

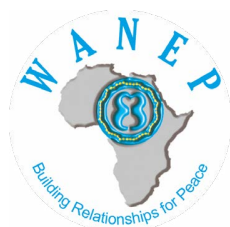
# Women, Peace and Security

## Joint report for the Universal Periodic Review of Nigeria

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## **I. About the CEDAW Coalition on Women, Peace and Security**

This submission is made by the CEDAW Coalition on Women, Peace and Security, a coalition of eight registered Nigerian NGOs, which was established in 2017 with the aim to provide the CEDAW Committee with information about gaps in the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women with a specific reference to the Committee's General Recommendation 30 and the Women, Peace and Security agenda more broadly.

Building on that experience, the Coalition is making this UPR submission focusing on gaps in the implementation of the Women, Peace and Security agenda in Nigeria. This submission draws from the Coalition's report to the CEDAW Committee with some updated information, a copy of which is provided as an Annex to this submission (hereinafter 'the Coalition's shadow report'). Many of the recommendations made by the CEDAW Committee to Nigeria are relevant to the Coalition's concerns and are therefore highlighted throughout this submission.

## **II. Context**

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 conflict in the North East has resulted in massive loss of lives, property and livelihoods. Boko Haram's attacks and increased militarisation in the region continue to have a devastating impact on women and girls. According to UNFPA, the increase of gender-based violence is growing astronomically with the activities of the insurgency in the North-East. Forms of gender-based violence encompass forced and early marriage, and physical, mental or sexual assault on women, and FGM.<sup>1</sup> In addition to Boko Haram's abduction of girls, their recruitment as suicide bombers, sex slaves and forced labourers, Boko Haram's attacks are leading to an increased rate of women and girls internally displaced, who are forced to seek shelter in various IDP camps across the nation. The number of IDPs as a result of the conflict with Boko Haram is estimated to be more than 2.2 million, with 1.4 million of them in Borno State, according to a 2017 report by the Special Rapporteur on the human rights of internally displaced persons on a visit to Nigeria.<sup>2</sup>

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<sup>1</sup> <https://nigeria.unfpa.org/node/6123?page=1>.

<sup>2</sup> Report by the UN Special Rapporteur on the human rights of internally displaced persons, Chaloka Beyani, on his mission to Nigeria from 23 August to 26 August 2016, UN Index: A/HRC/35/27/Add.1, 12 April 2017.

In the Niger Delta, there has been a proliferation of militant groups staging attacks on energy infrastructure at the heart of its resources.<sup>3</sup> Such attacks include illegal bunkering, pipeline vandalism and oil theft that have heavily impacted on the capacity of Nigeria's oil and gas assets to function optimally.<sup>4</sup> Women and girls have been particularly affected by the conflict, because of its devastating impact on economic activities and means of subsistence of inhabitants in the area, which adds to the severe impact due to environmental degradation by oil companies in the region.

The increasing competition for natural resources between farming and herders communities in many areas of the country, especially in North Central and South East, has led to many violent clashes, including deadly attacks.<sup>5</sup> The resulting crisis has affected the life and security of women and girls, particularly of widows as they are often killed, raped and rendered homeless. In rural areas, where the majority of women are farmers, food production and farmlands have been abandoned out of fear that cattle would graze on them, exacerbating poverty and food shortage in the country. Furthermore, women have no access to security, as there are no strategic locations of security agencies in rural areas.

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<sup>3</sup> <http://www.bloomberg.com/news/articles/2016-08-11/nigeria-oil-output-seen-stuck-at-lows-as-new-militants-emerge> and <https://www.forbes.com/sites/uhenergy/2017/02/13/oil-and-violence-in-the-niger-delta-isnt-talked-about-much-but-it-has-a-global-impact/#776924604dc6>.

<sup>4</sup> <http://www.nnpcgroup.com/PublicRelations/NNPCinthenews/tabid/92/articleType/ArticleView/articleId/68/How-Pipeline-Vandals-Cripple-Fuel-Supply--NNPCincurs-over-N174-billion-in-products-losses-pipeline-repairs.aspx>.

<sup>5</sup> See, for example, Press briefing note on Mozambique and Nigeria by the UN High Commissioner for Human Rights of 26 April 2016: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19905&LangID=E>.

### III. The challenge of domestication of legal instruments

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.

In previous UPR cycles, Nigeria committed to domesticate international norms<sup>6</sup> and to do so particularly with respect to the CEDAW Convention and eliminating gender-based discrimination.<sup>7</sup> In 2017, the CEDAW Committee reiterated to Nigeria the urgent need to domesticate the Convention.<sup>8</sup> However, domestication (incorporation into domestic laws) and implementation remain a big challenge.

#### Recommendations

Nigeria should:

- Urgently domesticate the CEDAW Convention and strengthen its national coordination mechanisms to ensure a coherent and consistent implementation of the provisions of the Convention in all parts of the State party, as recommended by the CEDAW Committee;<sup>9</sup>
- Ensure the prompt domestication of all other international instruments to which it is a party.

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<sup>6</sup> UPR II 135.14. Ensure international conventions are streamlined in domestic laws (France); UPR II 135.16. Speed up the process of adopting laws that coincide with treaties that Nigeria has recently ratified (Iraq); UPR II 135.17 Enact these treaties (international instruments Nigeria ratified) into its domestic legislation (Hungary); UPR II 135.19. Fully domesticate the human rights instruments which were recently acceded to with the aim of fully and effectively implementing them (Kenya); UPR II 135.15. Incorporate into municipal law various instruments such as the Optional Protocol on the Rights of Persons with Disabilities (Ghana); UPR II 135.14. Ensure international conventions are streamlined in domestic laws (France).

<sup>7</sup> UPR I 103.2 Accelerate the process of passing into law the various rights-based bills before the National Assembly in order to provide broader scope of protection for vulnerable members of society, especially women, children and the disabled (Ghana); Pass the bill for the early domestication of the Convention on the Elimination of All Forms of Discrimination against Women (Norway; Republic of Korea), without further delay (Norway); Intensify its efforts to domesticate the international norms aimed at eliminating gender based discrimination (Niger); Further pursue that its existing legislation at federal, state and local levels fully complies with the Convention on the Rights of the Child (The Netherlands); Pursue its efforts in order to incorporate the provisions of the Convention on the Elimination of All Forms of Discrimination against Women in its national law (Algeria; Brazil); The National Action Plan include concrete and time-bound steps to accelerate the process of full domestication of all international human rights treaties to which Nigeria is Party, with particular priority on the Convention on Elimination on All Forms of Discrimination against Women (New Zealand); UPR I 103.19. 19. Pursue the full implementation of its expressed commitment to prohibit all forms of violence against women, and to prevent illegal trafficking of women and girls, and take into account in this regard, among others, the recommendations of the United Nations treaty bodies (The Netherlands).

<sup>8</sup> Paragraph 10a), UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

<sup>9</sup> Paragraph 9a), UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

## IV. The National Action Plan 1325

In past UPR cycles, Nigeria committed to fully implement its National Action Plan for the Implementation of UN Security Council Resolution (UNSCR) 1325 and related resolutions (hereinafter NAP 1325 or NAP ) and to meaningfully involve women in the peace process.<sup>10</sup> It also committed to work closely with civil society organisations and NGOs for the protection and promotion of human rights.<sup>11</sup>

Nigeria launched its second NAP 1325 on 9 May 2017; the NAP covers the period 2017-2020.<sup>12</sup> This 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).

Serious challenges hinder the effective implementation of the NAP, including with regard to the goal of participation. Peace and security are areas in which women have particularly been marginalised, especially where key policy decisions are made and resource allocations are decided.

Patriarchal norms, the lack of a solid legal framework, traditional and cultural practices, stigmatisation, low levels of literacy among women, lack of funding, nepotism in politics, heavy monetisation of the political process, increased militarisation of women in peace building and conflict resolution processes pose obstacles to implementing the Women, Peace and Security agenda.

## Recommendations

Nigeria should:

- Implement the CEDAW Committee's recommendations to:
  - Ensure that the second National Action Plan for the Implementation of UNSCR 1325 (2000) and related resolutions is fully implemented, by the allocation of adequate budgetary resources and enhanced coordination;<sup>13</sup>
  - Ensure women's participation in decision-making, conflict prevention, peace building and post-conflict reconstruction, in line with UN Security Council resolution 1325 (2000), and take into consideration the full spectrum of the Security Council's women and peace and security agenda, as reflected in resolutions 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013) and 2122 (2013).<sup>14</sup>
- Implement CEDAW Committee's General Recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations.

## V. Women's participation in decision-making processes

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<sup>10</sup> UPR II 135.56. Fully implement its national action plan on the UN Security Council resolution 1325 to meaningfully involve women in peace process and to combat gender-based violence and discrimination (Estonia).

<sup>11</sup> UPR I 103.7. Continue to focus on policies and programmes that would further strengthen the protection and promotion of human rights of its people, including by working closely with the relevant civil society organizations and NGOs (Malaysia); UPR II 135.52. Ensure achieving more development in executing cases analysis programmes regarding child rights cases and cooperation with the civil society (Sudan); UPR II 135.131. Strengthen its cooperation with civil society and undertake a review of its involvement in the provision of core social services for children (Egypt).

<sup>12</sup> A scanned version of the NAP 2017-2020 is available at this link: <http://www.peacewomen.org/sites/default/files/NAPNigeria.pdf>.

<sup>13</sup> See, Paragraph 16, UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

<sup>14</sup> See, Paragraph 16g), *ibid*.

In the previous UPR cycle, Nigeria committed to include women in decision-making at all levels<sup>15</sup> and to intensify support for women political aspirants through its Women Political Trust Fund.<sup>16</sup>

In theory, the Nigerian constitution does not discriminate women in politics.<sup>17</sup> Nonetheless, in practice, only an extremely low number of women hold elective and appointive roles in the country. Several efforts have been made by several actors to address this situation, including: the establishment of the Women Political Empowerment Office and Nigerian Women Trust Funds; creation of the Women Situation Room Nigeria and the 100 Women Lobby Group; the adoption of a gender policy by the Independent National Electoral Commission (INEC);<sup>18</sup> the creation of the national multi-stakeholder dialogue; the initiation of several interventions to actualise affirmative action; and the convening of the Nigeria Women Strategy Conference.

Women persistently experience discrimination in the public and political spheres. The laws for gender equality in political participation have not been followed by any effort or plan for implementation; their relevance is only symbolic.

Moreover, discrimination with regard to access to employment and economic resources hampers women's opportunities to participate in decision-making processes. 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.

As a result, the 35% affirmative action for women has not been achieved; women's representation remains far below that target. Women's representation during the past administration had risen from 10% in 2011 to over 33% in 2013. These numbers have declined with the present administration.<sup>19</sup> Furthermore, the constitutions and manifestos of political parties in Nigeria rarely mention affirmative action for women. (For more information on women's participation in decision-making processes, see paragraphs 15, 16 and 50 of the Coalition's shadow report in annex.)

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<sup>15</sup> UPR II 135.58. Intensify efforts to improve the status of women and girls, including enhanced reproductive health measures, the fight against sexual and gender-based violence and harmful traditional practices, the domestication of the CEDAW Convention and to include women in decision-making at all levels (Norway).

<sup>16</sup> UPR II 135.57. Continue its positive approach in improving the socio-economic conditions of women, including intensifying support for women political aspirants through its Women Political Trust Fund (Malaysia).

<sup>17</sup> The Nigerian constitution (1999) Section 40 states that: "Every person shall be entitled to assemble freely and associate with other persons, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests". Section 42(1) also states that: "A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person be subjected to any form of discrimination." Furthermore, the National Gender Policy (2006), Objective 5, target b, stipulates that the State is committed to: "Adopt special measures, quotas and mechanisms for achieving minimum critical threshold of women in political offices, party organs and public life by pursuing 35% affirmative action in favour of women to bridge gender gaps in political representation in both elective and appointive post at all levels by 2015". See [http://www.aacoalition.org/national\\_policy\\_women.htm](http://www.aacoalition.org/national_policy_women.htm).)

<sup>18</sup> <http://www.ng.undp.org/content/nigeria/en/home/presscenter/articles/2014/11/25/as-inec-launches-its-gender-policy-inec-chair-calls-on-political-parties-to-increase-female-participation-in-elective-positions.html>.

<sup>19</sup> According to the 2015 statistical report on women and men in Nigeria compiled by the National Bureau of Statistics, 94.3% of the seats in the National Parliament were occupied by men. Moreover, there were only 8.3% of women at the upper house of assembly; 7.2% at the lower house of assembly, 26.2% represented as judges; there were 5.6% at the local government; 9.8% women councillors. The national average of women's political participation in Nigeria has remained at 6.7% in elective and appointive positions, which is far below the global average of 22.5%, the African regional average of 23.4% and West African sub regional average of 15%.



## Recommendations

Nigeria should:

- Implement CEDAW Committee's recommendations to:
  - Use the on-going constitutional review process to adopt legislation on temporary special measures in order to increase the participation of women in political and public life, education and employment (...) in all areas covered by the Convention where women are underrepresented or disadvantaged including employment;<sup>20</sup>
  - Establish a mechanism aimed at tracking progress achieved in the implementation of temporary special measures such as the Community Services, Women and Youth Employment (CSWYE) and the Growing Girls and Women in Nigeria Projects, and to expand them to rural areas where the majority of women live;<sup>21</sup>
  - Introduce temporary measures, such as quotas, for political appointments and the accelerated recruitment of women to decision making positions, in order to accelerate their full and equal participation in elected and appointed bodies, including in Parliament, in senior leadership positions in the diplomatic service and at the ministerial level;<sup>22</sup>
  - Provide adequate human, technical and financial resources to the Ministry of Women Affairs and Social Development to enable it to effectively undertake its activities as the national machinery for the advancement of women;<sup>23</sup>
  - Repeal all discriminatory provisions in labour laws that restrict women's participation in the labour market including in the Labour Act, the Factories Act and the Police Regulations of 1968.<sup>24</sup>
- Support networks of women in government and non-government groups and experts who can analyse the situation of women in politics in Nigeria and offer solutions;
- Build the capacity of female politicians and other women interested in getting involved in politics through targeted training and mentoring on leadership and negotiation skills;
- Include provisions for independent candidatures in the constitution and ensure adoption of the electoral act by the Electoral Reform Committee;
- Take affirmative actions that include, in particular, a plan to strengthen the Women's Political Trust Fund as well as technical capacity-building activities and provisions for enhanced cooperation with civil society;
- Conduct awareness-raising campaigns for the general public throughout the country in collaboration with media and private initiatives, in particular targeting rural women, on the importance of women's participation at all levels of decision-making, including the importance of the political participation of women.

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<sup>20</sup> Paragraph 20, UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

<sup>21</sup> *Ibid.*

<sup>22</sup> Paragraph 30a), *ibid.*

<sup>23</sup> Paragraph 18a), *ibid.*

<sup>24</sup> Paragraph 36a), *ibid.*

## VI. Proliferation of small arms and weapons

In the previous UPR cycle, Nigeria committed to restore security with due consideration to the rule of law and human rights in the country.<sup>25</sup>

Disarmament, addressing root causes of conflicts and ensuring women's equal and meaningful participation in peacebuilding and conflict resolution processes and decision-making processes are fundamental elements of conflict prevention and sustainable domestic security. Structural inequality, power dynamics and militarization influence a continuum of violence.

The proliferation of Small Arms and Light Weapons (SALW) fuels armed conflicts and promotes gender-based violence and insecurity. The resulting insecurity also compromises women's capacity to participate in public life, as the CEDAW Committee has recognised in numerous occasions including in its General Recommendation 30.

The proliferation of SALW in Nigeria is very high; it is estimated that over 70% of illicit SALW in West Africa are located in the country.<sup>26</sup> Nigeria was the first African country to ratify the Arms Trade Treaty (ATT).<sup>27</sup> Upon ratification, the then Minister of Foreign Affairs stated that "this landmark event represents our deep commitment to a treaty which establishes common international standards for the import, export and transfer of conventional arms." This strong commitment needs to be translated into concrete actions.

### Recommendations

Nigeria should:

- Ensure the effective regulation of conventional and illicit arms, including small arms and light weapons;<sup>28</sup>
- Domesticated all ratified treaties on small arms control, including the ATT and the ECOWAS Convention on small arms. In the implementation of ATT and the UN Program of Action on small arms and light weapons, particular attention should be given to provisions around gender-based violence and armed conflict, for example, Article 7(4) of the ATT;
- Put in place a National Commission on small arms control.

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<sup>25</sup> UPR II 135.77. Strengthen measures aimed at improving security in the whole country notably in response to the activities of terrorist groups in the country (Côte d'Ivoire); UPR II 135.78. Intensify efforts against organised crime, including terrorism, and impunity of perpetrators (Norway); UPR II 135.79. Adopt a comprehensive approach to the security situation which ensures that the perpetrators of violence are brought to justice and that the security forces' rules of engagement take full account of due process and human rights (Ireland); UPR II 135.80. Take further steps to restore security with due consideration to the rule of law and human rights (Japan); UPR II 135.81. You cannot have inclusive development without peace, given the terrorism situation we call upon the Nigerian government to continue with all efforts to deal with domestic insecurity in the country (Democratic Republic of the Congo).

<sup>26</sup> <http://allafrica.com/stories/201608110295.html> and <http://www.vanguardngr.com/2016/08/nigeria-accounts-70-illicit-weapons-wafrica/>.

<sup>27</sup> Ratification on 12 August 2013.

<sup>28</sup> See also, paragraph 16d), UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

## VII. Legislation on discrimination and gender-based violence

In previous UPR cycles, Nigeria made commitments to repeal all laws that allow violence and discrimination against women to persist.<sup>29</sup>

However, the provision of the penal code applicable in the Northern part of Nigeria specifically encourages violence against women. Section 55(1) (d) of the Penal Code allows for the beating of a wife for the purpose of disciplining.

Furthermore, Nigeria committed itself to implement specific legislation to protect women against sexual and gender-based violence,<sup>30</sup> and to accelerate the adoption and full implementation at the federal, state and local levels of the Gender and Equal Opportunities Bill and the Violence against Persons Prohibition Bill.<sup>31</sup>

Yet, there is no comprehensive national law on violence against women. Various legal instruments are being used to address violence against women and seek justice for victims of gender-based violence; these include the Violence against Persons Prohibition Act (VAPP), 2015, the Gender-Based Violence (Prohibition) Law, 2007, the Child's Right Law, 2003, Prevention Against Domestic Violence Law, 2007, National Gender Policy, 2014, Criminal Law of Lagos state, 2011, the NAP on UNSCR 1325 (2017-2020), CEDAW and the Maputo protocol. Poor or no implementation of these instruments and measures continue.

The VAPP Act came to existence in Nigeria after 14 years of activism by civil society activists who have consistently pushed for national legislation prohibiting violence against women. The content of the VAPP Act reflects the current realities of violence. In Nigeria and incorporates provisions based on Nigeria's international human rights obligations.<sup>32</sup> To present, the VAPP Act is only justiciable in the Federal Capital Territory while other states are yet to implement it. Despite it being justiciable in the Federal Capital Territory, its implementation is poor.

As of May 2017, only 11 states, including Anambra, Bauchi, Cross Rivers, Ebonyi, Edo, Ekiti, Imo, Lagos, Enugu, Bayelsa and Rivers states, had laws with provisions of legal terms to counter gender-based violence.

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<sup>29</sup> UPR I 103.16. Repeal all laws that allow violence and discrimination against women to persist (Norway).

<sup>30</sup> UPR I 103.16. Implement specific legislation to protect women against sexual and gender-based violence and ensure that Nigerian women benefit from full equality before the law (Ireland).

<sup>31</sup> UPR II 135.24. Accelerate the adoption and full implementation at the federal, state and local levels of the Gender and Equal Opportunities Bill, and the Violence against Persons Prohibition Bill, in compliance with CEDAW provisions (Republic of Moldova).

<sup>32</sup> <http://www.genderhub.org/get-in-the-know/resource-library/violence-against-persons-prohibition-act-2015-nigeria/>.

## Recommendations

Nigeria should:

- Implement CEDAW Committee's recommendations to:
  - Ensure that the Violence against Persons Prohibition Act of 2015 is applicable in all federal States and expedite the drafting and adoption of its "Enforcement Procedure Framework", which should focus on developing a comprehensive prevention strategy for gender-based violence against women;<sup>33</sup>
  - Expedite the adoption of pending laws, such as the Gender and Equal Opportunities Bill and the Disability Rights Bill, and ensure that they fully comply with the Convention.<sup>34</sup>
- Ensure that the National Orientation Agency increases its scope to include development of strategies to raise awareness at the grassroots level on the various legislations available to address gender-based violence and their implementation procedures.

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<sup>33</sup> Paragraph 26a), UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

<sup>34</sup> Paragraph 10c), *ibid.*

## VIII. Domestic violence and access to justice

In previous cycles, Nigeria committed to eliminate domestic violence<sup>35</sup> and to 'ensure that women who are victims of discrimination and violence have access to protection of their rights and to justice.'<sup>36</sup>

There are high levels of domestic violence in Nigeria.<sup>37</sup> Yet, domestic violence remains largely underreported for several reasons. These include the fact that there is a culture of silence, resulting in cases of violence (sexual and physical abuse) not being reported to the police for fear of being victimised and stigmatised.<sup>38</sup> (For additional information please see paragraphs 36 - 38 of the Coalition's shadow report.) Moreover, survivors of domestic violence are usually turned back at police stations on grounds that it was a family affair, thereby denying any further opportunities for prosecution. Rape cases are mostly charged to court as "gross indecent act" to an Upper Area Court, which does not have the jurisdiction to hear a rape case.

Some institutions, such as the Nigeria Police Force and the National Human Rights Commission (NHRC), have not lived up to expectations to provide justice and to protect women's rights.

Some survivors of gender-based violence have turned to other avenues to seek justice and redress. For example, Dorothy Chioma Njemanze and three other women filed a case against the Federal Government at the ECOWAS Community Court of Justice for abduction, detention and sexual, verbal and physical assault by government agents from the Abuja Environmental Protection Board (AEPB), the Nigerian Police, and the Nigerian Military. The case was decided in favour of the plaintiffs 12 October 2017 who were awarded damages a total of six million Naira.<sup>39</sup> However, Nigeria has not yet responded to the judgment.

### Recommendations

Nigeria should:

- Implement CEDAW Committee's recommendations to:
  - Increase the budget for legal aid and to investigate allegations of corruption within the judiciary and prosecute and punish corrupt judicial officials who obstruct justice, in order to restore women's effective access to and trust in the judicial system;<sup>40</sup>
  - Intensify efforts to encourage and enable women to access justice by increasing gender-awareness among judges and other court personnel.<sup>41</sup>

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<sup>35</sup> UPR II 135.105. Ensure the protection of women's human rights by reducing and eliminating human trafficking, sexual violence and exploitation, domestic violence, maternal mortality, and female genital mutilation (Holy See).

<sup>36</sup> UPR I 103.16 Ensure that women who are victims of discrimination and violence have access to protection of their rights and to justice (Mexico).

<sup>37</sup> A public opinion poll conducted by NOI Polls Limited in partnership with Project Alert on domestic violence (August 2016) revealed an increasing prevalence of domestic violence across Nigeria in recent times, as reported by about 78% of respondents. Furthermore, this poll revealed that 54 % of Nigerians have suffered a form of domestic violence or know someone who has experienced domestic violence in their homes with the majority of the victims being women, as stated by 75% of respondents. Among the forms of violence are rape, abuse, acid attacks, corporal punishment and, in severe cases, even death.

<sup>38</sup> In most rural communities, it is considered a taboo to involve the police in family matters and in the urban settlements there is the fear of stigmatisation and family honour.

<sup>39</sup> <https://www.premiumtimesng.com/news/top-news/245936-ecowas-court-orders-nigerian-govt-pay-n18-million-women-maltreated-allegedly-prostitutes.html#.WeO6JV1mp4E.facebook>.

<sup>40</sup> Paragraph 14, *ibid*.

<sup>41</sup> *Ibid*.

- Ensure that violence against women and girls, including domestic violence, marital rape, and all forms of sexual abuse, constitutes a criminal offence, whether committed inside or outside the home;
- Ensure that perpetrators are prosecuted, punished and rehabilitated, including by removing legislative provisions for the exculpation of perpetrators or provision of lesser penalties, such as in cases involving honour crimes, sex workers, non-virgins or a perpetrator who marries the rape survivor;
- Mainstream an inter and intra agency protocol for sexual violence;
- Implement measures to ensure that survivors of violence have immediate access to means of redress, protection, safe shelters and legal, medical and psychological support, and provide financial and other support to policies for women and children escaping abusive environments.

## IX. Trafficking

Cases of trafficking, abduction, and forced marriages of women and girls are so common that they are no longer newsworthy. Women are consistently being objectified and this is linked to cultural and religious practices that demand the subjugation and submission of women to men. Many of these practices are linked to other forms of violence against women, including the receipt of monetary payments for daughters to trafficking.

### Recommendations

Nigeria should:

- Implement CEDAW Committee's recommendations to:
  - Intensify awareness-raising efforts aimed at promoting the reporting of trafficking and related crimes and the early detection and referral of women and girls who are victims of trafficking to appropriate social services;<sup>42</sup>
  - Address the root causes of trafficking in women and girls and ensure the rehabilitation and social integration of victims, including by providing them with access to shelters, legal, medical and psychosocial assistance and adequate income-generating opportunities.<sup>43</sup>
- Strengthen anti-trafficking laws to include trafficking into domestic servitude and forced labour;
- Adopt a comprehensive national action plan to address forced labour, domestic servitude and sexual exploitation and ensure the allocation of sufficient human and financial resources for the effective implementation of the plan.

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<sup>42</sup> Paragraph 28b), *ibid.*

<sup>43</sup> Paragraph 28a), *ibid.*

## X. Cultural and religious norms

Nigeria committed to accelerate the adoption and full implementation at the federal, state and local levels of the Gender and Equal Opportunities Bill.<sup>44</sup> It further committed to modify traditional practices that are in conflict with human rights standards that guarantee equality between men and women<sup>45</sup> and to eliminate harmful cultural practices.<sup>46</sup> Nigeria also committed to ensure greater protection of the rights of children against all forms of violence,<sup>47</sup> specifically with respect to early marriages<sup>48</sup> and to ensure the full implementation of the Child Rights Act of 2003.<sup>49</sup> In the first cycle Nigeria accepted the recommendation to 'continue the actions aimed at raising awareness among religious and customary leaders'<sup>50</sup> and to eliminate harmful traditional practices.<sup>51</sup>

Child, early and forced marriage,<sup>52</sup> son preference, discriminatory succession laws,<sup>53</sup> widowhood rites, public harassment and stereotyping<sup>54</sup> are among the practices prevalent in Nigeria. Many of these practices are linked to other forms of violence against women; for instance, the denial of property rights is often linked to the maltreatment of widows, sexual violence to forced marriages, and the receipt of monetary payments for daughters to trafficking.

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<sup>44</sup> UPR II 135.24. Accelerate the adoption and full implementation at the federal, state and local levels of the Gender and Equal Opportunities Bill, and the Violence against Persons Prohibition Bill, in compliance with CEDAW provisions (Republic of Moldova).

<sup>45</sup> UPR II 135.45. Undertake measures, including through human rights education and training, to modify traditional practices that are in conflict with human rights standards which guarantee equality between men and women (Costa Rica).

<sup>46</sup> UPR II 135.46. Step up efforts aimed at eliminating harmful cultural practices, which hamper the full respect for the human rights of women (Paraguay); UPR II 135.47. The national report makes it clear that harmful traditional practices are deeply rooted in the culture of the Nigerian peoples; we therefore encourage the Nigerian government to intensify its efforts in the field of human rights education to eradicate this problem that only seems to weaken the development prospects in this country (Democratic Republic of the Congo).

<sup>47</sup> UPR II 135.49. Launch campaigns of sensitisation for families and communities with the aim of creating areas of protection for the protection of the rights of children with greater efficiency (Mexico); UPR II 135.83. Intensify its efforts, through legislation and practical measures, to promote and protect the rights of children against all forms of violence (Montenegro); UPR II 135.84. Take all the necessary measures at federal, state and local levels to prevent and eliminate all harmful practices against children (Slovenia); UPR II 135.86. Introduce appropriate legal measures prohibiting all forms of violence against children, ensure accountability and end impunity (Poland); UPR II 135.92. Strengthen protection measures to protect children against violence (Senegal); UPR I 103.17. Intensify its efforts, through legislation and practical measures, to protect children against all forms of violence, including extra-judicial killings in communal conflicts, torture and trafficking (Indonesia); UPR I 103.18. Strengthen the efforts aiming at elimination of existing harmful traditional practices and adopt all necessary measures to provide full protection of children, girls, women and widows from wrongdoings, inspired by these traditions (Ukraine).

<sup>48</sup> UPR II 135.89. Ensure more effective protection of children and better promotion of their well-being in every dimension, particularly with respect to trafficking and sexual exploitation, excisions, early marriages and forced labour (Cape Verde); UPR II 35.94. Urgently address child, early and forced marriage by putting in place legislation that clarifies the legal age for marriage, honouring commitments made in the country's last UPR to prevent and eliminate the practice (Canada); UPR II 135.100. Continue to work in favour of women's rights, including the fight against early marriages, respecting the rights of widows, and eradicating female genital mutilation and respecting sexual and reproductive rights (France).

<sup>49</sup> UPR II 135.85. Strengthen laws and policies for effective implementation to end violence against children and ensure the full implementation of the 2003 Child Rights Act (Maldives).

<sup>50</sup> UPR I 103.11 Continue the actions aimed at raising awareness among religious and customary leaders (Niger).

<sup>51</sup> UPR I 103.18. Undertake further efforts in order to raise awareness among religious leaders and traditional dignitaries and involve them in the dissemination of a culture of human rights and in combating harmful traditional practices (Qatar).

<sup>52</sup> See, for example, <http://www.girlsnotbrides.org/child-marriage/nigeria/>.

<sup>53</sup> For specific examples on inheritance laws, see paragraphs 33 and 60 in WILPF Nigeria et al., 'Women, Peace and Security in Nigeria'; Joint Shadow Report submitted for the Committee's review of Nigeria's combined 7th and 8th periodic reports on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (July 2017). Available at: [https://wilpf.org/wp-content/uploads/2017/06/Nigeria\\_CEDAW\\_FINAL\\_June\\_2017.pdf](https://wilpf.org/wp-content/uploads/2017/06/Nigeria_CEDAW_FINAL_June_2017.pdf).

<sup>54</sup> For more information in stereotyping at the workplace, see paragraph 35, *ibid*.



Whilst the Child Rights Act of 2003 amended the Constitution to set the minimum age of marriage at 18 for both sexes, only 24 of Nigeria's 36 States have adopted the Act.<sup>55</sup> As a result, State laws on the minimum age for getting married vary: in Southern Nigeria, the minimum legal age of marriage is between 18 and 21 years of age, depending on the region; in the North, it ranges from 12 to 15 years.

Initiatives taken to combat gender discrimination and gender-based violence have been compromised by the fact that many harmful practices are grounded in widely accepted cultural and religious norms.<sup>56</sup>

## Recommendations

Nigeria should:

- Implement CEDAW Committee's recommendations to:
  - Ensure that the Child Rights Act, 2003, is applicable in all parts of the State party and eradicate child marriage through awareness raising and by prosecuting and punishing perpetrators and accomplices;<sup>57</sup>
  - Intensify awareness-raising targeting and partnering with the media, and the film industry (Nollywood), to raise public awareness about discriminatory gender stereotypes regarding the roles and responsibilities of women and men in the family and at all levels of society, with a view to eliminating them;<sup>58</sup>
  - Expand public education programmes on the negative impact of such stereotypes on women's enjoyment of their rights, in particular in rural areas, targeting men and boys, as well as traditional and religious leaders;<sup>59</sup>
  - Ensure that the "draft Model Customary Law and Islamic Law Marriage Divorce Registration Law" complies with the provisions of the Convention and guarantee full legal capacity for all women with regard to marriage, custody and inheritance;<sup>60</sup>
- Review the legal regimes governing inheritance under customary law and Islamic personal law to ensure that women's inheritance rights are in line with the Convention

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<sup>55</sup> <http://www.vanguardngr.com/2017/05/childrens-day-saraki-csos-canvass-domestication-child-rights-law-states/> See also [http://www.cleen.org/nigeria\\_ngo\\_report\\_OMCT.pdf](http://www.cleen.org/nigeria_ngo_report_OMCT.pdf).

<sup>56</sup> For instance, a public hearing of a Gender and Equal Opportunity (GEO) Bill, presented by Senator Biodun Olujimi (Ekiti South Senatorial District) was scheduled to take place on 9 December 2016 at the National Assembly. However, the public hearing committee failed to meet the necessary quorum, as only two senators were present. The senator faced fierce resistance from her male counterparts from the Northern part of the country. The major challenge to the hearing was the misconception of most Islamic clerics on some contents of the bill, in particular the inheritance and marriage section, which they saw in contradiction with the laws and beliefs of the Holy Qur'an. In particular, the Sultan of Sokoto Muhammadu Sa'ad Abubakar III indicated that the GEO Bill was not in line with Islamic beliefs and, therefore, not suitable and appropriate for Northern political zones. Due to religious and societal pressure and fear of being labelled or humiliated, many politicians ended up opting out of the hearing. Since then, the GEO Bill has successfully passed its second reading in both houses, and currently awaits the third reading, scheduled for September this year. Subject to a successful third reading and passage, the bill would be made an Act.

<sup>57</sup> Paragraph 46b), UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

<sup>58</sup> Paragraph 22a), UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

<sup>59</sup> Paragraph 22b), *ibid.*

<sup>60</sup> Paragraph 46a), *ibid.*

and effectively enforced, and that women are fully informed about the changes in the law.<sup>61</sup>

- Design a comprehensive strategy to eliminate violence against women and practices that discriminate against women. The strategy should include awareness raising campaigns, in collaboration with the National Orientation Agency, educational institutions and civil society, addressed to women and men at all levels of society, including traditional leaders.

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<sup>61</sup> Paragraph 46d), *ibid.*

## **XI. Rural women**

As mentioned earlier, Nigeria committed in previous UPR cycles to improve security in the country,<sup>62</sup> as well as to fully implement its NAP on 1325 to meaningfully involve women in the peace process.<sup>63</sup> It also committed to ensure that all perpetrators of human rights violations are brought to justice<sup>64</sup> and to eradicate impunity.<sup>65</sup>

A precondition for achieving lasting peace and security is to build the potential of rural women and girls, who constitute 81% of all farmers in Nigeria, through active involvement within policy processes and political decision-making; an essential requirement to do so is improving their human security. However, the prevalence of conflicts has taken a heavy toll on rural women and girls.

### **i. Herdsmen crisis**

The increasing competition for natural resources between farming and herders communities has led to many violent clashes, including deadly attacks. Farmers have accused the herdsmen of trespassing on their farmland to graze their cattle, destroying their crops.<sup>66</sup>

The gender dimensions of this insurgency are alarming. The immediate impacts of this violence include psychological trauma, loss of economic livelihood, food insecurity, lack of access to quality healthcare, disruption in education. In the long run, these violations hinder women's empowerment and participation in decision-making.

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<sup>62</sup> UPR II 135.77. Strengthen measures aimed at improving security in the whole country notably in response to the activities of terrorist groups in the country (Côte d'Ivoire); UPR II 135.78. Intensify efforts against organized crime, including terrorism, and impunity of perpetrators (Norway); UPR II 135.79. Adopt a comprehensive approach to the security situation which ensures that the perpetrators of violence are brought to justice and that the security forces' rules of engagement take full account of due process and human rights (Ireland); UPR II 135.80. Take further steps to restore security with due consideration to the rule of law and human rights (Japan); UPR II 135.81. You cannot have inclusive development without peace, given the terrorism situation we call upon the Nigerian government to continue with all efforts to deal with domestic insecurity in the country (Democratic Republic of the Congo).

<sup>63</sup> UPR II 135.56. Fully implement its national action plan on the UN Security Council resolution 1325 to meaningfully involve women in peace process and to combat gender-based violence and discrimination (Estonia).

<sup>64</sup> UPR I 103.22. Ensure that all perpetrators of human rights violations are brought to justice, including the law enforcement officials suspected of committing acts of torture and ill-treatment or extrajudicial executions (Slovakia).

<sup>65</sup> UPR I 103.22. Step up its efforts to halt torture and ill-treatment as well as eradicating impunity for such acts and that alleged perpetrators be brought before justice (Denmark); UPR II 135.59. Continue the development and implementation of measures aimed at reducing human rights violations by the security forces in particular extrajudicial executions, arbitrary detention and torture, as well as making the mechanisms of tackling impunity more effective (Switzerland); UPR II 135.78. Intensify efforts against organised crime, including terrorism, and impunity of perpetrators (Norway); UPR II 135.120. Address urgently the issue of impunity by strengthening the rule of law, including through a review of the judicial system (Germany).

<sup>66</sup> In April 2017, the leadership of the Catholic Diocese of Kafanchan provided figures of 808 people having been killed in 53 villages, and 1,422 houses and 16 churches burnt during the attacks across the four local governments areas in Kaduna state. On 29 February 2016, over 500 people were killed and 7000 displaced in an attack in Agatu LGA in Benue State, while 48 were killed and 60 injured in Ukpabi Nimbo community in Enugu State on 25 April 2016. Many other communities report that families, particularly women and children, have been displaced and killed by the herdsmen. No arrests or prosecutions have taken place so far. In April 2017, the Office of the High Commissioner for Human Rights (OHCHR) reported a deadly attack against several communities in the southern State of Enugu by armed Fulani herdsmen and associated militia, adding that the attack appears to be among the most serious in recent years. OHCHR welcomed the announcement by the Nigerian authorities of an investigation and dispatch of additional security forces to the area, but stated that they are "very concerned by reports that advance warning of a potential attack in the area had been received by the authorities, and was not effectively acted on." OHCHR also stated that they are "worried by the complete impunity enjoyed so far by perpetrators of previous attacks, including ones in Benue State in February, which reportedly led to the destruction of entire villages in 13 different Local Government Areas, killed more than 300 people and displaced over 20,000 others." (See <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=19905&LangID=E> )

For undisclosed and unknown reasons, the current government is yet to take a decisive action to curb the menace of the herdsmen. This has led to a crisis that has affected the life and security of women, particularly of widows as they have increased risk of being killed, raped and rendered homeless. In rural areas, where the majority of women are farmers, food production and farmlands have been abandoned out of fear that cattle would graze on them, exacerbating poverty and food shortage in the country. Furthermore, women have no access to security, as there are no strategic locations of security agencies in rural areas.

The lack of access to adequate social infrastructures has been worsened by the prevalence of the conflicts (Herdsmen attacks, Boko Haram, Militancy), which has ravished most rural areas, weakening women's capacity to actively participate in community activities. They are forced to leave behind orphans and children, who are left to the charge of family members, who often lack resources. The situation is further worsened by the fact that most rural areas lack markets for the sale of produces because of their enclave nature.

As no serious action has been taken by the government to improve the situation of rural women, the task has been largely taken up by NGOs. However, due to major lack of consistent funding their action has had only limited impact.

## Recommendations

Nigeria should:

- Ensure that the experience of local rural women is listened to in efforts to address this Herdsmen crisis and support local rural women's analysis and work in building prevention and response mechanisms capable of ensuring their safety and security;
- Revise its agricultural system in consultation with herdsmen and farmers with the goal of achieving peaceful co-existence and a lasting solution to the current crisis; this could include a system whereby grasses are harvested by local farmers and sold to herdsmen. Such a system should be devised with full involvement of rural women;
- Ensure adequate funding of government and international bodies for NGOs that focus on empowering rural women in areas such as easy access to quality health and water and good sanitation;
- Implement CEDAW Committee's recommendations to:
  - Establish additional shelters as well as strengthen shelters run by non-governmental organisations and ensure their accessibility for women and girls who are victims of gender-based violence, particularly in remote areas;<sup>67</sup>
  - Take measures to holistically address structural problems facing rural women so as to meet their needs in respect of health care, family planning services, education, employment and other basic services;<sup>68</sup>
  - Protect women and girls who are disproportionately affected by conflicts and attacks by Fulani herdsmen, and ensure that perpetrators of such attacks, including gender-based violence, are arrested, prosecuted and punished with appropriate sanctions.<sup>69</sup>

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<sup>67</sup> Paragraph 26b), UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

<sup>68</sup> Paragraph 42d), *ibid.*

<sup>69</sup> Paragraph 16e), UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

## ii. Economic rights<sup>70</sup>

Nigeria committed to continue improving the socio-economic conditions of women,<sup>71</sup> and in particular, in the areas of poverty eradication and access to economic resources.<sup>72</sup> It also committed to ensure economic growth to guarantee the enjoyment of economic, social and cultural rights by Nigeria's citizens.<sup>73</sup>

Yet, the lack of consistent funding and sustainability of programs has continued to prevent any significant improvement for rural women in Nigeria, with state interventions being at best a one-off event. Public sector investments in agriculture have remained low at less than 4%.<sup>74</sup> The Nigerian government has made a commitment to invest a minimum of 10% of the budget in the agricultural sector in line with the Maputo Declaration. This is far from current reality.<sup>75</sup>

## Recommendations

Nigeria should:

- Implement CEDAW Committee's recommendations to:
  - Review the Land Use Act, the Land Administration Act and related land laws and repeal any provisions that prevent women's access to land in order to ensure rural women's access to land;<sup>76</sup>
  - Continue to expand women's access to microfinance and microcredit at low interest rates to enable them to engage in income-generating activities and to start their own businesses with a view to combating poverty among rural women; and promoting rural women's advancement.<sup>77</sup>
- Regulate and monitor the working conditions of girls and women in the agricultural sector in order to protect them from exploitative labour and to address the labour disparities between men and women.

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<sup>70</sup> It is estimated that 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, predominate in the agricultural sector and carry out most of the physical labour in agriculture and food-production related activities.

<sup>71</sup> UPR II 135.47. Continue its positive approach in improving the socio-economic conditions of women, including intensifying support for women political aspirants through its Women Political Trust Fund (Malaysia); UPR II 135.59. Continue serious existing efforts to improve socio-economic status of women (Lebanon).

<sup>72</sup> UPR I 103.27. Consider taking more strenuous effort to improve the socio-economic conditions of women, in particular, in the areas of reproductive health care services, poverty eradication and access to economic resources such as credit and loan facilities (Malaysia).

<sup>73</sup> UPR I 103.24. Continue its efforts to combat corruption in order to continue ensuring its economic growth to guarantee the enjoyment of economic, social and cultural rights by all its citizens (Cuba).

<sup>74</sup> <http://www.agrobusinessngr.com/oxfam-seeks-favourable-policy-boost-womens-capacity/>.

<sup>75</sup> <https://www.dailytrust.com.ng/news/agriculture/maputo-declaration-on-agriculture-is-nigeria-measuring-up/27960.html>.

<sup>76</sup> Paragraph 42c), *ibid*.

<sup>77</sup> Paragraph 42b), *ibid*.

### iii. Access to health care services

Nigeria committed to improve the national health system;<sup>78</sup> and to ensure women's access to healthcare, specifically with regards to reproductive health care services<sup>79</sup> and maternal health.<sup>80</sup>

Rural women lack access to adequate healthcare, family planning services, counselling and education. There are few existing family/health care centres; they are located far from villages and are poorly maintained, supplied with bad road networks. Women's lack of access to adequate healthcare is partly because of its high cost but also because in most cases they would have to trek for long distances to neighbouring villages due to the absence of healthcare facilities in their own communities.

### Recommendations

Nigeria should:

- Implement the CEDAW Committee's recommendation to allocate sufficient resources to integrate sexual and gender-based violence into health sector strategic plans and train health-care providers in the provision of comprehensive clinical care for victims of gender-based violence.<sup>81</sup>

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<sup>78</sup> UPR I 103.28. Take further measures to bolster the national health system (Belarus); UPR II 135.51. Further develop the educational sector and the health sector because they are the key sectors in the development process (Saudi Arabia); UPR II 135.129. Continue improving the living standards of its people, including an improvement of access to basic health and education services (Cuba); UPR II 135.134. Continue efforts to improve the standard of living, providing extensive access for the population to a quality system of education and health protection (Uzbekistan); UPR II 135.135. Improve access to quality healthcare for its people (Singapore).

<sup>79</sup> UPR I 103.27. Consider taking more strenuous effort to improve the socio-economic conditions of women, in particular, in the areas of reproductive health care services, poverty eradication and access to economic resources such as credit and loan facilities (Malaysia); UPR II 135.58. Intensify efforts to improve the status of women and girls, including enhanced reproductive health measures, the fight against sexual and gender-based violence and harmful traditional practices, the domestication of the CEDAW Convention and to include women in decision-making at all levels (Norway); UPR II 135.141. Identify and remove administrative, physical and any other barriers that still impede access to birth registration, thus facilitating for everyone the access to health care and education (Italy); UPR II 135.143. Informs of the measures that will be enforced to support the health system (Lebanon).

<sup>80</sup> UPR I 103. 28. Take further measures to bolster the national health system (Belarus); Increase its efforts in the field of maternal health, educating birth attendants and increasing the number of obstetrics clinics throughout the country (Holy See).

<sup>81</sup> Paragraph 26d), UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

### iii. Access to education

Nigeria committed to improve access to education in general,<sup>82</sup> and specifically for girls.<sup>83</sup> Furthermore, Nigeria committed to provide equal opportunities to boys and girls in rural and urban areas with regards to access to education<sup>84</sup> and to avoid school drop-out rates.<sup>85</sup> (For more information on education, please see the section below.)

Yet, no attention has been given to the education of girls in remote parts of the country, leaving the increasingly high rates of illiteracy among rural women unattended. Furthermore, traditional and religious bodies, based closest to rural women, often have the main influence in religious and cultural practices in many rural areas, thereby detrimentally impacting the advancement of rural women's rights.

### Recommendations

Nigeria should:

- Implement measures to ensure equal access for rural girls and women to all levels of education, including incentives for parents to send girls to school;
- Implement comprehensive programs of formal and non-formal education, adult education and training to benefit rural women in extension services, and increase their technical proficiency;
- Include traditional leaders in plans for the advancement of rural women and provide them with gender sensitive training that stresses the importance of girl's education.

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<sup>82</sup> UPR I 103.29. Continue resolutely consolidating the education system in accordance with the particular characteristics and needs of its population (Venezuela); UPR I 103.29. Develop a national strategy to guarantee better access to education to all children and to include in the school system at all levels appropriate measures in the field of human rights education, in accordance with the Plan of Action 2005-2009 of the World Programme for Human Rights Education (Italy); UPR II Take further measures to implement the 2010 recommendations by the Committee on the Rights of the Child, especially related to the domestication of the CRC; the right of the child to education, nutrition and health, and protecting girls from early marriage (Finland); UPR II 135.51. Further develop the educational sector and the health sector because they are the key sectors in the development process (Saudi Arabia); UPR II 135.129. Continue improving the living standards of its people, including an improvement of access to basic health and education services (Cuba); UPR II 135.134. Continue efforts to improve the standard of living, providing extensive access for the population to a quality system of education and health protection (Uzbekistan); UPR II 135.141. Identify and remove administrative, physical and any other barriers that still impede access to birth registration, thus facilitating for everyone the access to health care and education (Italy); UPR II 135.144. Continue to increase education investment and provide better universal primary education (China); UPR II 135.145. Increase the commendable on-going efforts aiming at granting full and free access to quality education for all children, inter alia, by boosting annual expenditure on education (Italy); UPR II 135.150. Continue to prioritize policies and programmes aimed at ensuring sustainable growth of the education sector (South Africa); UPR II 135.152. Continue efforts in the educational sector and eradication of illiteracy (Sudan).

<sup>83</sup> UPR I 103.29. Continue to invest in education in order to reduce the illiteracy rate further, especially among girls and young women (Holy See); UPR I 103.29. Foster the further development of education for girls and the achievement of gender equality (Belarus); UPR II 135.146. Adopt effective measures to ensure universal and free access to primary education, without discrimination between girls and boys (Portugal); UPR II 135.147. Implement the Universal Basic Education policy for all children without discrimination with focus on integration of children with disabilities and equal access for girls in primary and secondary education (Slovakia); UPR II 135.148. Continue her efforts and measures in investing in education for all as a means to guarantee the gender equality and to foster the human rights culture in the society (Viet Nam); UPR II 135.149. Address gender and regional disparities regarding the right to education (Bulgaria); UPR II 135.151. Continue their efforts to enhance respect and fulfilment of the right to education and to ensure access to education for girls and prevent early school dropout (State of Palestine); UPR II 135.155. Continue to implement policies and programmes to prevent early school dropout of girls (Sri Lanka).

<sup>84</sup> UPR I 103.29. Continue its efforts in supporting education and providing equal opportunities to boys and girls in the rural and urban areas (Yemen); 135.149. Address gender and regional disparities regarding the right to education (Bulgaria).

<sup>85</sup> UPR I 103.29. Continue its efforts to avoid school drop-out rate (Yemen); UPR II 135.151. Continue their efforts to enhance respect and fulfilment of the right to education and to ensure access to education for girls and prevent early school dropout (State of Palestine).

## **XII. Women and girls' access to education**

The Nigerian education system consists of primary education, secondary education (divided into junior and senior) and tertiary education. These three stages are managed, funded and controlled either by the governments (Federal and State) or by private institutions. The National Child Welfare Policy (1989) defines the girls as a female below 14 years of age.

As mentioned earlier, Nigeria committed to improve access to education in general,<sup>86</sup> and specifically for girls.<sup>87</sup> Furthermore, it committed to provide equal opportunities to boys and girls in rural and urban areas with regards to access to education<sup>88</sup> and to avoid school drop-out rates.<sup>89</sup> Nigeria also committed to ensure human rights education in schools.<sup>90</sup>

Peace-building and conflict prevention are intimately linked and interdependent with the protection and promotion of women and girls' rights to education and access to information. Education is a prominent issue of concern because large numbers of young girls are completely shut out of school in Nigeria due to a number of factors.

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<sup>86</sup> UPR I 103.29. continue resolutely consolidating the education system in accordance with the particular characteristics and needs of its population (Venezuela); UPR I 103.29. Develop a national strategy to guarantee better access to education to all children and to include in the school system at all levels appropriate measures in the field of human rights education, in accordance with the Plan of Action 2005-2009 of the World Programme for Human Rights Education (Italy); UPR II Take further measures to implement the 2010 recommendations by the Committee on the Rights of the Child, especially related to the domestication of the CRC; the right of the child to education, nutrition and health, and protecting girls from early marriage (Finland); UPR II 135.51. Further develop the educational sector and the health sector because they are the key sectors in the development process (Saudi Arabia); UPR II 135.129. Continue improving the living standards of its people, including an improvement of access to basic health and education services (Cuba); UPR II 135.134. Continue efforts to improve the standard of living, providing extensive access for the population to a quality system of education and health protection (Uzbekistan); UPR II 135.141. Identify and remove administrative, physical and any other barriers that still impede access to birth registration, thus facilitating for everyone the access to health care and education (Italy); UPR II 135.144. Continue to increase education investment and provide better universal primary education (China); UPR II 135.145. Increase the commendable ongoing efforts aiming at granting full and free access to quality education for all children, inter alia, by boosting annual expenditure on education (Italy); UPR II 135.150. Continue to prioritize policies and programmes aimed at ensuring sustainable growth of the education sector (South Africa); UPR II 135.152. Continue efforts in the educational sector and eradication of illiteracy (Sudan).

<sup>87</sup> UPR I 103.29. Continue to invest in education in order to reduce the illiteracy rate further, especially among girls and young women (Holy See); UPR I 103.29. Foster the further development of education for girls and the achievement of gender equality (Belarus); UPR II 135.146. Adopt effective measures to ensure universal and free access to primary education, without discrimination between girls and boys (Portugal); UPR II 135.147. Implement the Universal Basic Education policy for all children without discrimination with focus on integration of children with disabilities and equal access for girls in primary and secondary education (Slovakia); UPR II 135.148. Continue her efforts and measures in investing in education for all as a means to guarantee the gender equality and to foster the human rights culture in the society (Viet Nam); UPR II 135.149. Address gender and regional disparities regarding the right to education (Bulgaria); UPR II 135.151. Continue their efforts to enhance respect and fulfilment of the right to education and to ensure access to education for girls and prevent early school dropout (State of Palestine); UPR II 135.155. Continue to implement policies and programmes to prevent early school dropout of girls (Sri Lanka).

<sup>88</sup> UPR I 103.29. Continue its efforts in supporting education and providing equal opportunities to boys and girls in the rural and urban areas (Yemen); 135.149. Address gender and regional disparities regarding the right to education (Bulgaria).

<sup>89</sup> UPR I 103.29. Continue its efforts to avoid school drop-out rate (Yemen); UPR II 135.151. Continue their efforts to enhance respect and fulfilment of the right to education and to ensure access to education for girls and prevent early school dropout (State of Palestine).

<sup>90</sup> UPR II 135.148. Continue her efforts and measures in investing in education for all as a means to guarantee the gender equality and to foster the human rights culture in the society (Viet Nam); UPR II 135.153. Continue to promote education and human rights training at the national level (Turkmenistan).

UPR I 103.29. Develop a national strategy to guarantee better access to education to all children and to include in the school system at all levels appropriate measures in the field of human rights education, in accordance with the Plan of Action 2005-2009 of the World Programme for Human Rights Education (Italy).



Conflict and poverty are among the main factors that prevent girls from accessing education (for additional information on this point, please see paragraphs 73 – 101 of the Coalition’s shadow report). The education system is also severely underfunded, resulting in lack of proper infrastructure, inadequate classrooms and teaching aids (projectors, computers, libraries, etc.). The system is bedevilled by examination malpractices, cultism, sexual abuse, bribery, corruption and hooliganism.

This crisis in the educational system is also amplified by the “brain-drain”. As academics drift away from the education to other sectors of the Nigerian economy or outside the country, the quality of teachers in the country has become insufficient.

Last but not least, the total absence of female vocational training centres remains a major issue. Most, if not all, vocational training schools are overwhelmingly attended by boys and have no quota set aside for girls.

## Recommendations

Nigeria should:

- Implement CEDAW Committee’s recommendation to:
  - Increase the budget allocation for the education sector with a view to attaining the recommended UNESCO threshold of 26 per cent of the gross domestic product, as recommended by the CEDAW Committee.<sup>91</sup>
- Improve the availability, accessibility and quality of general education, especially in rural areas and IDP host communities;
- Pursue a gender balance employment policy in the educational sector;
- Raise the standard of education among Government schools and strengthen the implementation of the Universal Basic Education (UBE) program;
- Ensure de facto equal access of girls and young women to all levels of education retention of girls in schools, and strengthening of implementation of re-entry policies;
- Make education compulsory and affordable to all citizens;
- Develop a plan to ensure the security of students and the prevention of sexual violence and harassment in public schools, such as mandatory sexual harassment policy, widely disseminate guidelines and ensure the enforcement of the provisions recommended to curtail these practices;
- Include aspects of education for a culture of peace, human rights and gender equality in school curriculums;
- Promote large-scale awareness-raising, education and information campaigns about dialogue, conflict prevention and resolution, including in schools, workplace and the political environment;
- Ensure women’s and girls’ access to vocational training, access to studies in the primary, secondary, technical and tertiary education, access to scholarships and other study grants and access to programs of continuing education, as well as provide statistics on student dropout rates;
- Adopt policies to encourage women and girls to choose non-traditional fields of education, including technical and vocational training and take affirmative action such as introducing quotas for female students.

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<sup>91</sup> Paragraph 33c), UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

### XIII. Women with disabilities

Nigeria committed to accelerate the passing into law for the protection of persons with disabilities<sup>92</sup> to further raise awareness of the rights of persons with disabilities<sup>93</sup> and to develop programmes and services for the development of persons with disabilities.<sup>94</sup>

There is a high increase of various forms of gender-based violence and stigmatisation experienced by persons with disabilities. Psychosocial support is not available to them, especially in the rural communities. A Disability Rights Bill was passed by the 6th and 7th National Assembly but did not get signed into law by the former President. Currently, the bill is yet to be signed by the present President.

#### Recommendations

Nigeria should:

- Implement CEDAW Committee's recommendations to:
  - Intensify its efforts through existing and new innovative programmes targeting women with disabilities in order to facilitate their access to health care, education and employment, and to combat all forms of discrimination against them;<sup>95</sup>
  - Introduce temporary special measures to increase the representation of women with disabilities in political and public life, and expedite the adoption of the Disability Rights Bill;<sup>96</sup>
  - Expedite the adoption of pending laws, such as (...) the Disability Rights Bill, and ensure that they fully comply with the Convention.<sup>97</sup>

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<sup>92</sup> UPR I 103.2. Accelerate the process of passing into law the various rights-based bills before the National Assembly in order to provide broader scope of protection for vulnerable members of society, especially women, children and the disabled (Ghana); 135.162. Continue the active protection of vulnerable population groups, including children, women, disabled persons and the elderly (Russian Federation).

<sup>93</sup> UPR II 135.61. Further raise public awareness on the equal rights of women, persons with disabilities and religious minorities for social integration and harmony (Cambodia); UPR II 135.147. Implement the Universal Basic Education policy for all children without discrimination with focus on integration of children with disabilities and equal access for girls in primary and secondary education (Slovakia); UPR II 135.156. Adopt a national policy on children with disabilities and ensure access to education and health services for all children with disabilities (Egypt).

<sup>94</sup> UPR II 135.157. Further develop educational services and programmes for the training of persons with disabilities in partnership with relevant institutions (Oman).

<sup>95</sup> Paragraph 44a), UN Index CEDAW/C/NGA/CO/7-8, Concluding observations on the combined seventh and eighth periodic reports of Nigeria, 24 July 2017.

<sup>96</sup> Paragraph 30c), *ibid.*

<sup>97</sup> Paragraph 10c), *ibid.*

