farming and herders communities** (the herdsman crisis) occurring in **most parts** of Nigeria.

The **proliferation of small arms and light weapons (SALW)** in Nigeria is **very high**; it is estimated that **over 70% of illicit SALW in West Africa are located in the country**.³ This proliferation has been having a serious impact on women both in conflict and non-conflict areas; it compromises, among other things, women's equality and bargaining power within the household, their mobility, and their political participation. Nigeria was the first African country to **ratify the Arms Trade Treaty**; it has also ratified the ECOWAS Convention on small arms. However, it is **yet to domesticate** them.⁴

In addition to CEDAW, Nigeria has ratified, among others, the Optional Protocol to CEDAW as well as the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol). Nigeria launched its **second National Action Plan for the Implementation of UNSCR 1325** and related resolutions (NAP) on 9 May 2017; the NAP covers the period 2017-2020.⁵ It was developed to incorporate emerging issues in Nigeria (i.e. violent extremism and other post-conflict and reintegration issues) as well as address the gaps identified in the first NAP (i.e. absence of crisis management and recovery strategies, ambiguous language and inadequate monitoring and evaluation architecture). However, **domestication and implementation and adequate funding remain a big challenge**. A low level of representation in decision-making positions is a serious obstacle to the effective implementation of the NAP.

Women persistently experience **discrimination in the public and political spheres** despite recent initiatives to address this. While women's representation during the past administration had risen from

² Joint report by the Women, Peace and Security Coalition on CEDAW: Women, Peace and Security in Nigeria, available at: <http://wilpf.org/wilpf-publications/>

³ <http://allafrica.com/stories/201608110295.html> <http://www.vanguardngr.com/2016/08/nigeria-accounts-70-illicit-weapons-wafrica/> .

⁴ For a convention or treaty ratified by Nigeria to become operational, the constitution requires that it be domesticated by the National House. The legal system of the Federal Republic of Nigeria also requires domestication at the state level of legislation adopted at the federal level. This requirement depends on the law in question.

⁵ A scanned version of the NAP 2017-2020 is available at this link: <http://www.peacewomen.org/sites/default/files/NAPNigeria.pdf>

10% in 2011 to over 33% in 2013, these numbers have declined with the present administration. The national **average of women's political participation** in Nigeria has remained at **6.7% in elective and appointive positions**.

The proposal of the Gender and Equal Opportunity (GEO) Bill faced fierce resistance from men from the Northern regions, as it is said to go against the beliefs of Islam. Furthermore, the constitutions and **manifestos of political parties** in Nigeria **rarely mention affirmative action** for women. In addition, some **regulations in the electoral system are strong impediments** towards women's political empowerment. For example, it is **impossible to make provisions for independent candidatures** and, in some instances, **married women cannot contest in the states where their husbands hold any elective position**.

There is **no comprehensive national law on violence against women**. For instance, the Violence against Persons Prohibition Act (**VAPP**) of 2015, incorporating provisions based on Nigeria's international human rights obligations, is presently **only justiciable in the Federal Capital Territory** while other states are yet to domesticate it. Its **implementation in the Federal Capital Territory is poor** and there is a very **low level awareness** of it. There are proposals for additional laws, which have not yet become an Act, such as the GEO Bill.

In our report, we highlight ongoing concerns about **discrimination and gender-based violence**, with specific examples on **inheritance laws, access to employment, domestic violence, persons with disabilities, and access to justice**. With regard to gender-based violence, because of serious obstacles in accessing justice, some survivors have turned to other avenues to seek justice and redress. For example, four women, including Doroty Chioma Njemanze, have filed a case against the Federal Government at the ECOWAS Community Court of Justice in 2014; the date for a judgment hearing has only been set to 12 October 2017.

The lack of access to adequate social infrastructures has been worsened by the **prevalence of the conflicts**, which has **ravished most rural areas, weakening women's capacity to actively participate in community activities**. The **Herdsmen crisis**, causing **massive displacement and killings** (for instance, in April 2017 alone, 808 people have been reported to be killed in Kaduna state; in February and April 2016, 548 people were killed and 700 displaced in Benue and Enugu State) has taken an especially heavy toll on rural women. No arrests or prosecutions have taken place so far.

Some 70% of Nigerians live below the poverty line, with women constituting 80% of them. About 54 million of Nigeria's estimated 78 million women live in rural areas. The **lack of consistent funding and sustainability of programs** has continued **to prevent any significant improvement for rural women**, with state interventions being at best a one-off event. **Public sector investments in agriculture have remained low at less than 4%**.⁶

Our report highlights particular **challenges** for rural women, such as access to **healthcare** services, **family planning** services, access to **education**, and **discriminatory inheritance laws** (although women

⁶ <http://www.agrobusinessngr.com/oxfam-seeks-favourable-policy-boost-womens-capacity/>

represent between 60 and 79% of Nigeria's rural labor force, men are five times more likely than women to own land.⁷⁾

Despite the fact that the **Constitution provides for free, compulsory and universal primary education**, it **lacks clarity**, does **not take cognizance of disparity between** the number of **boys and girls** accessing education. The relevant chapter(s) of the Constitution on education do not specifically address girls' education. Moreover, the word "free" does not make any clarification as to whether it includes provision of free uniform, text books, free meals, free transportation, etc. whose costs are, often, extremely high. The word "compulsory" is effectively constructed as **not justiciable**. The **government has refused to implement the ECOWAS Community Court of Justice's ruling that education is justiciable**. Programs, such as the Universal Basic Education (UBE), are not effective. In addition to these concerns, in the report, we address the impact of conflict and poverty on girls' possibilities to access education, socio-cultural and religious misconceptions, lack of funding and the absence of female vocational training centers.

⁷ <https://www.dailytrust.com.ng/news/general/55-percent-women-households-head-landless-oxfam/188504.html>.