



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

Sixth periodic report of States parties

Nigeria*

* The present report is being issued without formal editing.

For the initial report submitted by the Government of Nigeria see CEDAW/C/5/Add.49, which was considered by the Committee at its seventh session. For the combined second and third periodic report submitted by the Government of Nigeria see CEDAW/C/NGA/2-3, which were considered by the Committee at its nineteenth session. For the combined fourth and fifth periodic report submitted by the Government of Nigeria see CEDAW/C/NGA/4-5, which was considered by the Committee at its thirtieth session.

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The following abbreviations have been used:

ACGSF	-	Agricultural Credit Guarantee Scheme Fund
AFAN	-	All Farmers Association of Nigeria
		Agency of Nigeria
AIDS	-	Acquired Immuno Deficiency Syndrome
ART	-	Anti-Retroviral Therapy
ARV	-	Anti-Retroviral
AU	-	African Union
BFI	-	Baby Friendly Initiative
BOI	-	Bank of Industry
BSS	-	Behavioral Surveillance Survey
BUDFOW	-	Business Development Fund For Women
CAN	-	Christian Association of Nigeria
CBN	-	Central Bank of Nigeria
CBOs	-	Community Based Organizations
CDD	-	Centre for Democracy and Development
CEDAW	-	Convention on the Elimination of All Forms of Discrimination Against Women
CEDPA	-	Centre for Development and Population Activities
CFRN	-	Constitution of the Federal Republic of Nigeria
CHO	-	Community Health Officers
CIDA	-	Canadian International Development Agency
CIRDDOC	-	Civil Resource Development and Documentation Center
CRA	-	Child Rights Acts
CRC	-	Convention on the Rights of the Child
CSACEFA	-	Civil Society Action Committee on Education for All
CSC	-	Civil Service Commission
CSOs	-	Civil Society Organizations
DFID	-	UK Department for International Development
ECOWAS	-	Economic Community of West African States
FBOs	-	Faith-Based Organizations
FCC	-	Federal Character Commission
FCT	-	Federal Capital Territory
FEEDS	-	FCT Economic Empowerment and Development Strategy
FFLH	-	Female Functional Literacy for Health
FGM	-	Female Genital Mutilation
FGN	-	Federal Government of Nigeria
FIDA	-	International Federation of Women Lawyers
FMF	-	Federal Ministry of Finance
FMLP	-	Federal Ministry of Labour and Productivity
FMOE	-	Federal Ministry of Education
FMOH	-	Federal Ministry of Health

FMOI	-	Federal Ministry of Information and National Orientation
FMOJ	-	Federal Ministry of Justice
FMWA	-	Federal Ministry of Women Affairs
GADA	-	Gender and Development Action
GAR	-	Gross Attendance Ratio
GBV	-	Gender-Based Violence
GDP	-	Gross Domestic Product
GECORN	-	Gender and Constitution Reform Network
GPI	-	Girls Power Initiative
GSU	-	Gender Support Unit
HCJ	-	High Court of Justice
HCT	-	HIV Counseling and Testing
HIV	-	Human Immuno -Deficiency Virus
HND	-	Higher National Diploma
HTPs	-	Harmful Traditional Practices
IAA	-	International Aid Agencies
IBRD	-	International Bank for Reconstruction and Development
ICPD	-	International Conference on Population and Development
IDF	-	International Development Fund
IEC	-	Information, Education and Communication
IFC	-	International Finance Corporation
IITA	-	International Institute for Tropical Agriculture
ILO	-	International Labour Organization
INEC	-	Independent National Electoral Commission
IOM	-	International Organization for Migration
IUD	-	Intra - Uterine Device
JICA	-	Japan International Cooperation Agency
LACA	-	Local Government Action Committee on AIDS
LACVAW	-	Legislative Advocacy Coalition on Violence Against
LEEDS	-	Local Government Economic Empowerment Development Strategy
LFN	-	Laws of the Federation of Nigeria
LGA	-	Local Government Area
LRC	-	Law Reform Commission
MDGs	-	Millennium Development Goals
MFA	-	Ministry of Foreign Affairs
MMR	-	Maternal Mortality Rate
MOA	-	Ministry of Agriculture
MOH	-	Ministry of Health
MPMF	-	Multi Partner Micro -Finance Scheme
MTSS	-	Medium Term Sectoral Strategies
NACA	-	National Action Committee on AIDS
NACRDB	-	Nigeria Agricultural Cooperative and Rural Development Bank

NAFDAC	-	National Agency for Food, Drug Administration and Control
NAN	-	News Agency of Nigeria
NAPEP	-	National Poverty Eradication Programme
NAPTIP	-	National Agency for the Prohibition of Trafficking in Persons and Other Related Offenses
NASCP	-	National AIDS/STD 'S Control Programme
NASS	-	National Assembly
NAWE	-	National Association of Women Entrepreneurs
NBC	-	National Broadcasting Commission
NCCC	-	National Consultative and Coordinating Committee
NCE	-	National Certificate of Education
NCNE	-	National Commission for Nomadic Education
NCS	-	Nigerian Customs Service
NCWD	-	National Centre for Women Development
NCWS	-	National Council of Women Societies
NDDC	-	Nigeria Demographic Data Survey
NDE	-	National Directorate of Employment
NDHS	-	Nigeria Demographic Health Survey
NEEDS	-	National Economic Empowerment and Development strategy
NERDC	-	National Educational Resource and Development Centre
NGOs	-	Non Governmental Organizations
NHIS	-	National Health Insurance Scheme
NHRC	-	National Human Rights Commission
NIS	-	Nigerian Immigration Service
NLC	-	Nigeria Labor Congress
NMEC	-	National Mass Education Commission
NPC	-	National Planning Commission
NPHCDA	-	National Primary Health Care Development Agency
NPoPC	-	National Population Commission
NPRC	-	National Political Reform Conference
NSF	-	National Strategic Framework for Action
NUC	-	National Universities Commission
NYSC	-	National Youth Service Corps
OA	-	Orientation Agencies
OND	-	Ordinary National Diploma
OPD	-	Office of the Public Defender
PEP	-	Primary Education Project
PEPFAR	-	President 's Emergency Plan for AIDS Relief
PFN	-	Pentecostal Fellowship of Nigeria
PGDE	-	Post Graduate Diploma in Education
PHC	-	Primary Health Centre
PLWHA	-	People Living with HIV/AIDS
PMTCT	-	Prevention of Mother to Child Transmission
PPFN	-	Planned Parenthood Federation of Nigeria

PTA	-	Parents Teachers Association
PTWA	-	Prevention of Trafficking In West Africa
SACA	-	State Action Committee on AIDS.
SEC	-	State Electoral Commission
SEEDS	-	State Economic Empowerment and Development Strategy
SHC	-	Secondary Health Care
SIDA	-	Swedish International Development Agency
SMEDAN	-	Small and Medium Enterprises Development
SMWA	-	State Ministry of Women Affairs
SMWASD	-	State Ministry of Women Affairs and Social Development
STD	-	Sexually Transmitted Diseases
STIs	-	Sexually Transmitted Infections
STM	-	Science, Technology and Mathematics
THC	-	Tertiary Health Care
TIP	-	Trafficking in Persons
TOT	-	Training of Trainers
TRC	-	Teacher Registration Council
UBE	-	Universal Basic Education
UBEC	-	Universal Basic Education Commission
UK	-	United Kingdom
UN	-	United Nations
UNAIDS	-	Joint United Nations Programme on HIV/AIDS
UNDP	-	United Nations Development Programme
UNESCO	-	United Nations Educational, Scientific and Cultural Organisation
UNFPA	-	United Nations Fund for Population Activities
UNHCR	-	United Nations High Commissioner for Refugees
UNICEF	-	United Nations Children Fund
UNIFEM	-	United Nations Development Fund for Women
UNODC	-	United Nations Office of Drugs and Crime
US	-	United States
USAID	-	United States Agency for International Development
USD	-	United States Dollar
USIS	-	United States Information Service
VAW	-	Violence Against Women
VCCT	-	Voluntary Confidential Counseling and Testing
VCT	-	Voluntary Counseling and Testing
VVF	-	Vesico Vaginal Fistula
WACOL	-	Women Aids Collective
WARDC	-	Women Advocates Research and Documentation Centre
WB	-	World Bank
WDCs	-	Women Development Centres
WHO	-	World Health Organization
WLDCN	-	Women Law and Development Centre, Nigeria
WOCON	-	Women Consortium of Nigeria

WOFEE	-	Women Fund for Economic Empowerment
WOMANIFESTO	-	Women Manifesto
WORNACO	-	Women's Organizations for Representative National Conference
WOTCLEF	-	Women Trafficking and Child Labour Eradication Foundation
WRAPA	-	Women's Rights Advancement and Protection Alternative

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Preface

The Federal Republic of Nigeria in its seven years of democratic governance has recorded an increase in awareness and political will at all levels to recognize, respect and protect women's rights.

The on-going reform programmes of the current administration, coupled with other initiatives, have created a positive and conducive programming environment for overall promotion and protection of women's rights; reduction in the prevalence of discrimination against women; increased investments in children and women's development issues, and better application of disaggregated data and development resources. There is demonstrated commitment to achieving the targets of the Millennium Development Goals, particularly goal No.3, which emphasizes the promotion of gender equality and empowerment. In addition, special institutional and legal mechanisms are in place to enhance attainment of gender parity, protection services for children and women, and empowerment through building capacities of families and communities.

The most significant leap recorded during the reporting period is the articulation and implementation of a nationally coordinated medium term development plan, the National Economic Empowerment and Development Strategy (NEEDS), State and its State and Local Government counterparts. It is noteworthy that the four pronged NEEDS programme, which utilizes a holistic approach, is being reviewed to integrate among others, a gender mainstreaming component into the policy framework.

In 2005 the Women Fund for Economic Empowerment (WOFEE), was launched as an initiative of the Ministry of Women Affairs and Financial Institutions to avail women of a revolving soft loan facility to enhance the capacity of rural women. WOFEE aims, among other things to facilitate access to goods, marketing strategies, business training, infrastructural facilities, and provision of a supportive policy environment.

The Government of the Federal Republic of Nigeria continues to uphold the implementation of the Beijing Declaration and Platform for Action (BPfA) and the outcome of the 23rd Special Session of the General Assembly that ushered in international efforts for the advancement of women. The implementation of the BPfA in practically all the areas of concern has recorded remarkable visibility with substantive incremental progress in some areas. There however, remain monumental challenges in other areas arising from the diversity of the socio-political economy of the country.

Nigeria's 6th CEDAW Country Periodic Report highlights the increasing opportunities for the elimination of all forms of discrimination against women in the private and public sectors and improved levels of equality and enjoyment of women's human rights policy formulation. Action plans have been developed to promote increased access by women and girls to education, decrease disparities in women and girls literacy; enhance access to health

information and services and reduce the prevalence of HIV/AIDS among women including the burden of care and stigmatization.

This report features the productive contributions of women and human rights organizations as well as other stakeholders especially development partners in the monitoring and evaluation of the implementation of the Convention in Nigeria. It also highlights the application of gender sensitive indicators and sex disaggregated statistics for measuring implementation progress as exemplified in the compilation and revision of domestic, religious and cultural laws as well as practices that affect women and girls distinctly.

Indications are provided on gaps and challenges facing the country in her strive for effective implementation. Most significant of these are limitations of financial and human resources for promoting gender equality, low level of women's participation in decision-making at various levels and the persistent prevalence of violence against women based on socio-cultural beliefs.

It is my hope that the distinguished members of the CEDAW Committee of Experts will appreciate the progress made so far, the positive changes recorded in this report and support Nigeria's efforts to sustain this momentum in the overall interest of Nigerian women.

Mrs. Inna Maryam Ciroma
Honourable Minister of Women Affairs
Federal Republic of Nigeria, Abuja
July 2006

Acknowledgement

The process for the production of the 6th CEDAW Country report has been a long and intricate journey. Nigeria is appreciative of the concluding comments and observations provided by the UN CEDAW Express Committee, which has served as a reference point for articulating progress recorded, and persistent concerns of gender actors and stakeholders

The Federal Ministry of Women Affairs wishes to recognize with gratitude the cordial partnership extended to it by Ministerial Departments and Agencies (MDAs), State and Local Government outfits, Civil Society Organizations especially women and human rights groups, Community Based Organizations, Grassroots women's associations, the academia and development partners. It is our expectation that this burgeoning partnership will endure over time and facilitate the realization of the goals and objectives of CEDAW.

Government is also appreciative of the efforts of the range of resource persons who supported the process from inception to conclusion. It is our earnest expectation that we shall continue to count on the wide range of contributors to this report in the continued implementation and monitoring of CEDAW and related protocols in Nigeria.

Conclusively, the Ministry expresses appreciation to the Office of the Millennium Development Goals in Nigeria for its technical and financial support towards the timely production of this report.

Dr. Safiya Mohammad
Permanent Secretary
Federal Ministry of Women Affairs
Abuja, Nigeria

Executive summary

In articulating the 6th Country Periodic Report, issues under consideration have been presented in three parts,

- Part I - Introduction;
- Part II: Progress on the implementation of CEDAW and
- Part III: Conclusion

Special attention was given to the Committee's observations and concluding comments on the 4th and 5th Country Report. The report highlights the measures adopted by the Nigerian Government, Civil Society especially women and human rights groups, and development partners who are key stakeholders in the recorded progress made from 2002. It outlines priorities identified for action, as well as challenges inherent in the processes of domestication and implementation.

The report presents the strategies adopted for mainstreaming gender responsive actions into the ongoing national reform processes across the country. Gender mainstreaming efforts in both state and national plans were emphasized in the political, economic and socio – cultural spheres. Assessing the effectiveness of these plans were hinged on the critical change index recorded for social justice and equality for women and men.

Within the period of reporting, the subject of gender equality has acquired more prominence in development programming in Nigeria, leading to concrete engagements at high levels in government decision -making organs and within development agencies. The success of the gender mainstreaming actions in Nigeria has depended on a broad -based partnership in which the government of Nigeria acts cooperatively with other key stakeholders, including civil society and the private sector.

The formulation of a gender policy as a tool for mainstreaming gender is one of the concrete strategies Nigeria is employing to achieve the MDGs which by extension, encompass the principles of CEDAW. Consequently, a high level of understanding of the concept of gender has emerged and there is significant mobilization for its mainstreaming in policy frameworks and institutional mechanisms to guarantee the achievement and monitoring of gender equality. Specifically, the following indices support the incremental shift towards elimination of gender inequality in Nigeria:

- A significant level of knowledge and appreciation of the concept of gender mainstreaming.
- Concrete and measurable gender mainstreaming policies in programmes.
- The development and use of gender mainstreaming tools.
- A culture of gender training for staff and programme partners.

- An emerging partnership between government departments and agencies aimed at fostering platforms for dialogue to entrench appreciation of the concept, and the incorporation of gender mainstreaming principles, indices and tools in development programmes in Nigeria.

More significantly, within the reporting period, the Federal Government introduced the National Economic Empowerment and Development Strategy (NEEDS) with the policy thrust to significantly improve the quality of life of Nigerians and also create social safety nets for vulnerable groups, particularly women and youth. This holistic programme is replicated at the State levels as - State Economic Empowerment and Development Strategy (SEEDS) and local government levels as Local Government Economic Empowerment and Development Strategy (LEEDS) respectively and the FEEDS (FCT Economic Empowerment and Development Strategy).

Additional gains highlighted in Nigeria's 6th Report is the emergence of a productive collaboration between Government, women and human rights NGOs in the area of strategic litigation around the provisions of the 1999 (Constitution of the Federal Republic of Nigeria (CFRN) and the principles of CEDAW. This has enhanced the potential realization of the rights of women in public and private spheres. The initiative is reinforced by comprehensive documentations of the various forms and contexts of discriminatory laws and practices in Nigeria. One of such, is the survey report on *“Constitution, National and State Statutes and Regulations, Local Government Bye Laws, Customary Laws and Religious Laws, Policies and Practices and court Decisions relating to the Statutes of Women and Children, Applicable in Nigeria”*.

Also within the reporting period, Nigeria ratified the Optional Protocol to CEDAW (2004) as an international instrument, and ratified two regional instruments, the African Union Protocol on the Rights of Women in Africa and the Solemn Declaration on Gender Equality in Africa. These instruments emphasize Nigeria's obligations as a member State to put in place all necessary mechanisms required for eliminating gender discrimination, ensuring equality and human dignity to all women and men.

In conclusion, Nigeria's 6th Country Report highlights concrete evidence of a definite move to introduce consistent and systematic measures aimed at achieving the aspirations of the Convention. This is being achieved with the active participation of women and men, at all levels of governance and society, through consultations and advocacy to achieve high value and sustainable attitudinal, policy and legal changes. Affirmative action measures have been acknowledged as a justifiable step to redress the glaring inequalities that are embedded in Nigeria's socio-cultural setting. This was a recommendation by the National Political Reform Conference, 2005, which was a defining moment in Nigeria's history and critical to the sustenance of democracy. It was a platform that sought to openly arrive at consensus and benchmarks for Nigeria and its people including women.

Part I Introduction

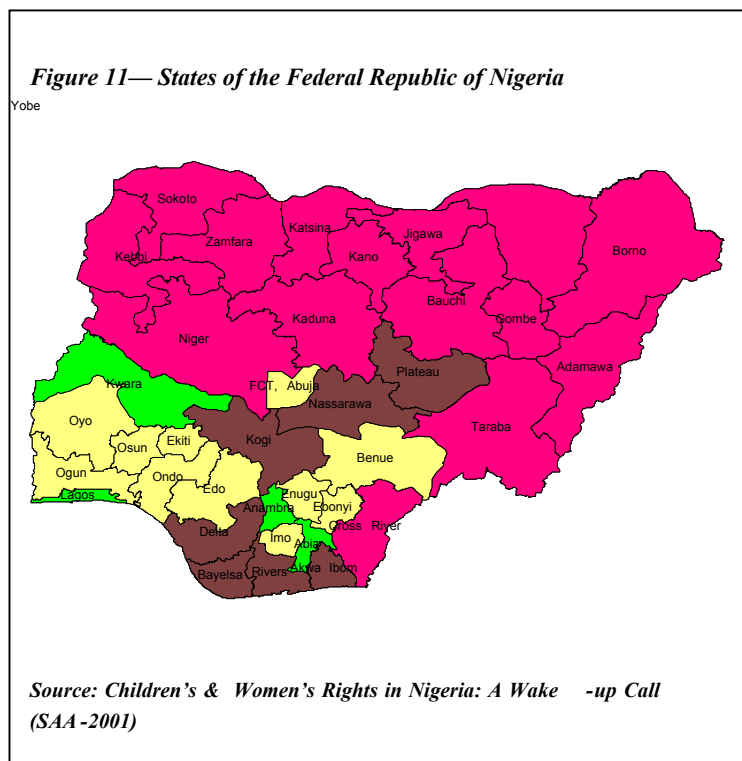
Background and period of coverage

Nigeria as a signatory to the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and in fulfillment of its obligation under Article 18 submitted its 4th and 5th country Periodic Report (covering the period 1994 – 2002) outlining progress recorded on the implementation of the Convention. The report was considered at the Committee's 638th and 639th meetings in its 30th Session held in New York from the 12th -30th January 2004. This 6th Country Periodic Report builds on past efforts at implementing the convention within the Nigerian context.

Nigeria's demographic profile and administrative set-up

Geography and Population

Nigeria lies between 4°16' - 13°53' on the north latitude and 2°40' - 14°41' on the east longitude. It is located in West Africa bordered on the West by the Republic of Benin, on the north by the Republic of Niger and on the East by the Republic of Cameroon. To the south, Nigeria is bordered by approximately 800 kilometers of the Atlantic Ocean, stretching from Badagry in the west to the Rio del Rey in the east. The country also occupies a land area of 923,768 kilometres and the vegetation ranges from mangrove forest on the coast to desert in the far north.



The administrative and political structure which has been operational since the return to democratic rule in May, 1999, still subsists in the country. The states, local governments and geo-political zones reported in the preceding country report still serve as the governance machinery. There are presently 774 Local Government Areas in the country. There is a three tiered presidential system of government with the Federal Government made up of an executive arm, a bi - cameral legislative arm and the judiciary. Each State has an independent executive arm and house of assembly while each Local Government is administered by a chairman and a council.

The 1991 census estimated a population of 88,992,220 people. Based on the projected growth rate of 2.83 percent per annum, the estimated current population of Nigeria by 2004 is 126 million of which about 49.7 percent should be women. Results of the March 2006 census is still awaited but is unlikely to change the status of the country as the most populous country in Africa and the tenth most populous in the world. Nigeria is still predominantly rural with approximately one -third of the population accounting for the urban populace while the rural areas account for about two -thirds of the population.

Macroeconomic profile

Some progress has been made to restore macro -economic stability between the current and last country report as reflected in Table 1.1.

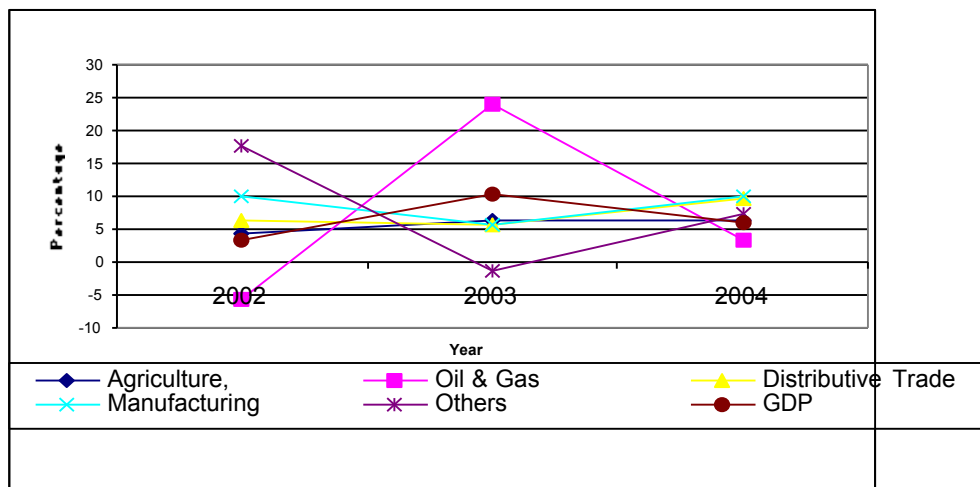
The sharp rise in overall GDP growth rate from 3.49 percent in 2002 to 10.23 percent in 2003 and the steep decline to 6.09 percent in 2004 (Figure 1.1) has been attributed to the fluctuating revenues derived from the oil and gas sector. Growth in agriculture, where women are involved in 70percent of agricultural work and 90 percent in husbandry also recorded a steady increase, a situation not unrelated to the agricultural drive of the present administration.

Sector	2002	2003	2004
Agriculture	4.25	6.47	6.50
Oil and Gas	-5.71	23.9	3.3
Distributive Trade	6.48	5.76	9.7
Manufacturing	10.07	5.66	10
Others	17.67	-1.34	7.2
GDP	3.49	10.23	6.09

Source: National Bureau of Statistics

Sectors	2001	2002	2003	2004
Agriculture	29.66	29.85	28.85	31.46
Oil and Gas	32.65	29.75	33.44	32.56
Distributive Trade	12.85	13.22	12.68	13.12
Manufacturing	4.33	4.62	4.41	4.59
Others +	20.51	22.56	20.49	18.27
Total	100	100	100	100

Source: National Bureau of Statistics: 2004

Figure 1.2: GDP Growth Rate (%) in Real Terms 2002 -2004

Source: *National Bureau of Statistics: 2004*

Preparatory process

As part of the preparatory processes for the writing of the 6th CEDAW Country Periodic Report, a series of interventions were mutually agreed by government, CSOs and development partners as critical to the production of a consensus report. These include:

- *Regular participation of civil society in the different steps of the process;*
- *Encourage and involve of UN Agencies and development partners, to provide technical and financial inputs as related to their respective programme mandates and in response to the recommendations made by the UN CEDAW Committee;*
- *Developing and adhering to precise time frame and plan of action for the report writing;*
- *Utilising the Concluding Comments and Observations of the CEDAW Committee to the 4th and 5th Country Periodic Report as a point of departure for integrating progress achieved in the 6th Country Periodic Report.*

To compliment the on -going efforts to implement and popularize CEDAW recognition was given to the need for the report production specific actions. Major activities commenced in October 2005 with the initial consultative meeting of all stakeholders and culminated in the printing, submission and circulation of the report . The meeting reviewed and adopted a country strategy and plan of action proposed by the Federal Ministry of Women Affairs (FMWA). In addition, roles and responsibilities of the different stakeholders were determined and assigned. The detailed work plan developed under the leadership of the Gender focal machinery is reflected in Annex I.

To operationalize the national strategy, several stakeholders' consultative meetings and workshops were held, involving a cross section of representatives from the civil society,

community based organizations, academia, development partners, parliamentarians, government officials from relevant ministries, agencies and parastatals.

The FMWA then set up a 16 - member technical team comprising national coordinators, zonal team leaders, federal research officers and data analysts to spearhead the countrywide data gathering exercise, analysis, and collation of requisite information for the development of the country report. The team was exposed to a 2 -day training on data collection. A pre -data collection -briefing workshop for State Ministries of Women Affairs and Social Development officials from the 36 States of the country and the FCT was organized to equip sub-national level officers in sourcing relevant inputs for the data collection exercise.

Other key activities undertaken to enhance broad participation in the report production were:

- Advert placements in six (6) major national newspapers calling for inputs from the general public (See annexure II).
- An electronic mail box “ngcedaw2005@yahoo.com ” was created for the general public to make contributions to the report.
- Development and adaptation of Questionnaires
- Logistics for effective data collection, analysis, application and management.

Field reports were integrated into a common format at a collation/harmonization workshop involving zonal team leaders, national researchers, data analysts and officials of relevant sectoral agencies and CSOs from the 36 States and FCT held in Abuja.

The various sessions and meetings convened were well attended and their outcomes were significant in providing new insights to the status of CEDAW implementation. Existing primary and secondary data, field reports and other findings from all the States of the Federation were analyzed and harmonized into a single zero draft 6th Country Periodic Report. Responses to newspaper publications were also integrated into the zero draft report.

A Peer Review meeting was convened to deliberate on, assess and endorse the zero draft report. Participants included sectoral agencies, development partners, CSOs and the academia. At the end of the peer review exercise, the first draft report was produced. As part of the validation exercise, a Stakeholders’ Review Workshop was organized in the Northern, Southern and Central Zones of the country respectively for public scrutiny, reactions and inputs to the draft report. At the end of the stakeholders’ workshop a second draft report was produced.

A three-day technical finalization meeting was organized to harmonize inputs from the zonal stakeholders review meeting, and produce the third draft report. This version of the report that had passed through different levels of consultation was edited into a final report, ready for submission to the UN Committee on CEDAW through appropriate channels in the Ministry of Foreign Affairs.

Collaboration

Efforts have been made, especially, in the last five years to increase and improve collaboration amongst all groups and individuals involved in gender equality and women development issues on the implementation of the Convention. The FMWA has cultivated partnerships with UN agencies, international organization, development partners and Foundations key among who are: UNICEF, ILO, UNIFEM, UNODC, UNESCO, WHO, UNAIDS, UNFPA and UNDP.

The FMWA also collaborates with other relevant federal ministries like Justice, Labor and Productivity, Information, Education, Police Affairs, Internal Affairs, Foreign Affairs, Finance, National Planning Commission and Health to mention a few.

In addition, the Ministry maintains relationships with its State counterparts and other relevant agencies and parastatals like the National Centre for Women's Development (NCWD), National Human Rights Commission (NHRC), National Agency for Poverty Eradication Programme (NAPEP), the National Agency for the Prohibition of Traffic in Persons (NAPTIP) and most importantly the office of the Special Adviser to the President on MDGs.

The mass media also collaborates with the FMWA in publicity, public enlightenment and advocacy, especially on reporting abuses and violence against women, and drawing the attention of civil society and the general public to the women's achievements and meritorious performance in positions of leadership.

Country response to the concluding comments of the Committee on the Elimination of Discrimination against Women on Nigeria's fourth and fifth periodic report

PRINCIPAL AREAS OF CONCERN AND RECOMMENDATION (4TH & 5TH Country Report)	RESPONSIVE MITIGATION EFFORT (6th Country Report)
Domesticate Convention and clarify its primacy over domestic laws including its justiceability and enforcement.	Process for domestication of convention on course Primacy of CEDAW established in certain land mark cases
Complete domestication process and make Convention integral part of justice and legal administration system.	As in above, process near conclusion
Continued existence of discriminatory provisions in Constitution regarding nationality and employment of women; slow pace of legislative reforms to eliminate discriminatory practices.	Emergence of a productive collaboration between Government and women and human rights NGOs in the area of strategic litigation within the provisions of the 1999 Constitution of the Federal Republic of Nigeria and the principles of the provisions of CEDAW.
<u>Set priorities with concrete timetables for amendment of Constitution by Federal and State legislatures; Intensify collaborations with parliamentarians, CSOs and other stakeholders to realize de facto equality for women.</u>	Formulation of a gender policy as a tool for mainstreaming gender is one of the concrete strategies Nigeria is employing to achieve the MDGs which by extension encompass the principles of CEDAW. Consequently, a high level of understanding of the concept of gender has emerged and there is significant mobilization for its mainstreaming in policy frameworks and institutional mechanisms to guarantee the achievement and monitoring of gender equality.
Existence of three -pronged legal system resulting in lack of compliance with obligations under CEDAW.	Findings of survey on contradictions in legal system published and available for reference and wide use
repetition (see 19, 22, 21)	
Prevalence of violence against women and sexual harassment at workplaces; 2002 proposed bill on violence against women yet to be passed.	Bill passed in some states of the federation, awaiting passage at the federal level

<p>Recognize violence against women as violation of women's human rights under the Convention and speed up measures to address it; Access to protection, shelter and other services and effective redress for all women victims of violence and sexual harassment; Gender sensitization training for public officers; Increase public awareness through the media and other education programmes to make such violence socially and morally unacceptable.</p>	<p>Several campaigns on violence against women and girls launched at both federal and state levels, Bill under consideration. Several categories of legal officers, law enforcement and judicial officers trained on women's rights protection and gender issues.</p>
<p>Continued acceptance of harmful traditional practices such as widowhood practices, FGM, Child and forced marriages despite prohibitions in legislations.</p>	<p>Nationwide advocacy visits by Minister of Women Affairs to enjoin Governors, Traditional Rulers and other Public Officers to support implementation of legislations on HTPs and Child Abuse.</p>
<p>Ensure full compliance with the Child Rights Act 2003 which set the statutory minimum age of marriage at 18 years in all parts of the country. Stop all forms of apathy of law enforcement agencies with regards to implementing existing legislation to eliminate harmful traditional practices; Intensify efforts at development and implementation of a national action plan with public awareness-raising campaign to eliminate such practices. Undertake such efforts in alliance with CSOs, Women NGOs, traditional and religious leaders and other stakeholders to create enabling environment for accelerated elimination of such practices in compliance with the Convention.</p>	<p>Increased awareness is on. Nigerian Police has set up human rights desk in all police stations of the federation.</p>
<p>Prevalence of trafficking in women and the exploitation of the prostitution of women. Transmission of STIs and HIV/AIDS exacerbated by sexual exploitation.</p>	<p>Key agencies in place with recorded success to deal with trafficking.</p>
<p>Ensure full implementation of Trafficking in persons (Prohibition) Law Enforcement and Administration Act, 2003 and develop comprehensive strategy to combat trafficking in persons, including prosecution and punishment of offenders, counseling and rehabilitation of victims, capacity building for those involved in combating trafficking. Intensify international, regional and bilateral cooperation with other</p>	<p>Introduction of NEEDS (replicated at other levels as SEEDS, LEEDS & FEEDS) with the policy thrust to significantly improve the quality of life of Nigerians and also create social safety nets for vulnerable groups, particularly women and youth.</p>

<p>countries of origin, transit and destination for trafficked persons; <u>Introduce measures to improve economic situation of women to eliminate their vulnerability to traffickers.</u></p>	
<p>Continuing high rates of illiteracy of women and girls especially in rural areas and the decline in the quality of education.</p>	<p>New initiatives such as school feeding programme and improved sanitation among others launched to increase enrollment. Number of years for basic education increased to nine years.</p>
<p>Ensure full implementation of UBE Policy launched in 1999, and the educational objectives contained in the National Policy on Women, including the support of the international community; Prioritize action in the field of girls' and women's education including sensitizations on the importance of education as a fundamental human right and the basis for women's empowerment; Targeted measures with concrete timeframe be taken, in accordance with general recommendation 25 on temporary special measures, in order to increase literacy level of girls and women, especially in rural areas to ensure equal access of girls and young women to all levels of education, to prevent girls from dropping out of school, especially due to early pregnancy, and to overcome traditional attitudes that constitute obstacles to girls' education; Ensure availability of schools to all, especially girls, to create further incentive for parents to send girls to school and to increase recruitment of qualified women teachers at all levels of education.</p>	<p>Implementation mechanisms reinvigorated and expanded to all states of the federation.</p> <p>Intensive awareness campaign on the importance of girl-child education on-going across the country</p>
<p>Persistence of discriminatory legislation, administrative provisions and practices in the labour market; Women's higher unemployment rates, persistent wage gap in the private and public sectors and the lack of adequate social protection for women in the private sector.</p>	<p>Nigerian Labour Congress has adopted a gender policy which is designed to guide and engender women's participation in the labour market</p> <p>Land mark entry of women into leadership positions in the private sector has been recorded</p>

<p>Ensure equal opportunities for women and men in the labour market, use temporary special measures in accordance with article 4, paragraph 1, of the Convention and the Committee's general recommendation 25.</p>	<p>Federal Government has adopted measures for enhancement of appointment of women into public sector employment.</p>
<p>The precarious situation of women's health, insufficient and inadequate health-care facilities and services. The high rates of maternal mortality resulting from unsafe abortions. Physical and mental health injury of women and girls resulting from persistence of harmful traditional practices.</p>	<p>All tertiary health care facilities in the country renovated and equipped with modern health care equipment. Budget for the year 2006 makes provision for the rehabilitation of primary health care centers across the country.</p>
<p>Allocate adequate resources to improve women's health, especially with regards to maternal and infant mortality. Increase women's and girl's access to affordable health-care services, including reproductive health care, and increase access to affordable means of family planning for all. Assess the impact of abortion laws on women's health. Introduce holistic and life-cycle approach to women's health, taking into account general recommendation 24 on women and health.</p>	<p>Many states now offer free ante natal care services to women including emergency care in some cases. Increased access to post abortion care services in the country</p>
<p>Low number of women in politics, leadership and decision making positions. Persistence of stereotypical and patriarchal attitudes, which view men as natural leaders and might preclude women from seeking positions of leadership.</p>	<p>Affirmative action measures have been acknowledged as a justifiable step to redress the glaring inequalities that are embedded in Nigeria's socio-cultural setting. This was recommended by the NPRC 2005.</p>
<p>Take measures to increase the number of women in decision-making positions at all levels and in all areas, considering general recommendation 23 on women in political and public life. Use temporary special measures, in accordance with article 4, paragraph 1, of the Convention and general recommendation 25, to promote women to positions of leadership, including diplomatic services. Increase availability of training programmes to women and enhance awareness-raising campaigns to underline the importance of women's participation in decision-making at all levels.</p>	<p>Wide ranging gender sensitive recommendations submitted to National Political Reform Conference. Some of the recommendations are currently being implemented by some agencies e.g. The Federal Character Commission. Gender Affirmative Action Group formed</p>

Lack of monitoring, evaluation and data disaggregated by sex on results of impact of existing interventions, laws and policies aimed at empowering women.	Increased availability of gender disaggregated data due to reform of key statistical outfits e.g. National Bureau of Statistics
Include in the next report statistical data and analysis disaggregated by sex on the impact of policies aimed at gender equality and the implementation of CEDAW.	Updated data provided in current report where available
Ratify the optional protocol to the Convention and accept without delay the amendments to article 20, paragraph 1, of the Convention on the meeting time of the Committee.	Nigeria has ratified one international instrument, the Optional Protocol to CEDAW (2004), signed and ratified two regional instruments, the African Union Protocol on the Rights of Women in Africa and the Solemn declaration of Gender Equality in Africa.
Respond to the concerns expressed in the present concluding comments in the next periodic report, due in 2006, under article 18 of the Convention.	Initial response forwarded in 2004 and new developments included in current report
Include information on the implementation of aspects of relevant articles of the Convention in the next periodic report.	Current report includes current information on progress made with implementation process.
Create awareness by ensuring extensive dissemination of the present concluding comments especially among government administrators, politicians and other Nigerians on steps taken so far and future steps required to ensure de jure and de facto equality for women. Continue to disseminate widely, especially to women's and human rights organizations, the Convention and its optional protocol, the committee's general recommendations, the Beijing Declaration and Platform for Action and the results of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace in the twenty-first century".	Concluding report widely circulated among key decision makers.

Part II

Progress report on implementation of the Committee on the Elimination of Discrimination against Women

Article 1

Definition of discrimination against women

1.0 Legal Framework

1.1. As indicated in the preceding country reports, Nigeria endorses and upholds the definition of discrimination as espoused in the CEDAW. Specifically, the 1999 Nigerian Constitution Chapter IV Section 42 (I), (a) and (b); (2) and (3) provides for non-discrimination on the basis of gender, religion, ethnicity, age or circumstances of birth against any citizen.

To further attest to its commitment to this definition and the constitutional provisions, the Nigerian Government has signed, ratified, and domesticated in certain instances, all international and sub-regional treaties and agendas that uphold the principles and ideals of non-discrimination, promotion and protection of women's rights as human rights as well as the pursuit of women's empowerment and promoting gender equality. These instruments require member nations to put in place all necessary mechanisms needed to eliminate gender discrimination and in addition, accord equality and human dignity to all citizens regardless of sex as fulfillment of their obligations. This singular action indicates the country's willingness to fulfill those obligations enshrined in CEDAW and other related instruments and demonstrates by implication, Nigeria's assent to the definition of discrimination and readiness to place under check, all discriminatory practices against women. Related international and sub-regional instruments that reinforce the ideals of the declaration are captured in Box 1.1.

1.1.2 It is significant to note that the African Charter on Human and People's Rights has been domesticated through AU Charter on Human and People's Rights (Ratification and Enforcement) Act, Cap A9 Laws of the Federation of Nigeria, 2004.

1.2 Administrative Measures

1.2.1 The Federal Ministry of Justice is the lead agency charged with establishing mechanisms to guarantee basic human rights protection and access to justice. Other law enforcement and regulatory

Box 1.1

- *CEDAW & its Optional Protocol*
- *Beijing Platform for Action*
- *Rio+10 Declaration*
- *The AU Protocol to the African Charter on the Rights of Women in Africa*
- *Solemn Declaration on Gender Equality in Africa*
- *United Nation's Convention Against Trans-National Organized Crime.*
- *Protocol to Prevent, Suppress, and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nation's Convention Against Trans-National Organized Crime*
- *Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.*
- *International Covenant on Civil and Political Rights*
- *International Covenant on Economic, Social and Cultural Rights*

institutions that contribute directly to the protection of citizens from discrimination include the Nigeria Police, National Human Rights Commission (NHRC), Law Reform Commission, Legal Aid Council and the National Agency for the Prevention of Trafficking in Persons (NAPTIP). The Federal Ministry of Women Affairs, Code of Conduct Bureau and Federal Character Commission all work to compliment government's efforts to operate a sound justice administration system that guarantees freedom from discrimination.

1.3 Progress Recorded within Reporting Period

1.3.1 The enabling environment created by the democratic nature of the nation's polity has given rise to a vibrant civil society, engaged in the promotion and protection of the rights to women and girls to freedom from all forms of discrimination. Pertinent action include the design and implementation of programmes and activities aimed at challenging structures and systems that often negate the definition of non-discrimination, disempower women and promote inequalities. The women machinery at the federal level has also been very active in the quest for gender equity and equality.

1.3.2 In June 2006, the Nigeria Police launched the Human Rights Desk in all Police stations. Police officers will also receive human rights training to enable them uphold human rights tenets in their dealings with the public regardless of gender and affirm in practice, the principles of non-discrimination.

1.4 Legal and Judicial Measures

1.4.1 In Nigeria, there are still laws, policies and social conventions that permit discrimination against women. For example section 55 (1)(d) of the Penal code which is applicable in the Northern part of Nigeria, allows a man to beat his wife for the purpose of correction. However, as a result of intensive sensitization, advocacy and human rights and gender trainings targeted at strategic institutions including the Judiciary, some Nigerian courts have demonstrated sensitivity to the gender dimensions of cases before them.

Judicial pronouncements from different courts within the three legal systems in the country show an inclination for activism to remove from the system, arbitrariness in the way women's issues are addressed. Cases decided in the lower courts are contested in the higher courts of appeal, enjoining judges to pay attention to constitutional provisions and Nigeria's obligations under international law in dispensing with such cases.

1.4.2 Land mark achievements in this regard within the period of reporting include:

1. The ruling of an Islamic Court which upheld a girl/woman's right to choose her partner, with an order for the dissolution of marriage. The ruling took cognizance of the physical abuse of the woman as well as the fact that she was *ab initio* forced into the marriage. Particulars of the case show that in Suit No. TRS/SCA/CV/AP/12/GM/2005, Hafatu Buba's case, the Shari'a Court of Appeal sitting in Taraba State upheld the Upper Area

court's decision and dissolved her marriage to her husband on the ground that her consent was not sought or obtained, and that the marriage was forced on her. It was reported in, Jalingo, Taraba State.

2. The ruling of a common law court which dissolved a woman's marriage on the grounds of violence and absence of consent to the marriage. Particulars of the case show that in Suit No. CVSL/97/2000, in the case Husaina Ba shir, the Qadis/judges sitting in the Upper Area Court in Mutum Biyu, Taraba State dissolved her marriage to her husband when she alleged that she had suffered persistent physical abuse, in addition to the fact that she was forced into the marriage by her mother and uncle.
3. An ongoing appeal before a Federal Court of Appeal whereby a young lady from Funtua in Katsina State appealed against a judgment of an Islamic Appellate court which denied her the right to marry a man of her choice. The main issues for determination are:
 - a) The right of a father as Wakil (Guardian) vis a vis the right of a matured girl and/or a divorcee to marry a husband of her choice.
 - b) The validity of the procedure adopted by a lower Islamic Court to contract the marriage with the chosen suitor.

The grounds of appeal include the violation of:

- *Her right as a divorcee (under Islamic law) to contract a marriage*
 - *The Nigerian Constitution to freedom from discrimination based on sex, freedom of religious beliefs and personal liberty.*
 - *Nigeria's international obligations regarding discrimination on the basis of sex as enshrined in Article 18(3) of the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act, Cap A9, Laws of the Federal Republic of Nigeria.*
4. An ongoing suit (Suit No. FCT/cV/178/2002) before a High Court of the Federal Capital Territory, seeking to defend the rights of five (5) girls who are minors, through a decision to:
 - a) Uphold the validity of the Will left by their deceased father in which, they are beneficiaries along side their now deceased mother.
 - b) To make a declaration that the Igbo inheritance custom depriving the five (5) orphaned girls from inheriting from their father's estate is a violation of their right to freedom from discrimination on the basis of sex as guaranteed by the 1999 CFRN and Nigeria's obligations under international law specifically, the African Charter on Human and Peoples' Rights.
 5. An ongoing appeal before a Customary Court of Appeal in Benue State arising from the award of custody in a divorce suit premised on the HIV/AIDS status of the wife. The appeal (by the

husband) challenges the decision of the lower court to grant Ene Oduh Onuh custody of the children of the marriage. The defendant (mother of the children) is seeking that the appeal be denied because the divorce was a miscarriage of justice since it was on the grounds of her HIV status, and that denying her custody solely on the basis of HIV status would amount to a violation of her right to freedom from discrimination under the 1999 CFRN and Nigeria's obligations under the following regional and international declarations and Conventions:

- African Charter on Human and People's Right (Ratification and Enforcement Act)
- Universal Declaration of Human Rights
- International Convention on Civil and Political Rights

The gains from these initiatives are outcomes of the broad based collaboration and networking of NGOs and the Judiciary in the administration of justice. Efforts by NGOs are on going in the area of conscious strategic litigation.

1.4.3 Challenges

In spite of the progress made so far in promoting women's right, women still experience discrimination due to the slow pace at which laws relating to women's rights are passed by the legislature at different levels and the poor enforcement mechanisms of existing legislations. Cultural and religious practices that discriminate against women are still entrenched in the country making behavioral change a major challenge for agents of change.

Article 2

Obligation to eliminate discrimination

2.0 Legislative and administrative measures to eliminate discrimination

2.1 Since the submission of the 4th and 5th Periodic Report, additional efforts have been made to fulfill Nigeria's obligations under the convention at the federal, state and local levels, translate the CEDAW provisions into reality, and ensure effective and practical mechanisms for guaranteeing non-discrimination.

This domestication of the CRC through the Child's Rights Act and promulgation of the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act, provide legal and institutional frameworks for implementing contemporary provisions stipulated in both the CRC and CEDAW. These include in particular, issues relating to the protection of the girl child from abuse, violence, exploitation and discrimination. By implication, the country has created a legal framework for certain provisions of CEDAW to be justiciable especially as related to the prohibition of issues highlighted in Box 2.1.

Box 2.1

- **Street trading and hawking**
- **Street begging**
- **Child labor, trafficking and all forms of abuse or violence**
- **Sexual Exploitation of girls/women**
- **Harmful traditional practices such as Female Genital Mutilation and child marriage**
- **Fundamental rights of the girl-child to health, education, survival, and participation**
- **Girl-child disinheritance**

2.1.1 There exists a strong synergy and collaboration between the Senate and House Committees on Women Affairs and the Federal Ministry of Women Affairs in the promotion of women's advancement and the protection of women and children against all forms of discrimination.

Furthermore the House and Senate Committees on Human Rights are tasked with proposing laws and taking other possible measures to remedy the effects of unfair discrimination including ensuring the full and equal enjoyment of all rights and freedom under the Constitution.

The Houses of Assembly of Taraba, Ogun and Lagos States are currently debating the "*Gender and Equal Opportunities Bill 1: A Bill to Incorporate, Domesticate, And Enforce Certain Aspects of the United Nations Convention on the Elimination of all Forms of Discrimination Against Women, and the National Policy on Women and other Matters Related Therewith*"; The proposed law is aimed at ensuring gender equality in the States. It is also aimed at establishing Gender and Equal Opportunities Commission in the said states while similar Bills are before other State Houses of Assembly within the Federation. The passage of these Bills into Law and establishment of the commission will guarantee equality of rights between men and women.

The government of Kebbi State has prohibited child marriages while laws prohibiting withdrawal of the girl child from school have been passed in Kano, Borno, Niger, Gombe and Bauchi States.

There has been greater commitment by the state governments in the South West zone to combat discrimination against women as evident in the number of pending bills for passage related to a variety of discriminatory practices. Besides the above bill, there is the “Gender Mainstreaming Bill” while the Bill on “Domestic Violence and Other Related Matters” is before the Lagos State House of Assembly.

Box 2.2

- Malpractices Against Widows and Widowers (Prohibition) Law 2005, Anambra and Ekiti States
- A Law to Prohibit Domestic Violence Against Women and maltreatment. Law No.10 of 2004 by the Cross Rivers State Government
- Inhuman Treatment of Widows (Prohibition) Law 2004 of Edo State
- Malpractices Against Widow’s and Widower’s (Prohibition) Law 2005 of Anambra State
- Dehumanizing and Harmful Traditional Practices Law, No 2, 2003 of Rivers State

As additional measures, the Lagos State government has a committee on women affairs in the State House of Assembly, while Ekiti and Rivers State have both established the Office of the Public Defender (OPD) and the Directorate for Citizens Rights respectively, under the States’ Ministries of Justice. The OPD offers free legal services to poor and underprivileged women whose rights are threatened or have been infringed.

The Ekiti State government on the other hand, has adopted the Child Rights Act and the State House of Assembly has directed its local government authorities to make by-laws in respect thereof. The State has further drafted an “Anti-discrimination Law” which is awaiting passage by the legislators. Other legal and administrative measures in place in other states are captured in Box 2.2.

2.1.1. Progress towards the Domestication of CEDAW

As at this reporting period, the CEDAW domestication draft Bill tagged “*A Bill For An Act To Provide For The Enforcement Of The United Nations Convention On The Elimination Of All Forms Of Discrimination Against Women in The Federal Republic of Nigeria and for the Purposes Connected There with- 2005*” is under consideration as an Executive Bill by the National Assembly.

The Constitutional provision for domestication of CEDAW as an international treaty focusing on women’s welfare is guided by Section 12 of the 1999 Constitution and falls within the concurrent list of the Constitution, which stipulates that the Federal/National Assembly and State Houses of Assembly are required to make legislations to effect the convention within national laws. By implication, when the Law is passed at the Federal level, for it to become a

nationally binding legislation across the country; it must be passed by at least two third majority of all the State Houses of Assembly.

Female and gender concerned activists, civil society organization and women focused NGOs having formed a coalition known as the National Coalition on Affirmative Action (NCAA) with representation from all over the country. They have commenced active lobbying and sensitization of legislators in the National and State Assemblies across the nation preparatory to the consideration of the bill. This initiative is to expedite the passage of the CEDAW Bill at the State level and secure the requisite assent by two-thirds majority of the State Houses of Assembly.

In addition to the Bill, a partial domestication of CEDAW provisions has been achieved through laws passed by different Houses of Assembly. There are also policies and frameworks of Action that confirm Nigeria's partial domestication of CEDAW. Some of such laws and policies are listed in Box 2.3. These laws, policies, frameworks and guidelines are being employed to complement the implementation of the CEDAW provisions.

2.1.2 Harmonization of civil, religious and customary laws to favor equality and non-discrimination

Harmonization of complex legal systems like that of Nigeria is a Herculean task. However, efforts are currently being garnered towards this objective. The National Centre for Women Development in collaboration with the Federal Ministry of Women Affairs, Nigerian Law Reform Commission, Legal Aid Council, National Human Rights Commission, FIDA and WRAPA commenced a project in 2003 aimed at compiling discriminatory and customary laws. The project funded by the World Bank, IDA and UNICEF, was completed in 2005 and the publication that emerged as an outcome is titled:

“A compilation of the Constitution, National and State Statutes and Regulations, local Government Bye Laws, Customary Laws and Religious Laws, Policies and Practices and court Decisions relating to the Status of Women and Children, Applicable in Nigeria - 2005”

The document highlights explicitly, the contradictions between the three legal systems operative in Nigeria. This piece of work lays a foundation for a focused approach at the resolution of conflict of laws pertaining to gender discrimination and inequality.

The statutes on women examined under the project cover diverse areas such as property rights, including land tenure, access to credit, education, participation in politics, marriage, succession, maintenance and custody of children as well as the issue of domestic violence amongst others.

The project acknowledges the complexity of the situation of women's rights in Nigeria which is intricately worsened by the persistence of gender-insensitive customs and negative customary laws and practices.

Based on the outcome document, the Attorney General of the Federation inaugurated a Committee on Reform of Discriminatory Laws against Women. The committee has drafted the "*Abolition of all forms of Discrimination Against Women in Nigeria and Other Related Matters Bill 2006*" which is before the National Assembly for enactment into law. This Bill, when enacted, will complement the implementation of many CEDAW provisions.

Box 2.3

- *Child's Rights Act 2003*
- *Child Rights Laws passed in Anambra, Imo, Ebonyi, Nassarawa, Plateau, Ogun, Ekiti, Abia, Rivers and Taraba States between 2004 and 2006*
- *Universal Basic Education and other Related Matters Act (2004)*
- *National Policy on HIV -AIDS (2003)*
- *HIV/AIDS National Strategic Framework for Action, 2005 - 2009*
- *National Strategic Plan for Reproductive Health Commodity Security (2003)*
- *Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003, as amended in 2004*
- *National Education Policy (2004)*
- *National Guidelines on Micronutrients Deficiencies control in Nigeria (2005)*
- *National Guidelines and Strategies for Malaria Prevention Control During Pregnancy (2005)*
- *National Workplace Policy (2005)*
- *National Reproductive Health and Strategic Framework and Plan 2002 - 2006*
- *National Strategic Framework and Plan for VVF Eradication in Nigeria (2005 -2010)*
- *A Law to Prohibit Girl -Child Marriages and Female Circumcision No.2 of 2000 by the Cross Rivers State Government*
- *A Law to Prohibit Domestic Violence Against Women and Maltreatment. No.10 of 2004 by the Cross Rivers State Government*
- *Inhuman Treatment of Widows (Prohibition) Law 2004 of Edo State*
- *Malpractices Against Widows and Widowers (Prohibition) Law 2005, Anambra State*
- *Dehumanizing and Harmful Traditional Practices Law of 2003, Rivers State*
- *Abolition of Female Circumcision Law, No. 2 of 2001, Rivers State*
- *Schools Rights (Parents, Children and Teachers) Law, No 2, 2005, Rivers State*
- *Reproductive Services Law, No 3 of 2003, Rivers State*
- *Street Trading Restriction Law, 2004, Anambra State*
- *Women's Reproductive Rights Law, 2005, Anambra State*

Article 3 **Measures to ensuring the full advancement of women**

3.0 Legislative, Administrative and Other Measures to Guarantee Equality

To complement efforts to institute a legal framework that protects basic rights on an equal basis, a national focal machinery has been designated by government. The Federal Ministry of Women Affairs (FMWA) is the national gender focal machinery situated at the highest level of government. It is replicated in all the thirty-six states of Nigeria. The Ministry works towards securing sectoral commitments to policy implementation and institutionalizing processes required for effective gender mainstreaming among line ministries and other partners. The National Centre for Women Development (NCWD), a parastatal under the FMWA is charged with promoting women's advancement through research, training and documentation. To this effect, the Centre houses the database on women development issues. It generates strategic data and indicators, which inform gender-based sectoral policy making processes in the overall interest and development of Nigerian women. There exists, gender desk officers in over 25 line ministries and agencies that serve as focal points on gender issues within their sector.

3.1 Progress Recorded

3.1.1 The Federal Government in 2004 introduced the National Economic Empowerment and Development Strategy (NEEDS), with the policy thrust to significantly improve the quality of life of Nigerians and create social safety nets for vulnerable groups, particularly women and youth. NEEDS focuses on four key strategies: reorienting values, reducing poverty, creating wealth and generating employment.

As a necessary complement to NEEDS, State governments and Local governments are developing the State Economic Empowerment and Development Strategy (SEEDS) and Local Economic Empowerment and Development Strategy (LEEDS) including the FCT strategy tagged FEEDS. The different tiers of governments are also encouraged to develop medium-term development plans, specifying benchmarks, targets, deliverables, timelines and implementation guides. These plans will complement the SEEDS and NEEDS and duly recognizes that effective local government is critical to reduce inefficient resource utilization which is in turn essential for integrated rural development and poverty reduction, especially amongst women.

Policy implementation at each level entails mainstreaming of gender into socio-political and economic interventions to achieve reduction in poverty levels and discrimination against women. To achieve the gender components of the NEEDS objective, Government in collaboration with development partners have demonstrated their determination to achieve the MDGs and to promote people-centred sustainable development. The SEEDS and FEEDS reform initiatives at the State level and FCT respectively, are geared towards achieving the MDGs, and a reflection on the gender implication, output and impact of policies and programmes.

3.1.2 During the nine month period preceding this report writing, the Minister of Women Affairs undertook advocacy visits to 20 out of the 36 States of the Federation to consult with state governors, members of the houses of assembly, paramount rulers/traditional councils/gatekeepers and women - based civil society organizations. The aim was to advocate for gender equality issues and concerns especially with regards to the passage of the CRA into law, increase in women 's political participation and representation in decision-making arena and increased allocation of resources to children and women 's development issues among others. This has resulted in an enhanced working environment for the State Ministries of Women Affairs and increased budgetary allocation for children and women 's development issues.

3.1.3 Between 2003 and 2006, many women have been sensitized and mobilized to stand up for their rights. Human rights advocacy groups and coalition of women NGOs have been in the vanguard of advocating improved legislative and administrative response to issues of discrimination against women.

In the South Eastern zone of the country, there has been a noticeable improvement in the involvement of women in decision -making at different levels of governance. Women for the first time in the history of the country are being appointed to 'traditional rulers council.' For example, the Igwe 's cabinet in the eastern part and some traditional councils in the northern parts of the country.

3.1.4 Furthermore, in the Northern part of Ni geria, there is an upsurge of awareness creation campaigns for Muslim women by notable NGOs like FOMWAN and Baobab for Women 's Human Rights on the differences between cultural practices and Islamic tenets. Such awareness campaigns seek to draw Muslim women 's attention to the following facts that:

- Islam guarantees the protection of civil, social and economic rights of a Muslim woman.
- Islamic law stipulates that a Muslim woman has an independent personality that is equal to that of the man in carrying out religious duties, and
- Islam recognizes that the Muslim woman has complete and total control of her possession, as she is free to choose her partner and has the right to demand for divorce.

3.2 Progress made on Gender Mainstreaming in Pursuit of the MDGs and the Reform Agenda

3.2.1 Goal 3 of the MDG is to promote gender equality and empowerment of women. However, recognition is given to the centrality of gender equality issues to the attainment of all the other MDGs and target through the allocation of an unprecedented N1bn i.e. approximately \$8m for:

- Capacity building on gender mainstreaming across sectors
- Developing indicators for assessing gender performance in future MDG programming

- Facilitating the domestication of CEDAW
- Reviewing the extant women 's policy to a National Gender Policy
- Repositioning the National Centre for Women Development and
- Mobilizing women for political participation.

3.2.2 With respect to public sector reforms, ministries, departments and agencies were assisted in the development and documentation of their 2007 -2009 Medium Term Sectoral Strategies (MTSS) by the budgeting office, to improve the linkage between Federal government spending and fulfillment of MDGs and NEEDS goals. The documents are expected to reflect detail break down of initiatives in tangible programme and projects forms.

The Director General/Adviser Budget Department, a parastatal of the Federal Ministry of Finance invited the Federal Ministry of Women Affairs to participate in the sectoral programme planning for 19 key sectors under the current 2007 – 2009 Medium Term Sectoral Strategies (MTSS), to ensure that gender issues are fully mainstreamed, reflected and integrated particularly into the 2007 -2009 budget. This strategy was aimed at creating and promoting awareness and understanding of gender frameworks and objectives at the sectoral level.

3.2.3 Furthermore, the Federal Character Commission recently reviewed its enabling Statute to reflect gender components. This will enable women to have equal access to employment and appointment opportunities with their male counterparts in government establishments and agencies.

Gender mainstreaming is being embraced by the various sectors in realization of its cross cutting nature. Progress in the integration of gender is reflected in table 3.1 below.

Table 3.1 Gender Mainstreaming in Nigeria 2006

Sector	Platforms for Gender Integration	Progress	Best Practices
<i>Health</i>	<ul style="list-style-type: none"> • National Health Policy • Safe Motherhood Programme • Rollback Malaria • NEEDS • Women In Health Dev. • HIV/AIDS Emergency Action Plan (HEAP) • Establishment of NACA, • Legislation against FGM • National Adolescent Reproductive Health Policy 	<ul style="list-style-type: none"> • Gender desk officer receiving more support from management • Some data beginning to be desegregated • More women and gender issues brought to the fore 	<ul style="list-style-type: none"> • Collaboration with other agencies (FMWA, NPC, National and State Assemblies, Development Partners) in addressing some women 's health issues as well as some gender issues including FGM and maternal mortality • Inclusion of women in Ward Dev. Councils in PHC administration.
<i>Agriculture</i>	<ul style="list-style-type: none"> • NEEDS • Women In Agriculture • Women's Fund for Economic Empowerment • Water Policy • Food & Nutrition Policy • Policy on Nutrition & Household Food Security 	<ul style="list-style-type: none"> • Gender Desk Officer and Gender Focal Person for Food Security working together 	<ul style="list-style-type: none"> • Women specific programmes useful for building women 's self esteem and capacities for taking decisions affecting their role in agriculture

Education	<ul style="list-style-type: none"> • Universal Basic Education (UBE) • Gender Policy for UBE being developed • Girl’s Education Project • Programme for Street Children • Programmes for special groups including nomadic peoples, functional literacy for rural women • NEEDS • Skills acquisition programmes for women and youths 	<ul style="list-style-type: none"> • Gender training for selected management staff • Some desegregated data available • Women’s Unit staff trained in gender mainstreaming 	<ul style="list-style-type: none"> • Training of management staff in gender issues in development; Tapping the expertise of UNICEF and resources of DFID for the Girl’s Education Project; encouraging female participation by providing a Technical College for women in Gusau
Rural Devt.	<ul style="list-style-type: none"> • Water Supply : Water policy recognizes women’s special needs. Hand pumps fixed in some rural communities are user friendly for women. 	<ul style="list-style-type: none"> • Women’s practical gender needs being addressed. 	<ul style="list-style-type: none"> • Existence of National Water Policy to enhance integration of gender issues through a review
	<ul style="list-style-type: none"> • Rural Electrification: No distinct mandate for rural electrification at federal level. 		

Source: Gender Mainstreaming and challenges to Gender Equality in Nigeria

Analysis of findings (WRAPA)

3.3 Progress on Addressing Violence Against Women

3.3.1 Administrative and Legal Measures

Between the last reporting period and now, the government in realizing the level of gender violence in the country, has commenced the setting up of a more concerted effort to curb the intensity of gender violence in the country through the introduction of a comprehensive legal framework. To this extent, the Federal Ministry of Justice has completed and sent to the National Assembly, a draft – “Elimination of Violence in Society Bill 2006”, as an executive

bill for passage into Law. The bill reflects Nigeria's international obligations and has several sections defining violence against women and girls and prohibiting such acts in the society.

3.4 Efforts to Eliminate Widowhood practices, Child Marriage and Female Genital Mutilation (FGM)

3.4.1 In support of the various proposed Federal Law, some State Houses of Assembly have recently made legislation to prohibit violation of women's rights and punish perpetrators of violence especially in the following States, Rivers, Anambra Ogun, Ekiti, Anambra and Edo.

3.4.2 The Criminal and Penal Codes of the various States, make provision for the prohibition and punishment of the rape of females, including female children; neglect to care for children, particularly as regards necessities; defilement of children under the respective ages of 13 and 16; as well as exploitation and indecent treatment of boys and girls.

Public enlightenment and media campaigns aimed at sensitizing the general public about the provisions of the CRA form the bedrock of Government's resolve to fight all incidences of child abuse and exploitation.

3.4.3 The *Child's Rights Act, 2003* makes specific provisions on all issues of child protection, and prescribes appropriate sanctions for their violation. It is noteworthy that the Judiciary is being re-organized with a view to strengthen its independence and integrity. Hitherto, it was difficult to sustain legal procedures against violators of children's rights because of weaknesses in the laws. However with the *Child's Rights Act/Laws* and the Anti-trafficking laws recently passed at Federal and State levels, there is ample legal muscle to deal with cases of child abuse and exploitation especially for the girl-child.

The *Child's Rights Act* has further enhanced the situation by providing stiffer penalties for sexual exploitation of children particularly under Sections 31 and 32, which prescribe a punishment of life imprisonment and 14 years jail term respectively, for unlawful sexual intercourse with a child and other forms of sexual exploitation and abuse. Girls in boarding houses are usually under the care of trained matrons, and conscious effort are being made to ensure that issues relating to girls' private matters are handled only by female teachers.

3.4.4 The Federal Ministry of Health has since 2004 commenced the commemoration of the 'Female Genital Mutilation (FGM) Day' on the 6th day of February. In 2005, programmes were organized to mark the International Day of Zero Tolerance and commemorate the 'Female Genital Mutilation (FGM) Day'. The series of activities included training about 120 nurse tutors on integration of FGM prevention and management into the schools curricula of Nursing/Midwifery/Public Health Nurses/ Community Health Officers - in four health zones, namely South East, South West, North East and South-South.

Other interventions are presented in Box 3.1.

These activities have created an increased level of public awareness nationwide, while some eleven states including Edo, Delta, Ogun, Ondo, Ekiti, Osun, Cross Rivers, Bayelsa, Rivers, Ebonyi and Oyo have passed legislation prohibiting FGM.

3.4.5 In commemorating the annual 16 days (25th November – 10th December) of Zero Tolerance Activism on Violence Against Women in October/November, 2005, the Federal Ministry of Women Affairs conducted a sensitization training program for about 50 Police Officers on the issues of violence against women and the need to change the perspective that domestic violence in particular is not a domestic issue but a rights violation that calls for sanctions.

A one-day media forum was also held in October 2005 to sensitize the press and enlist their support in the campaign on Violence Against Women as part of the commemoration.

Furthermore, the Federal Ministry of Women Affairs is planning to establish a shelter for women victims of violence, provide them guidance and counseling and facilitate access to justice. The shelter will also provide basic health services for girls/women whose rights have been violated.

3.5 Contributions of Civil Society Organizations

3.5.1 Combating violence against women has been the focus of government agencies and women's rights advocates. A coalition - Legislative Advocacy Coalition on Violence Against Women (LACVAW) has been formed and it is actively working in all states of the federation to advocate the enactment of laws and the development of programmes towards eradicating violence against women in Nigeria.

The Violence Against Women Bill 2003, which was put together by members of the Coalition as a legislative tool to deal with the problem of violence against women in Nigeria, was presented to the National Assembly and was published in the National Gazette in May 2003. However, because it was not passed during the last legislative session in 2003, the process had to begin again.

Within the reporting period, the Bill was widely circulated through members of the Coalition holding public education sessions on the Bill, which resulted in the revision and harmonization of the provisions of the bill by a joint committee of the Coalition, the House

Box 3.1

- *A Joint ministerial press briefing on FGM*
- *Symposium for secondary school teachers and journalists on FGM*
- *Sensitization visits to the lawmakers, policy makers, gate keepers, traditional/religious leaders and market women leaders to create awareness and behavioral change*
- *Production and distribution of I.E.C materials.*
- *Electronic and print media round table discussions*

Committee on Women Affairs, representatives of the Judiciary and the National Human Rights Commission.

Advocacy on the bill has been successfully undertaken in all the six geo political zones in the country by LACVAW members and Ebonyi State has already passed the Law on Violence Against Women as a state Law.

Box 3.2

Setting up of legal clinics to provide affordable legal aid to women including counseling, mediation and other Alternative Dispute Resolution methods or through litigation and representation in courts of law;

Introduction of Reproductive Rights and Maternal Health Education in school curriculum aimed at increasing awareness and understanding of maternal health issues and reproductive rights of women and young girls;

Provision of shelter houses and including free medical treatment for female victims of domestic and sexual violence;

Community outreaches and training of paralegals on women's rights and the need to promote and protect such rights as guaranteed by CEDAW;

Translation of CEDAW into different Nigerian languages and publication of pamphlets and IEC materials indicating the stoppage of violence and discrimination against women and

Free education for the girl child, in some States, prohibition of withdrawal of girls from schools, and enlightenment campaigns to discourage child marriage.

3.5.2 Notable NGOs and some members of LACVAW in the country are in the vanguard of promoting a democratic society free from violence and abuse, where human rights of women and girls are recognized in Law and practice. Other programmes implemented are presented in Box 3.2

3.6 Status of Cases on Violence Against Women

Table 3.2 Level of Intervention in Violence Cases (2005)

Nature of Case	No of cases
Denial of Inheritance	68
Sexual Assault	5
Assault	26
Divorce	6
Family Conflict	50
Harassment	8
Family Maintenance	15
Child Abuse and Neglect	7
Unplanned pregnancy	7
Other forms of violence	27
Total	214

Source: Women's Aid Collective Report on CEDAW, 2006

The level of violence cases being reported in the country is still very low, compared to the perceived occurrence. Violence cases are underreported because of socio-cultural beliefs, which permit secrecy and hold that family matters should not be taken outside the home setting. Other reasons are the stigma associated with reporting cases like rape, incest and other assaults. Consequently, as at the time of this report, exact figures of incidences of violence and cases prosecuted cannot be ascertained.

However, some NGOs have functional legal clinics to provide free legal aid to women and young people whose human rights are abused. Legal aid is given in the form of counseling, mediation and other alternative dispute resolution options, or through litigation and representation in the courts of law. Table 3.2(a) indicates some 214 cases being handled on behalf of women seeking redress against violations of their human rights across the country.

3.7 Anti Child - Trafficking Network in Nigeria

3.7.1 The programme to combat child trafficking in Nigeria, which is part of the anti-child trafficking project under the UNICEF/FGN Programme of Cooperation 2002 – 2007, was under implementation during the reporting period.

The objectives of the programme are to support the establishment of two transit centers for trafficked children in Kano and Akwa-Ibom States the programmes are to provide an immediate protective environment with safety, shelter, security, food, clothing, health services and income generating activities for victims of human trafficking. The project is funded to establish a functional mechanism for trained officers and care givers in providing standard services to victims of human trafficking, rehabilitation and family reunification. Results achieved between 2005 and 2006 are contained in Box 3.3.

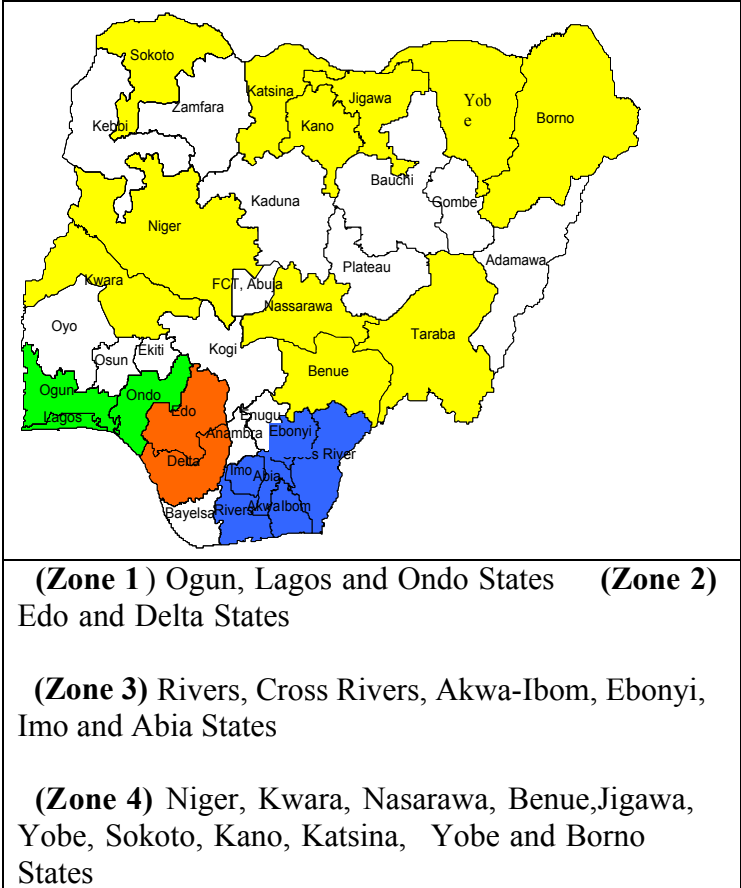
Box 3.3

- Transit shelters for child victims of exploitation and abuse established in Kano and Akwa -Ibom States, enhancing availability of child friendly services; counseling, psychosocial support, rehabilitation and reintegration support for victim 's families and care givers.
- Income generating equipment procured and micro credit scheme established for victims of trafficking and their families in targeted States.
- Information technology equipment and recreational, educational and vocational materials procured for centers.
- Anti-child trafficking network comprising relevant government agencies and ministries, law enforcement units, civil society, and community leaders were established at national and sub -national levels in 22 endemic States of Nigeria. Impact is increased awareness, rescue, rehabilitation and re - integration of victims of child trafficking in these States.
- Capacities of the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), law enforcement agencies, social welfare officers and the judiciary built in the enforcement of the anti -human trafficking law especially in the areas of investigation, prosecution and rehabilitation of victims with NAPTIP officers empowered to routinely monitor and report child trafficking cases.
- Existing documents on child trafficking in Nigeria reviewed and the 'Country Response on Child Trafficking in Nigeria ' produced.

3.7.2 Furthermore, anti -child trafficking working groups and networks were set up in fo ur zones of the federation. The networks established at the State and zonal levels fostered closer collaboration between law enforcement agencies, NGOs, CBOs and state ministries on reporting incidences, rescue, repatriation, and reintegration of victims o f internal and external trafficking.

Information about trafficking routes is routinely shared among members of the network to enhance investigations and prosecution efforts. This is done through regular interactions among members, monthly meetings of the State working groups and the quarterly meetings of the zonal working groups. In addition, the ministries of women affairs and NGOs now coordinate repatriation and rehabilitation of victims in collaboration with the law enforcement agencies. Thus, victims of trafficking are now diverted from police custody to improved rehabilitation centres.

Figure 3.1 Map of the Federal Republic of Nigeria showing Zonal Anti -Child Trafficking Working Groups



3.8 Challenges to Dealing with Violence

3.8.1 In spite of the on going efforts, there still exists prevalence of different patterns of violence against women in the country as highlighted in Box 3.4.

3.9 Women and HIV/AIDS

3.9.1 Gender and Power Relation Dimensions of HIV/AIDS

Box 3.4

Rape; Wife battering ; Domestic violence;
Widowhood practices
Child marriage; Professional conduct of law enforcement officers
Low level of education and poverty of women seeking legal assistance to rights violation;
Perpetuation of a patriarchal system and
Low reporting level of violence against women related issues by electronic and print media

Knowledge and perceptions of HIV/AIDS risks	Female %	Male %
Awareness of AIDS	83.0	92.4
Perceived risk of getting AIDS is known	75.2	68.8
Knowledge of all routes to HIV/AIDS transmission	56.1	62.7
Sexual behavior changes made to avoid HIV/AIDS	Female	Male
Abstinence	65.0	74.9
Use of condoms every time	43.3	61.8
Restrict sex to one uninfected partner	75.0	86.4
<i>Source: National HIV/AIDS and Reproductive Health Survey, 2003</i>		

The breakdown of HIV/AIDS cases in Nigeria shows that more females are infected than males. This is due to lack of ability to negotiate safe sex, gender inequality, limited access to information on health status of their partners and to HIV Counseling and testing (HCT) as well as the practice of polygamy.

Although both men and women are vulnerable to the pandemic, there are differentials in the impact, behavior, attitudes and coping mechanisms for women and men. Data reveals that knowledge on ways to prevent contraction of HIV/AIDS was generally higher among males than females, as shown in Table 3.3.

3.10 National Response

3.10.1 Since the inception of the present government, the national HIV/AIDS response has enjoyed significant political commitment as evidenced by the fact that the Presidential AIDS Council, the highest decision making body on HIV/AIDS is chaired by the President. The implication of this is that the campaign against HIV/AIDS is being led by the President of the Federal Republic of Nigeria, and has already extended to other arms of government and opinion leaders. HIV/AIDS control has been integrated into the country's Primary Health Care System with decentralization to the LGAs, as a cornerstone policy that integrates HIV Control at the grassroots with responsibility put in the hands of women.

3.10.2 *The National Action Committee on AIDS (NACA) is charged with ensuring multi- sector and multi-level participation of relevant stakeholders. State Action Committees on AIDS (SACA), Local Government Action Committees on AIDS (LACA) and Community Based Action Committees on AIDS (CACAs) were also set up in furtherance of the government's efforts in its fight against HIV/AIDS.*

The establishment of NACA, SACA, LACA and CACA, and the provision of free medical care/subsidized drugs and leverage of funds to fight HIV/AIDS, coupled with public enlightenment programmes in the electronic and print media are significant measures to curb the spread of HIV/AIDS in the country.

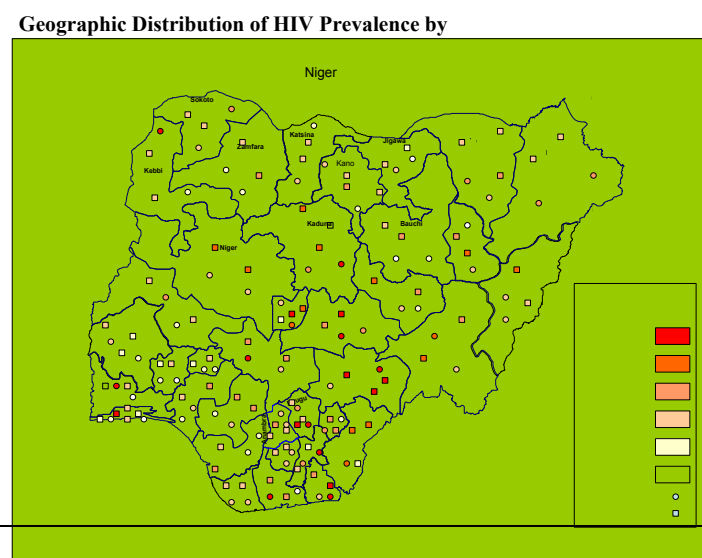
3.10.3 *HIV Counselling and Testing (HCT) centres have been established alongside the introduction of Prevention of Mother to Child Transmission programme in most States of the federation. There exists home based/community based care for People Living with HIV/AIDS (PLWHAs), especially women. The Prevention of Mother to Child Transmission (PMTCT) programme which began with six tertiary sites in 2002 has expanded to over 45 sites and about 42,000 pregnant women have benefited from the Programme.*

3.10.4 HIV sentinel surveillance was established to monitor trends in the epidemic and assess the impact of the response. The 2005 HIV and syphilis sentinel survey was conducted from August 29 to November 26, 2005. The objectives of the survey were to determine HIV prevalence among pregnant women attending antenatal clinics; assess the trend in HIV prevalence and provide data for estimating and projecting the HIV epidemic in the general population.

The 2005 Sentinel Survey (HSS 2005) involved 36,931 pregnant women attending antenatal clinics in 160 sites (86 urban and 74 rural) in 36 States and the FCT. The survey was managed by a Survey Management Team set up by the Federal Ministry of Health under the chairmanship of the Director of Public Health. The National Action Committee on AIDS (NACA), UN agencies, bilateral agencies and other stakeholders participated as members of the committee. The outcome of the survey is indicated in Figures 3.3 to 3.11 and Tables 3.4 to 3.6. The unlinked anonymous testing strategy was adopted using syphilis and other routine blood tests as entry points. Specimens generated were screened for HIV and syphilis antibodies.

3.10.5 Overall, the HIV prevalence was 4.4% with 95% Confidence Interval (CI), 4.2 - 4.6. Benue State in the North Central Zone had the highest State prevalence of 10% while Ekiti State in the South West had the least State prevalence of 1.6%. In general, HIV prevalence was higher in urban (4.6%) than in rural sites (3.9%). However, this observation was not consistent across the States. The highest site specific prevalence (14.7%) was recorded at Iquita -Oron, a rural site in Akwa -Ibom State. The overall prevalence for Syphilis is 1.5%. ranging from 0.0% in Abia to 7.6% in Rivers.

Figure 3.2: Geographical distribution of HIV Prevalence by Site (HSS 2005)



The HIV prevalence among pregnant women aged 15 -49 years has declined over the last few years (5.8% in 2001 to 5% in 2003 and 4.4% in 2005). The same trend has been observed among young pregnant women aged 15 -24 years. Several factors linked with the national response explain the observed decline including the effect of the ongoing intervention efforts, the increase in the number of rural survey sites, and death of those previously infected. Based on the current HIV prevalence in the country, it is estimated that about 2.9 to 3.3 million people are presently living with HIV/AIDS while prevalence was found to be lowest among married women as shown in table 3.4.

Table 3.4: HIV Prevalence by Marital status (HSS 2005)

Marital Status	Sample Size	Number Positive	Prevalence (%)	Confidence Interval
Single	1648	79	4.8	3.8-6.0
Married	35074	1528	4.4	4.1-4.6
Other	182	16	8.8	5.1-13.9
Total	36904	1623	4.4	4.2-4.4

HIV Prevalence by Educational Status

The lowest prevalence (3.1%) was observed among women with Quranic education only. Women with primary and secondary education had the highest HIV prevalence as indicated in table 3.5.

Distinctions in prevalence patterns among women from different zones and states are reflected in tables ... to ... in the appendix. Table 4 highlights the differential trends in HIV projections between females and males over a five year period, revealing the gendered nature of the spread of the disease.

Table 3.6. HIV Estimates & Projections	2005	2006	2010
Males	1.19	1.25	1.42
Females	1.67	1.74	1.98
Adult HIV prevalence	3.86	3.89	3.89
Adult new infections ('000)	296.32	305.08	346.15
Child hood new infections ('000)	73.55	74.52	75.78
Total	247.70	263.04	308.82
Males	109.64	115.89	136.04
Females	138.05	147.15	172.78
Total requiring ART (adults)	412.45	456.79	538.97
Total requiring ART (<15yrs)	94.99	98.04	106.84
Percent of births	1.33	1.34	1.32
Males	98.37	108.79	131.17
Females	122.38	136.92	167.17
Per thousand	1.63	1.78	1.98
Total	1.45	1.70	2.82
Males	0.69	0.80	1.29
Females	0.76	0.90	1.53

3.11 Other Efforts to Address Gender Dimensions to HIV/AIDS in Nigeria

3.11.1 There is a policy directive to all ministries and some agencies to establish HIV/AIDS desks and this has been implemented in most ministries like Labour and Productivity, Women Affairs, Education, Defence as well as agencies like Immigrations and Prisons. The policy thrust in this area is to significantly reduce the number of new infections and also provide support and care for those already infected especially the women.

3.11.2 A 'Gender Technical Committee' was established by the consortium of foundations, development partners, UN organizations, and Federal Ministry of Health. The committee worked with NACA and successfully mainstreamed gender into the HIV/AIDS National Strategic Framework for Action 2005-2009, (NSF). The committee's contribution to the mainstreaming of gender into HIV/AIDS policies and programmes is ongoing, while the NSF serves as a model in the West Africa sub region for addressing the gender dimension of HIV/AIDS pandemic.

3.11.3 To further realize the concern for addressing gender related HIV/AIDS issues, the government of Nigeria, under its bilateral programme with CIDA has established the Nigerian Aids Responsive Fund (NARF). The Gender Equality Strategy to this project (NARF/GES) is aimed at promoting gender-mainstreaming components in HIV/AIDS interventions at all levels and in different social settings. The NARF/GES operates through five pillars, namely Gender Analysis, Gender Management System, Gender Audit, Gender Monitoring and Evaluation and Documentation and Dissemination of Best Practices. This initiative has generated and encouraged the infusion of knowledge on gender differentials in HIV/AIDS programming.

The overall impact of the NARF supported interventions have created increased consciousness on the health and well being of Nigerian women and men, boys and girls, greater involvement of all in the control of the spread of HIV/AIDS and enhanced sustainable care and support. This has made women as well as men's concerns and experiences an integral dimension in the design, implementation, monitoring and evaluation of HIV/AIDS programming.

3.11.4 As a specific example, following the 14th International Conference on AIDS and Sexually Transmitted Diseases (ICASA) hosted by Nigeria in December 2005, government announced a new policy on free medical services for pregnant positive women. This was not unrelated to the unprecedented high profile and range of deliberations organized to address gender equality related HIV/AIDS issues at the conference.

3.12 Based on the figures and tables enumerated above, and showing the current increasing level of the epidemic in rural areas, the country is designing appropriate intervention effort by targeting the vulnerable groups. Concerted efforts are being made to curtail the epidemic through scaled up antiretroviral programme (including subsidising of anti-retroviral drugs) to meet the increasing need of the estimated AIDS cases in the country.

Other ongoing HIV/AIDS programmes are:

- Intervention strategies are being intensified in all areas of high prevalence, particularly in the rural areas, the vulnerable adolescents and young people aged 15 – 24 years and for women with only primary and secondary education
- Areas where the HIV prevalence is still relatively low are being considered ensure the rate is kept strictly and consistently low and to curtail the epidemic.
- There is an increased expansion of PMTCT services, and VCT for the general population
- The current care and support activities especially the antiretroviral programme is being scaled up to meet the increasing need of the large number of estimated AIDS cases in the country

3.13 Challenges

3.12.1 In spite of the national response as articulated in the policies, mechanisms and programmes, there are considerable constraints in developing interventions for the effective control of the spread of HIV/AIDS. Major challenges to efforts at eradicating HIV in the country are poverty and gender inequality. Cultural perception of masculinity and femininity continuously increase women and girls vulnerability to HIV infection.

Areas such as behavior change; communication especially between sexual partners; accessible, affordable, dual and effective use of male and female condoms; women and girls' incapacity to negotiate safe sex practices and treatment of STIs and lack of technical capacity to manage HIV/AIDS preventive initiatives still needs to be effectively addressed. These socio-cultural and gender perspectives pose enormous challenges to the country since they are major actors promoting the spread of the disease.

Article 4

Special measures to accelerate equality between women and men

4.1 Administrative and Legislative Measures to Accelerate Equality

The National Policy on Women launched in 2000 still provides the framework for ensuring the acceleration of equality between men and women. The document specifies guidelines for the promotion of gender equality in all sectors of the economy. As a result of its limitations, the policy is being revised into a National Gender Policy in order to reflect the new shift towards gender and development and to align with government's current reform agenda.

In 2003, the Nigeria Labour Congress (NLC) the then umbrella labour union coalition in the country articulated a Gender Policy within the union. The policy tagged "The Gender Equality" amended the congress constitution and provided for a National Women's Commission whose Chairperson shall have the status of the Vice President of the Nigeria Labour Congress. The thrust of the policy was geared towards ensuring that all constituent unions within the NLC made concerted efforts to meet the 30% representation of women in all leadership structures.

The above stated policies are in furtherance of the legal provisions contained in the 1999 Constitution, especially Section 42 which guarantees freedom from all forms of discrimination including gender. Constitutional obligations consistent with sections 13 – 15, 16, Section 1(b), 17 -18 of the 1999 Constitution and the three arms of government: the executive, legislature and the judiciary provide competent organs for the promotion and protection of women against all forms of discriminatory practices, policies and laws. However, patriarchy and the predominance of cultural stereotypes still inhibit the attainment of equality between men and women.

4.2 Special Measures Taken to Ensure Equality between Women and Men

Government and civil society organizations in Nigeria have put in place measures to ensure the acceleration of equality between men and women. At the national level, the NEEDS document of the Federal Government provides for the engendering of all programs emanating from the document through affirmative action.

Other measures for ensuring the full advancement of women outlined in paragraphs 3.1 and 3.2 of this report contribute to providing accelerated mechanisms for achieving equality between women and men. These cumulative efforts have helped to bridge disparities in equality and fast track the processes in the period under review.

Following the financial gains that accrued to the Nigerian government as a result of the debt relief it secured in 2005, special funds have been allocated to the FMWA. The Special funding provided through the Debt Relief Gains and Millennium Development Goals office is to accelerate capacity building of the Women Affairs Ministry and other concerned actors to effectively monitor MDG implementing sectors for gender equality compliance.

During the National Political Reform Conference which held in 2005, the Committee on Human Rights and Social Security among its recommendations, made a case for the establishment of an Equal Opportunities Commission to replace the Federal Character Commission as a mechanism for guaranteeing equality on the basis of sex.

4.2.1 Private Sector

There has been a marginal increase in the number of women that have gained entry to decision-making positions in the private sector, notably in the industrial sector, a few women industrialists have emerged in the Pharmaceuticals, Information Technology and Publishing sub-sector. For example, women own Emzor Pharmaceuticals and Omatek Computers. Contrary to the situation in the banking sector prior to 1999 when there was no female CEO, a woman is currently heading Oceanic bank as well as the Nigerian Stock Exchange.

4.2.2 Political Parties

Efforts are on going by the FMWA, CSOs and the National Coalition on Women's Political Participation to engage political parties on affirmative the need to adopt the policy of affirmative towards ensuring increased participation of women in party politics particularly in the 2007 elections.

Female Political Pressure groups are being set up to build the capacity of female aspirants, encourage more women to register and join political parties and participate more effectively in the political processes.

4.3 Other Measures to Accelerate Equality

Government at all levels in Nigeria has made efforts to accelerate equality between men and women Notable among these are:

- *In Kebbi State, the Women Economic Empowerment Programme launched in 2005 to raise the economic status of women vis -à-vis men.*
- *In Ekiti, Sokoto, Zamfara and Kano States, women centres are available for continuing education to provide opportunity for women drop -outs to resume education.*
- *In the FEEDS document of September 2005, each implementing agency is expected to integrate a gender perspective into its planning and implementation process e.g. a scholarship policy with bias towards increasing girls' access to education.*
- *Survey findings for the CEDAW report February 2006, showed that in Plateau State economic policies gave prominent place to women's productive contributions to national and state economy.*
- *Several State governments have also embraced special affirmative action policies in the production of their SEEDS documents, implementation of the provisions of the UBE Act and intensified NAPEP programmes.*
- *WOFEE loans totaling N18m are being disbursed in many states in the country alongside creation of skill acquisition centres to empower a cross section of indigent and unemployed adolescent girls and women especially in Lagos, Ogun, Osun, Ekiti, Ebonyi and Rivers States.*
- *\$50m has been put in place by Access Bank Nigeria PLC and IFC towards capacity building and improved managerial skills of women entrepreneurs and for the provision of capital loans.*
- *Osun State made available N10m to train over 1,250 women selected from nine Federal Constituencies of the State on various vocational skills in year 2006.*

4.3.1 Gender Sensitivity Initiatives and Training

The FMWA, NCWD, NGOs and other stakeholders have embarked on series of gender sensitivity initiatives and training in collaboration with development partners on an on-going

basis, in a bid to mainstream gender across the various sectors at both state and national levels. These include:

- In 2004, the Japan International Cooperation Agency (JICA) after series of consultations posted a Gender Issues Advisor to the NCWD to assist in building the capacity of the FMWA, NCWD and FCT Department of Women Affairs staff in providing gender training. Series of gender training organized for a cross section of Nigerians under this project are in Box 4.1.

Box 4.1

Basic, Intermediate and Advanced Gender Training for 30 officers drawn from the NCWD, FMWA and the FCT Department of Women Affairs between August and September 2005;

Training on Gender Planning and Gender Budgeting for Chairmen of States House Committees on Women Affairs, Directors of Planning, Research and Statistics and other stakeholders. 52 participants attended from 26 States in December 2005;

Training for 65 Women Development Officers and Community Development Officers drawn from the Kano State Ministry of Women Affairs and Social Development in February 2006.

Training for development workers, policy makers and opinion leaders by Justice Development and Peace Commission in Ogun State.

Establishment of Bauchi State Local Government Committee on the implementation of gender programmes in the Bauchi State SEEDS document.

Sequel to the above, the NCWD in collaboration with JICA has designed a training manual on Gender Planning and Gender Budgeting to be printed and circulated by June, 2006. This, when launched, will further strengthen gender mainstreaming and budgeting efforts in the country.

- A Gender Budget Network has been formed with support from UNIFEM under the management of the Center for Democracy and Development (CDD). The network has been active in carrying out gender trainings for

local government chairmen and analyzing budget appropriation in different segments of the society. The Gender Budget Network trained female legislators at the state and local government levels across the country on gender budgeting in 2004 and 2005 at Abuja.

- Several NGOs have carried out gender sensitive training and capacity building for public officials including judges, national and state legislators on affirmative action and gender budgeting.
- The FMWA in its efforts to ensure gender mainstreaming in sectoral policies and programs conducted training for officials of women machinery at state and national levels on gender planning, budgeting and auditing for 150 staff between 2004 and 2006.
- The National Human Rights Commission (NHRC) organized gender training for 50 human rights desk officers of the Nigerian Police and Nigerian Prison Service between May and June 2006.

- FMWA conducted training on gender mainstreaming for 30 gender desk officers of federal ministries and parastatals in December 2004
- NHRC organized gender training for 50 Judges in December 2005 and May 2006
- FMWA conducted gender training for health staff involved in eye care services in May 2006.
- As part of efforts to mobilize increased budgetary allocation, political support and to sensitise the general public on Harmful Traditional Practices (HTPs) against women, the UNFPA in collaboration with government ministries at federal and state levels trained over 300 participants in advocacy and lobbying techniques for population development and reproductive health rights between year 2003 and 2005.
- USAID has established a National Gender Group made up of officers from relevant line ministries. The group is trained to ensure that policy documents, programmes and activities of government are gender sensitive.
- News Agency of Nigeria (NAN) in collaboration with UNFPA has trained over 70 journalists/reporters on Gender and Development in 2006.
- UNICEF has collaborated with government agencies to organize several gender related activities including:
 - *one week Training of Trainers (TOT) on gender for 25 adolescents selected from the six geopolitical zones in the country in 2005;*
 - *development of Adolescent Girls Life Skills Training manual, in collaboration with NCWD in 2004;*
 - *series of gender sensitization workshops organized in batches across the six geopolitical zones targeting women at state, LGA and community levels, in collaboration with SMWASD;*
 - *advocacy meeting with major media houses on HTPs and gender -sensitive reporting and*
 - *one-week TOT on gender for directors of federal ministries, parastatals and CSOs to establish a National Consultative and Coordinating Committee (NCCC) for the advancement of women.*

4.4 Challenges

Despite the concerted efforts that the federal and state governments and gender machineries are making, at ensuring gender equality in all sectors, policies and programmes, challenges that are attributable to patriarchy, deep rooted traditional beliefs and customs, low level of male involvement and participation in creating change, have contributed immensely to the perpetuation of gender inequality in the country.

Article 5

Gender roles and stereotypes

5.1. Administrative Measures and Efforts Targeting Elimination of Gender Roles and Stereotypes about Girls and Women

Raising a wareness on gender issues is part of the measures put in place to redress role stereotypes that impede the advancement of women and girls in many spheres. Advocacy activities to correct socio -cultural perceptions on roles and unfounded limitation by sex we re carried out by civil society organizations and the Ministry of Women Affairs at both federal and state levels and the Media.

Some of such measures and advocacy efforts include:

- The National Policy on Education 2004 provides for the establishment of science -based institutions for girls aimed at encouraging increased participation of the girl child in science and technology.
- The Women 's Organizations for Representative National Conference (WORNACO) held a National Women 's Conference from 7 – 10 June 200 5, with a high level participation of over 500 women opinion leaders and representatives. Through this conference, Nigerian women were better informed on issues of the Nigerian Constitution, human rights, politics, health, media, environment, education, science and technology. At the end of the conference, a women 's manifesto called "WOMANIFESTO" was produced.
- The Gender and Constitution Reform Network (GECORN) presented a Memorandum to the National Political Reform Conference and the National Public Hearing on Constitutional Amendment in February 2006, to bring to fore issues to promote the advancement of women.
- Between August 2005 and May 2006, the Honourable Minister for Women Affairs has undertaken advocacy visits to 20 States to meet the Governors, Legislators and Traditional Rulers to advocate for the advancement of women and the recognition of women 's rights as provided for in CEDAW and the Child 's Rights Act as well as increased budgetary allocation for women.
- The FMWA in collaboration with the Federal Ministry of Information and National Orientation, the print and electronic media as well as the film industry has created and aired programmes aimed at eliminating gender stereotypes and to promote the advancement of women.
- Responses to questionnaires administered by the FMWA for the purposes of compiling the 6th CEDAW Country Periodic Report indicated that women are beginning to undertake those vocations which were previously considered masculine such as motor mechanic, welding, commercial drivers and motor-cyclists.

Article 6 Trafficking in women and exploitation for prostitution

6.1 Legal measures

Article 6 of CEDAW provides that state parties shall take all appropriate measures, including legislation, to suppress all forms of trafficking in women and sexual exploitation. Section 34 of the 1999 Constitution makes it clear that every Nigerian citizen is entitled to respect for his/her dignity and forbids torture or inhuman/degrading treatment, slavery or servitude. Sections 223 -225 of the Criminal Code, applicable in southern Nigeria, prohibit trafficking in human beings. The penal code applicable in northern Nigeria also has provisions against trafficking in humans. A major breakthrough in this area is the enactment of the 'Trafficking in Persons (Prohibition) Law Enforcement and Administration Act 2003'. In the same vein, various states, notably Edo, Cross -River and Imo have enacted legislation to prevent and prosecute cases of child trafficking.

6.2 Administrative Measures

There exists an office of the Special Assistant to the President on Human Trafficking and Child Labour which complements the agency for enforcement and monitoring of trafficking of persons, "National Agency for Prohibition of Traffic in Persons (NAPTIP)" in its mandate execution. Documented successes of efforts in the fight against human trafficking indicate that about 24,000 copies of *the Act* have so far been circulated to educate, sensitize and create awareness on the malaise of child trafficking. Furthermore, the police force is not only empowered to search and inspect vehicles and premises, but also to arrest any person they suspect of the offence of human trafficking.

6.3 Progress Recorded

Nigeria has entered into a number of bilateral agreements with some countries on trafficking in persons. Nigeria has ratified and domesticated the UN Convention on Transnational Organized Crime (otherwise known as Palermo Convention) as well as its Protocols to Prevent, Suppress And Punish Trafficking in Persons, especially Women and Children. The Protocol against Illegal Smuggling of Migrants have also been ratified by the country.

6.3.1 Additional progress recorded by the Nigerian government and agencies such as NAPTIP, non-governmental organizations and development partners have been made at four levels, policy, bilateral cooperation, shelter and programmes. These include:

Policy and Research

- The adoption of the ECOWAS Declaration Against Trafficking and the ECOWAS Initial Plan of Action Against Trafficking has improved the level of international collaboration amongst the countries of the West African sub-region

- NAPTIP has produced a National Policy on Counseling and Rehabilitation and its implementation Strategy which has led to a more efficient counseling and rehabilitation services for victims of trafficking.
- The situation analysis and assessment of child trafficking trends in eleven endemic States in 2004 was completed in order to enhance prevention, planning and programming on trafficking issues. The assessment of the situation on child trafficking in Borno, Yobe, Jigawa, Adamawa, Taraba and Kano States was also conducted to provide an update on the magnitude, sources, transit routes, perpetrators and destinations of children trafficked in these States.

Bilateral Cooperation

- The Federal Government's Cooperation Agreement with IOM on the fight against women/child trafficking, provision of counseling, rehabilitation and capacity building further provides for a Performance Monitoring Plan to monitor progress in counseling and rehabilitation, prevention and criminal justice.
- Cooperation Agreements with the French, Netherlands, British and Italian governments have led to increased research and the provision of technical assistance to Nigeria in the area of capacity building (training and equipment supply) and funding.
- Cooperation Agreement between Nigeria and Benin Republic, has led to improved processes of repatriation and reintegration of victims of trafficking in between the two countries.
- The signing of a multi-lateral Cooperation Agreement to combat human trafficking was signed in 2005 between Nigeria, Niger, Benin, Togo, Burkina Faso, Cote d'Ivoire and Sierra Leone.

Shelter

- NAPTIP is currently managing the shelter facilities in Lagos and Benin that were handed over by IOM, for purposes of counseling and rehabilitation of victims of trafficking.
- Seven transit shelters have been established in Kano, Edo, Akwa Ibom, Abuja, Enugu and Sokoto and Lagos States for the purpose of rehabilitation of victims of trafficking

Programmes

- Setting up of two coordinating groups and an Anti-Trafficking Network by NAPTIP, with the support of the United States Department of State and UNICEF facilitate synergy and convergence on combating Child Trafficking in Nigeria.
- Pilot project of the Edo State Ministry of Education in collaboration with the IOM, was carried out to introduce issues of trafficking in persons and HIV/AIDS into the high school curricula.

- The establishment of the anti - trafficking network in 22 States of Nigeria, where trafficking is endemic, has resulted in better awareness creation of people at the grassroots to stem the problem of trafficking from source, and has led to intervention of trafficked victims and successful prosecution of traffickers
- The establishment of seven Youth Resource Centres to provide health, skill - learning, legal support and information to young people in Edo, Delta, Kano, Akwa Ibom, Sokoto, Ebonyi and Imo States.
- Sensitization programmes to discourage human trafficking are held on a regular basis in different communities, market places, schools and tertiary institutions and in various parts of the country particularly in endemic areas like Benin in Edo State, Danko in Niger State, Edu in Kwara State, Oshogbo in Osun State, Kafanchan in Plateau State and in Kaduna State.

6.3.2. Strong partnerships have been developed both at national and state levels with the Police, Immigration and Nigerian Customs Service to address the problem of human trafficking through checking illegal movement of children and women across borders. Consequently, an annual report, fact sheets and Victims Support Manual have been published and circulated widely.

6.3.3 The Nigeria Immigration Service (NIS) and other border control agencies, including the Nigeria Customs Service (NCS), have intensified operations at the borders to check the illegal movement or transfer of children and women. The Immigration Service recently established a specialized human trafficking department. The Nigeria Police Force also has a unit that deals with local and international trafficking in persons. The existing collaborative efforts have yielded tremendous gains for the war against trafficking.

Areas of collaboration have also been extended to training of judicial officers, including judges, lawyers, prosecutors, immigration officers and policemen.

Programmes successfully implemented in 2005 through the collaborative efforts of NAP TIP, UNICEF, Judicial Service Commission, Federal Ministry of Women Affairs, and National Human Rights Commission are highlighted in Box 6.1.

6.3.4 The impact of Nigeria's cooperation with countries of destination has resulted in an increase in the level of arrest and prosecution of those involved in women and child trafficking and other forms of sexual exploitation. Development partners and international agencies and NGOs have given material and technical support to NAPTIP to assist in the rescue, rehabilitation and social reintegration of trafficked persons.

6.3.5 In May 2006, a regional conference on Trafficking in Persons was held in Gabon. The conference led to the development of a common platform of action against human trafficking in West and Central Africa.

Box 6.1

60 Social Welfare officers from childcare residential institutions in Nigeria received basic standard training on counselling and community re-integration of children. This has resulted in improved care and protection for children without primary care givers.

154 Investigation/Enforcement officers from the police and immigration were trained. These officers now have better skills resulting in improved cases of prevention, arrest, reporting, and prosecution of child traffickers and repatriation of victims of trafficking.

328 Law Enforcement officers and handlers of child offenders were trained and better positioned to ensure the protection of the rights of children in conflict with the law.

1,100 Children in conflict with the law, indigent children and women had improved legal representation, counselling, diversion programmes and pro-bono services based on the trained law enforcement officials.

93 Legal Practitioners, social welfare officers, Ministries of Women Affairs officers and NGO representatives were trained on child justice administration and practical diversion programmes.

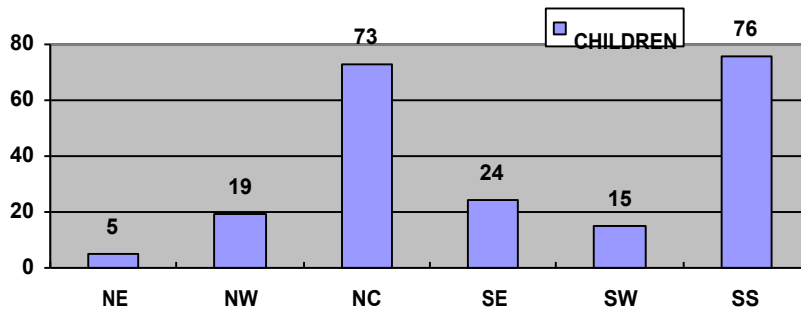
The trafficking routes were updated by ILO LUTRENA as shown in Figure 6.1, to initiate a good understanding of the problem and create intervention across the borders. Figures 6.2 to 6.4 below illustrate the number of Nigerian children trafficked and rescued within the period under report.

Figure 6.1 Trafficking Routes updated by ILO LUTRENA

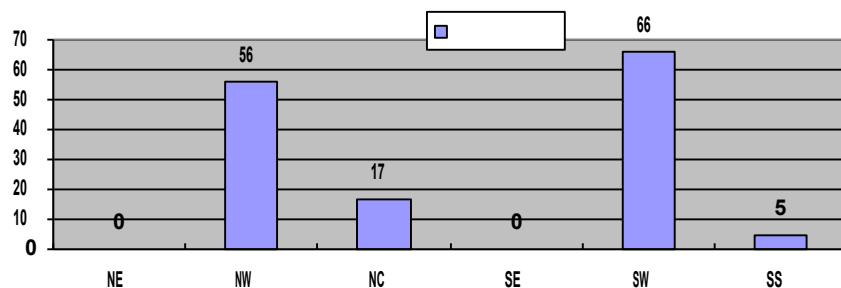


Source: ILO Lutrena, 2006

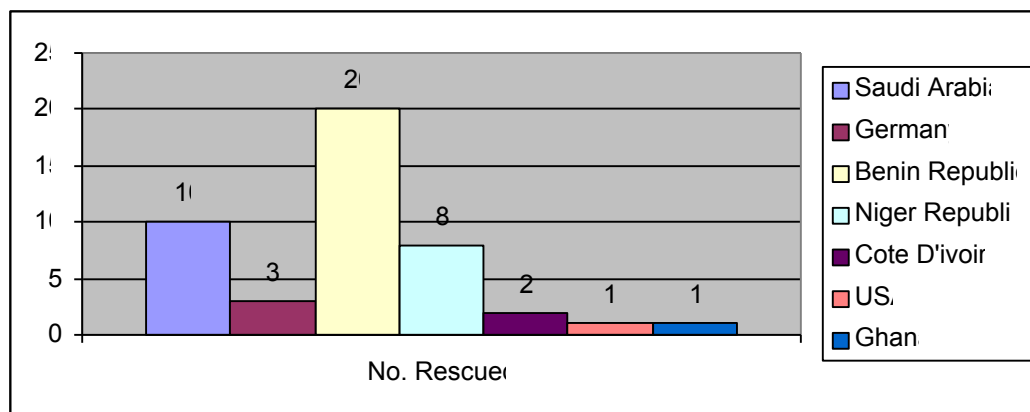
Figure 6.2: Number Of Children Trafficked By Zones Of Origin



Source: NAPTIP Annual Report, 2006

Fig 6.3 Number of Children Rescued By Zones

Source: NAPTIP Annual Report, 2004 -2006

Fig.6.4 Number of Children rescued from different countries

Source: NAPTIP Annual Report, 2004 -2006

6.4 On going Efforts at Enforcing Anti – trafficking Laws by Government and NGOs

By May 2006 the following achievements have been recorded:

- More than 64 cases were investigated out of which 18 cases were filed in court. Seven convictions with jail terms of 2 – 7years for trafficking offences.
- 520 locally and internationally trafficked women were rescued, sheltered and counseled.
- With the assistance of the Italian government and the International Labour Organization/Prevention of Trafficking in West Africa (ILO/PATWA), a Monitoring Centre was established in NAPTIP 's Abuja office and equipped with a V-SAT (internet facility). This has greatly improved documentation, reporting and communication with partners in and outside the country on child trafficking
- With the support of the US State Narcotics Department and UNICEF, State Working Groups made up of government operatives were established in 22 states to accelerate information sharing, arrest and investigation on child trafficking

- The expansion of the initiative to include a network of CSOs on Trafficking in Persons (TIP) through WOTCLEF and with the support of SIDA and UK National Commission, facilitated by UNICEF
- Establishment of WOTCLEF clubs in secondary schools and NYSC formations all over the federation to sensitize students and graduates of tertiary institutions on the ills of human trafficking.
- Hotlines have been created by NAP TIP to enable individuals report situations of trafficking or abuse of children and women
- The Federal Ministry of Information and National Orientation in collaboration with the ILO-IPEC implemented the following activities to support the fight against child trafficking and Labor in Nigeria
 1. Awareness creation and sensitization workshop for faith based organizations in Nigeria to initiate consistent propagation of elimination of child labor and trafficking, and production and airing of radio jingles on the prevention of human trafficking.
 2. Production and distribution of IEC materials, posters and bill boards to create awareness and impact the level of human trafficking in the country.

6.5 Challenges

Even though there is a marked decrease in the forms of trafficking which formally used to take place unchecked and unreported, but trafficking in women and children as well as different forms of exploitation of women still continue to pose a problem in the country despite several measures put in place by the government and various international and non governmental organizations.

There is therefore the need to establish more pipelines for repatriation of children/women victims of trafficking at local, State, national, regional and international levels. The institutional mechanism for monitoring, reporting on trafficking, and rehabilitation and reintegration needs to be further strengthened.

It is imperative to initiate stronger coordination with other neighboring States to encourage endorsement of collaborative trans-national agreements to combat both the supply and the demand dimensions of children/women trafficking in Nigeria.

Article 7

Women in political and public life

7.0 Constitutional Context of Women's Participation in Political and Public Life

7.1 Nigeria recognizes that democracy and good governance requires that men and women have unrestricted access to spaces of power where they can realize their political value where their individual demands and preferences can be manifested and satisfied. Section 42 of the 1999 Constitution guarantees every Nigerian (women and men), the rights to freedom from

discrimination and freedom of association, which by extension includes political association and participation by all on level ground. The same Constitution stipulates that free and fair elections be conducted with utmost transparency and security of all participants.

7.2 Legal & Legislative Measures to Accelerate Women 's Participation in Political and Public life

As at the time of writing this report, a number of measures have been taken by government, CSOs and political parties to enhance women 's participation in positions of authority. These include:

- The proposed amendment Bill to the Federal Character Commission which is before the National Assembly for inclusion of gender equality clause in all federal appointments and nominations.
- The convening of a National Political Reform Conference (NPRC) with the aim of carrying out a Constitution review particularly engendering its provisions. To redress the imbalance in the appointment of representatives to the Conference, the President made sure that 20 out of the 50 federal nominees to the conference were women. This was in a bid to protect women 's rights and formulate pro -gender review mechanisms and strategies.
- The Bill to domesticate CEDAW which is presently before the National Assembly.

7.2.1 Female stakeholders ' recommendations to the NPRC to enhance equitable participation in political and public life include:

- The language of the 1999 Constitution amended to be gender neutral
- Section (29) of the Constitution be amended to stipulate 18 years as the minimum age for marriage in line with the Child Rights Act, 2003
- The Constitution be amended to include affirmative action by providing in Section 15 (2) that women represent at least 40 percent of all levels of governance and programming
- An Equal Opportunities Commission be created to replace the Federal Character Commission so that besides geography and ethnicity, gender and disability are reflected in the criteria for operating the federal character principle/policy
- Government should expand opportunities for 'second chance' education to girls and women
- Married women should enjoy the same rights as spouse in their states of marriage
- The Ministry of Women Affairs strengthened to coordinate multi -sector reforms which integrate social, economic and political reforms to increase women access, participation and representation.

- Women should have substantial access to poverty reduction and economic empowerment resources; needy families and children are the primary targets for most of these programmes
- Special attention should be given to education of girls
- The Law Reform Commission to review statutory and customary laws that promote discrimination against women in political and public life.
- Efforts must be made to modify or stop cultures and attitudes that have negative influence on the health of the society and practices such as corruption, tribalism, literacy, poverty, female genital mutilation, child marriage, child slavery, prostitution *etc.* must be stopped.

7.2.2 The above mentioned recommendations have led to increased activism on the part of women human rights organizations to push for change and to monitor the implementation at both national and state levels.

The success of the NPRC from a gender perspective was made possible through the support of development partners. A Gender Support Unit (GSU), sponsored by CIDA, UNIFEM and the NCWD was created to train and build capacity of elected women into the National Political Reform Conference. The GSU achieved the following in the course of the conference:

- Strengthened the technical capacity of women delegates to engage actively in national dialogues and debates, which led to their presenting concrete data supporting women's priority and governance issues.
- Enlightening the public on issues of gender inequality in democratic and development processes.

7.3 Concrete Achievements on Women in Appointive and Elective Positions

7.3.1 There has been a slight increase in women's appointment into decision-making positions both within the public and private sectors between the last reporting period and now. In the Federal Cabinet, women now constitute about 19% as against the 12% reported in the 4th and 5th report and now hold key portfolios such as Finance, Foreign Affairs, Environment, Education and Solid minerals. At present, 22% of Federal Permanent Secretaries are women as against about 10% in 1999. About 10 major key parastatals in the country are being headed by women.

These include the globally recognized National Agency for Food and Drug Administration and Control (NAFDAC), Nigeria Stock Exchange, Federal Inland Revenue Service, the Nigerian Export Promotion Council, Small & Medium Scale Enterprises Development Agency of Nigeria, Bureau of Public Enterprises, the office of the Senior Special Assistant to the President on the MDGs office amongst others. In the Judiciary, the first female judge of the Supreme Court was appointed in 2005.

7.3.2 With regard to elective posts, there is a marginal increase in the number of women elected into both the Upper & Lower Houses of the National Assembly between the 1999 elections and that of 2003. In the Senate, 4 out of 109 members are women and 21 out of 360 members of the Federal House of Representatives are also women. The number of female deputy governors, has risen from 1 to 4. Out of the 36 Speakers of the state houses of assembly, 2 are women; there are 47 women local government chairpersons out of a total of 774; and there are 143 female councilors out of a total of 8,810.

Table 7.1: Distribution of women in some Elective/Appointive Positions 1999 -2006

Office Type	No. Available	1999		No. Available 2003		No. Available 2006			
		Men	Women	Men	Women	Men	Women		
President	1	1	Nil	1	1	Nil	1	Nil	
Vice President	1	1	Nil	1	1	Nil	1	Nil	
Senate	109	106	3	109	106	3	109	105	4
House of Representatives	360	348	12	360	339	21	360	340	20
Senate President	1	1	1	1	1	1	1	1	1
Speaker House of Representative	1	1	1	1	1	1	1	1	1
Governors	36	36	Nil	36	36	Nil	36	36	Nil
Deputy Governors	36	35	1	36	34	2	36	32	4
State Houses of Assembly	1,002	990	12	1,002		23	1,002		21
Speakers, State Houses of Assembly	36	35	1	36	34	2	36	35	1
Deputy Speakers, State Houses of Assembly	36	36	Nil	36	35	1	36	35	1
Cabinet Ministers	49	45	4	49	43	8	49	39	10
Permanent Secretaries (Fed)	40	32	8	40	28	12	40	27	13
Special Advisers							20	18	2
Senior Special Assistants									
Local Govt. Chairmen	774			774		9			11
Councilors	8,953				8,810	143			

Note: The Table shows a remarkable increase the appointment of women; for instance, an increase was recorded in the appointment of women as Deputy Governors as a result of the political arena

Source: - Field Survey, CEDAW 2006

7.4 On-going Efforts to Enhance Women 's Participation in Political and Public Life

7.4.1 Efforts are ongoing by the government women machineries to engage INEC and the political parties on women's increased political participation in the 2007 elections. On May 22 2006, the Honourable Minister of Women Affairs held a meeting with women opinion leaders nationwide to map out strategies towards the engagement.

Other initiatives include:

- Establishment of Zonal Women Political Empowerment Offices in the six geo - political zones of the Federation to step down mobilization efforts.
- Strengthening of women machineries with human and financial resources for improved performance and efficiency.
- Advocacy visits to states by the Honorable Minister of Women Affairs to accelerating collaboration with state governments on issues of women and children; particularly the CEDAW domestication, passage of Child Rights Acts and increase budgetary allocation to the state women machineries. Targets of these advocacy visits were State Governors, State Houses of Assembly, Traditional Rulers and Community Leaders.

7.4.2 The National Centre for Women Development has a Nigerian Women Hall of Fame, which pays tribute to outstanding women from all works of life. Each year since 2004, women who have excelled in their fields of endeavor are selected and inducted into the Hall of Fame at an impressive ceremony. The hall is adorned with pictures and plaques projecting such women as role models for the younger generation. Between 2004 and the time of this report, 26 women first-achievers have been inducted.

7.5 Measures by Political Parties to increase Women 's Political Participation

7.5.1 In spite of the important position that political parties occupy in the country 's polity, a negligible number of women are members of political parties in Nigeria. Very few occupy executive positions in the parties and there are no obvious measures by the political parties to increase women 's participation in the political arena. Although, parties like the People's Democratic Party (PDP) and the Alliance for Democracy (AD) have waived payment fees for nomination forms to female aspirants, they often demand other payments that are unaffordable for women. However, efforts are in place to engage INEC and political parties and negotiate for women's increased representation in the 2007 elections and beyond.

Article 8 Representation at the international level 1

8.0 Women in Foreign Service

Foreign Service regulations apply equally to men and women. Empowerment into the service is strictly based on equal representation from all states of the Federation. Though, there are no special measures put in place to recruit women into the Foreign Service or international organizations, the 2001 recruitment exercise at the Ministry of Foreign Affairs showed that twenty four (20) female officers were employed. This figure represents 27.03% of the total employment that year.

It should be noted that this is the highest number of female employees at that level since inception of the Nigerian Foreign Service. Some recent appointments in the Ministry provided women the opportunity to occupy higher positions of decision making such as the Foreign Affairs Minister, Permanent Secretary and Under-Secretaries in charge of Administration and African Affairs.

As shown in table 8.1, out of 593 career diplomats in the Foreign Service, 63 (10.6%) are female, while there are only 7(8.04%) females out of the 87 ambassadors. The female ambassadors are made up of 2 career and 5 non-career. In spite of policy measures and advocacy on women's equal participation in public life, gains in the Foreign Service have remained minimal since the last report.

Categories of Diplomatic Staff	2002				2006			
	M		F		M		F	
	No	%						
Ambassadors	89	91.75	8	8.25	80	91.96	7	8.04
Career Ambassadors	22	84.62	4	15.38	35	94.6	2	5.4
Non-Career Ambassadors	67	94.37	4	5.63	45	90	5	10
Career Diplomatic Staff	541	89.57	63	10.43	530	89.4	63	10.6

Source: Ministry of Foreign Affairs, Abuja 2006

8.3 Women in International Organizations

From 2000 to date, Nigerian women have served in different capacities in international organisations. Current records show that only two Nigerian women are occupying Nigeria's quota on international bodies i.e. President of Economic Community of West African States (ECOWAS) Court of Justice and Secretary-General of ECOWAS Parliament. Other Nigerian women can be found in the employment of such international organisations in their own personal recognition.

Although Nigerian women are locally recruited by resident international organizations, available data shows that most of the international organisations have not been able to achieve gender parity in their selection of Nigerian staff. At the time of this report, there is no current publication updating data provided in table 8.2 below.

Table 8.2 Employment in International Development Agencies

No.	AGENCY	% Male 2001	% Female 2001
1	UNDP Lagos	61.02	38.98
2	UNDP Abuja	85.77	14.28
3	UNDP State Programme	85.08	14.92
4	UNIFEM	42.86	57.14
5	UNFPA Lagos	61.12	38.88
6	UNFPA Ass. Programme	72.5	27.5
7	UNFPA Population Programme	75	25
8	UNDCP Lagos	71.43	28.57
9	UNDC/RDC (Lagos)	76.5	23.5
10	UNFAO(Abuja)	61.3	38.7
11	IBRD(Abuja)	50	50
12	IFC(Lagos)	55.6	44.4
13	ILO(Lagos)	50	50
14	UNESCO(Abuja)	50	50
15	UNHCR(Lagos)	66.67	33.33
16	UNIC(Lagos)	56.92	43.08
17	UNICEF(Lagos)	60.87	39.13
18	UNICEF(Abuja)	64	36
19	UNICEF(C Zone)	81.2	18.8
20	UNICEF (D Zone)	65.72	34.28
21	WHO(Lagos)	100	0
22	WHO(Abuja)	88.89	11.11
23	WHO(Projects)	28.57	71.43
24	WMO(Lagos)	100	0
25	Total	67.13	32.87

Source of 2001 data: United Nations Directory Nigeria, UNDP Nigeria, March 2001

Although the post of Heads of Agencies is not reserved for Nigerians, it must be noted that as at 2006, out of sixteen resident heads of United Nations Agencies in Nigeria, only one (the Regional Programme Director of UNIFEM) is a woman.

Article 9 Nationality

9.0 The Constitution and Nationality

9.1 Nigerian women have strategically mobilized themselves in articulating their concerns around constitutional issues that have implications for nationality and indigeneity. The highpoint of such mobilization was during the National Political Reform Conference (NPRC) which was inaugurated by the Federal Government in 2005. With the support of the Federal Ministry of Women Affairs and development partners such as UNIFEM, CIDA and ACTIONAID, gender was mainstreamed into the Conference process. This landmark achievement for women reported in earlier paragraphs made Nigerian women's issues very visible. It was also a unique opportunity for sensitizing highly placed personalities who had no knowledge of gender issues.

Amendments proposed to the 1999 Nigerian Constitution by Nigerian women to the NPRC to help redress unequal participation in public life deriving from issues of nationality, indigeneity and a host of other barriers are enunciated in par 7.2 of this report. In addition, a specific request was made for the:

- substitution of the word 'woman' which appears in Section 26(2) (a) with the word 'person'. This section denies Nigerian women the right to confer citizenship by registration on their foreign spouses as enjoyed by their male counterparts married to foreign wives.

9.2 Nigerian women also recommended that the Law Reform Commission should review statutory and customary laws that constrain women who are not married to men from the same State of origin as theirs from enjoying equal rights and privileges in marriage, family and public life. Concerted efforts are also being made by women to ensure that these issues are addressed during any subsequent constitutional review exercise (Report of the Gender Support Unit for Female Delegates to the NPRC, August, 2005).

During a recent attempt at amending the 1999 constitution, the National Assembly adopted the women's proposal with respect to section 26(2)(a) in its Constitutional Amendment Bill. This is believed to be a great achievement for pushing women's issues forward in the country and redressing gender issues relating to nationality and citizenship.

Article 10 Education

10.0 Legal Measures

10.1 The legal and political environment for promoting improved access to education by the female citizens of Nigeria over the past four years, have been encouraging and progressive.

Laws have been passed at both national and state levels in pursuit of this objective. At the federal level, the Child's Rights Act was passed in 2003.

Section 15 (1) of the Act provides as follows:

'Every child has the right to free, compulsory and universal basic education and it shall be the duty of the Government in Nigeria to provide such education.

(2) Every parent or guardian shall ensure that his child or ward attends and completes his –

(a). Primary school education; and

(b). Junior secondary education...'

This section of the law reinforces government's commitment to the provision of free and compulsory education for every Nigerian child up to junior secondary school level. Being a Federal Act, it is only applicable to the Federal Capital Territory, however, ten (10) States, namely, Anambra, Ebonyi, Ekiti, Imo, Nasarawa, Ogun, Plateau, Rivers, Abia and Taraba have adopted the law. Some of the States that are yet to adopt the Child's Rights Act, have passed laws to encourage girl child education in their States.

Section 15(5) of the same Act guarantees female students the opportunity to complete their education should they become pregnant while still in school. Furthermore, **section 15(6)** of the same law prescribes punishment for parents or guardians who prevent a child from attending and completing his/her education.

10.2 Achievements of the UBE Act

10.2.1 Additionally, the government of Nigeria has passed into law, the Compulsory, Free, Universal Basic Education and other Related Matters Act, 2004 (UBE Act) which seeks to address barriers to the enjoyment of the right to education of every Nigerian child in both urban and rural areas. The Act reiterates the right of every Nigerian child to compulsory, free, and universal basic education. In order to ensure the actualization of this right, the law established the Universal Basic Education Commission (UBEC) which is charged with the responsibility of implementing the UBE programme. The UBE, just like the Child's Rights Act makes it a punishable offence to deny any child access to education either by way of demanding fees or by actually not allowing a child to attend school.

Table 10.1: Achievements Recorded under the UBE Programmes			
Location	Classrooms Renovated	Classrooms Constructed	Toilets Constructed
ECCD Centres	237	131	
Primary Schools	1,568	1,426	952
Junior Secondary Schools	952	849	
Source: Federal Ministry of Education Report 2006			

Table 10.2: Teachers Trained in Different Subjects	
Location	Teachers Trained
ECCD Centres	42,080
Primary Schools	107,537
Junior Secondary Schools	56,790
<i>Source: Federal Ministry of Education report 2006</i>	

It must be noted that there are challenges with implementing the criminal aspects of the law, however, achievements shown in Tables 10.1 and 10.2 have been recorded.

10.2.2 Apart from the provision of infrastructure and capacity building activities, 983,537 instructional materials on subjects like mathematics, integrated science, social studies, English language, management studies and information technology, were procured and

distributed to various schools all over the country. In addition, the sum of four hundred and fifty thousand Naira (N450, 000.00) each was disbursed to some 4,407 community schools as institutional support grant.

10.2.3 Support of International Community

During the reporting period, international agencies, embassies and other development partners gave tremendous support to encourage enrollment and retention of children and young persons, particularly the girl-child in primary and secondary schools. For example

(i). The Japan's Grant Aid Project in Nigeria (JICA) constructed the structures in Box 10.1 in Niger State

(ii). The UK Department for International Development (DFID) supported Nigeria with a grant of twenty six million Pounds Sterling (£26,000,000) to boost enrollment of girls/women in schools. The grant is meant for 15 States (Borno, Sokoto, Jigawa, Katsina, Yobe, Gombe, Niger, Zamfara, Bauchi, Kebbi, Adamawa, Kaduna and Kano) in Northern Nigeria where low enrollment of girls/women in schools is prevalent.

78 classrooms in 12 schools in 12 LGAs
5 unit headmaster's office
68 toilet booths for boys and girls in equal proportion
4 bore holes for water supply
1,794 double-seater benches and desks
78 black boards. Box 10.1

The grant focuses on the following areas of intervention:

- Non formal education
- Early Child Care Development (ECCD)
- Primary school education
- Provision of educational facilities
- Capacity building of teachers, community leaders and school based management committees
- Environment health and education facilities

10.3 Actual Progress to Protect and Ensure the Elimination of Discrimination Against Women in Education

10.3.1 Net Enrolment

Trends in primary education enrolment from 1999 to 2003 show that on average, enrolment consistency increased over the years for both male and female from 7% in 2000 to 8%, 11% and 44% in 2001, 2002 and 2003 respectively. Primary school enrolment rates were however, consistently higher for boys than for girls. This corresponds with the period in which the Universal Basic Education program was introduced. The efficiency of the primary education system has also improved over the years as the primary six completion rates increased steadily from 65% in 1998 to 83% in 2001 as reflected in the preceding report. It however declined in 2002 and shot up to 94% in 2003. The dramatic improvement in gross enrolment ratio in 2003 resulted from over aged and under aged children registered for primary education. (FMO E, 2003).

Percentage Enrolment by Sex	2004 Net Enrolment		2006 Net Enrolment	
	Primary	Secondary	Primary	Secondary
% male	82	88.5	64	45.9
% female	80	83.4	60.4	46

Source: NBS: NLSS 2004; CWIQ. 2006

10.3.2 As shown in table 10.1 below, contrary to the data from previous years, primary school education enrolment between 2004 and 2006 among female children showed a downward trend from 80% to 60.4% of the total number of girls that are within the age of

enrolment. The trend was similar to that of boys which dropped from 80% to 64% within the same period. The same trend was observed at the secondary school level, where in 2004, enrolment rate dropped from 83.4% to 46% among female students.

In terms of boy to girl's enrolment ratio in primary school, a marginal increase was noticed in 2004 above the figure presented in 2003. However, the figure dropped slightly in 2005.

10.3.3 There are also wide disparities in enrolment and attendance ratios within and between the different geographical zones. According to findings from the 2004 Nigeria Demographic Data Survey (NDDS), there are differences in the Gross Attendance Ratio (GAR) by sex within the different regions. In the South West, there is a gap in favour of females (GPI of 1.09) while there is a near parity in the North Central (a GPI of 1.01) and a narrow gender gap in the South East and the South-South (GPI of 0.92 and 0.91, respectively). In the North West and North East, there is a notable gender gap in favour of male youth (GPI of 0.63 and 0.74, respectively). This is why efforts at addressing these negative trends are targeted at the Northern States and a few States in the Eastern and Western parts of the country.

Sex	2003	2004	2005
Male	56%	55.02%	55.12
Female	44%	44.89%	44.88

Source: Education Data Bank 2005

10.4 Efforts at addressing Obstacles to Girl -child Education

The Federal Ministry of Education in collaboration with United Nations Children 's Fund (UNICEF) is currently implementing a National Girl -Child Education Programme. The programme is designed to tackle the problem of lack of water and poor sanitary conditions in unity schools located in nineteen States of the federation. Lack of water and poor sanitary conditions in the schools have been established as major factors that discourage parents from sending their female children who have attained the age of puberty to school.

10.4.1 In order to increase enrolment, retention and completion rates among primary school children, the Federal Government has commenced the implementation of the Home Grown School Feeding and Health Programme. It is currently being piloted in twelve States of the federation with multi facet benefits to the society. The programme serves as an incentive to encourage parents to allow their children attend school as it reduces the amount of money they spend on feeding their wards.

10.4.2 In engendering community participation for improved access to education, four thousand, five hundred and twenty five (4,525) educationally disadvantaged communities in ten States of the federation have benefited from massive training programmes held at the community level under the self help component of the World Bank Assisted Second Primary Education Project (PE P). This is an on -going process in the country.

10.4.3 The next level of the programme is designed to establish female boarding schools in the Northern States in order to bridge the wide gap in the rates of school enrolment, retention and completion between the North and other parts of the country. Furthermore, there is the FGN intervention through designation of special funds to achieve the respective Millennium Development Goal on education. The Funds are being committed to facilitate gender equality in education and the acceleration of girl 's education.

10.4.4 The Female Functional Literacy for Health Project (FFLH) initiated by the Federal State Ministries of Health is one of the government 's efforts towards achieving women 's empowerment through health education. The project has three components - functional literacy, health education and income generation currently being implemented in 63 communities in 23 States. In year 2005, there was a renewed effort to integrate the project into the programme of the National Mass Education Commission (NMEC). Subsequently the curricula/primers used for both FFLH and NMEC were harmonized and a pilot training of instructors and facilitators were carried out in Niger and Oyo States

10.5 Measures to encourage boys and girls to take same subjects in schools

10.5.1 The Nigerian government is mindful of the need to address issues relating to negative gender stereotypes attached to science education as being a domain for male students. The reviewed National Policy on Education, 2004 attaches immense importance to the study of

sciences and the production of adequate number of scientists to inspire and support national development.

The policy promotes the provision of incentives to all students who study science subjects. As such the federal government scholarship awards to university students are currently given to students especially female students studying science subjects.

Furthermore, in encouraging girls to study science related courses, all female science secondary schools have been established in selected States of the federation e.g. Enugu State, Anambra State and the Federal Capital territory. Also in existence is Federal College of Education (Technical) for women in Zamfara State and a Girls' Computer Secondary School in Roni Local Government Area in Jigawa State. Science clubs known as Science Technology and Mathematics Club (STM) have been established in unity schools across the country to bridge the wide gap between the number of boys and that of girls who take science related subjects.

10.6 Programmes for Girls Leaving School Prematurely

The establishment of women development centres in all the 36 States provide (among other things) opportunities for young girls who dropped out of school to continue non-formal education. These centres run skills acquisition programmes for women. A study carried out by the National Centre for Women Development in 2005 revealed that about 28.84% of its programme beneficiaries are below the age of 21, most of whom were school drop outs. Most of the trainees benefited from credit facilities not more than N10,000 per person.

10.7 Percentage of women teachers in primary and secondary schools

Table 10.5: Ratio of Secondary and Primary School Teachers 2003

TEACHER'S QUALIFICATION	PRIMARY		SECONDARY	
	MALE	FE-MALE	MALE	FE-MALE
GRADUATE	0.6	0.5	11.2	4.3
NCE	17.0	24.9	18.6	15.4
TC1	1.4	1.6	0.3	0.8
TC2	15.6	10.0	0.4	0.2
HSC	1.1	0.5	0.7	0.2
WASC	5.0	2.8	0.5	0.1
GRADUATE TECHNICAL OFFICERS	2.6	3.1	26.9	17.1
SPECIAL EDUCATION	1.1	0.4	0.2	0.1
OTHERS	7.8	3.9	2.2	0.8
NATIONAL	52.2%	47.8%	61%	39%

Source: Federal Ministry of Education, 2003.

In 1997, 47% of teachers in primary schools were females, while male teachers were 53%. As shown in table 10.3 below, there was a marginal decrease in the number of male teachers (52.2%) and a marginal increase in the number of female teachers (47.3%) in primary schools by the year 2003. However, a higher percentage of teachers with National Certificate of Education (NCE) was recorded among female teachers. Partly responsible for this, is government's efforts aimed at expanding access to quality teacher education through the introduction of various continuing education programmes. Contrary to what obtains at the primary school level, according to the 2003 data, there was a wide gap between the

number of female teachers (39%) and male teachers (61%) in secondary schools. Partly responsible for this, is the fact that marriage and child upbringing limit women's ability to further their education in order to qualify to teach at the secondary school level like their male counterparts. Efforts at reversing this trend include the availability of scholarship opportunities for in-service training for female teachers, especially those in the rural areas and under the Girl Child Education Project.

10.8 Measures to step up recruitment of qualified teachers as well as encourage same quality of teaching for boys and girls

In furthering its commitment to promoting gender equality through education, the federal government, through the Nigerian Educational Research and Development Council (NERDC) has completed a gender review process of the curricula used in primary and secondary schools.

- To enhance the quality of teaching methods and curriculum delivery under the UBE programme, UBEC has completed cluster in-service training programme in nineteen States of the federation. This is an on-going process.
- The Teacher Registration Council (TRC) has carried out the professionalisation of teachers by registering only qualified teachers and has so far registered about 600,000 teachers in 2004/2005.

- In collaboration with the Institute of Education in Nigerian Universities, the TRC has expanded access to quality teaching techniques programmes including post graduate diploma in education (PGDE) which caters for holders of degrees in non -education fields as well as ordinary national diploma (OND) and higher national diploma (HND) graduates who wish to become qualified teachers.
- The National Commission for Nomadic Education (NCNE) has continued to train the teachers teaching in nomadic schools on the peculiarities and expectations of the nomadic education curricular and also enhanced their knowledge, skills and competences through exposure to new and innovative teaching methods. 2,575 out of 4,218 teachers in 1,350 nomadic schools across the country have been trained as at 2005

10.9 Literacy Rates

The 2004 National Living Standard Survey revealed that 5 out of every 10 Nigerian men and 4 out of every 10 women were literate in English. In the case of literacy in Nigerian languages, 4 out of every 10 men and 5 out of every 10 women were literate. Almost two-thirds (i.e. 65.9%) of male adults in urban areas were literate in English as against 42% in rural areas. Female literate adults in urban areas accounted for about 50% while literate women in the rural area accounted for 31%. A comparative analysis of the data shown in table 10.4 above reveals a marginal increase in the number of Nigerian women (6 out of every 10 women) who were literate in English language in 2006 over that of 2004. Rural/Urban (36.3%:63.6%) disparity in literacy level in English language in 2006 revealed a remarkable increase at both levels. Women who were literate in Nigerian languages also increased in 2006, although, a sharp increase was observed in the male literacy level above that of women. The steady rise in women's literacy level can be partly attributed to the existence of various continuing education centres at both State and local government levels across the country.

LOCATION	English			Any Language		
	Male	Female	Total	Male	Female	Total
National	61.3	45.3	53.3	73.0	55.4	64.2
North East	34.4	18.4	26.6	50.6	30.4	40.7
North West	31.0	15.4	23.2	62.8	40.9	51.9
North Central	64.3	42.0	53.5	69.0	46.1	57.9
South East	80.4	67.2	73.5	81.3	68.8	74.7
South West	78.8	62.1	70.4	85.9	71.3	78.5
South-South	78.8	62.1	70.4	85.9	71.3	78.5
Rural	52.5	36.3	44.4	75.5	64.9	70.3
Urban	78.4	63.6	71.1	85.2	71.9	78.6

Source: NBS: CWIQ, 2006

Article 11 Employment

11.0 Legal Measures

11.1 Article 11 states that women shall have equal rights as men with respect to employment opportunities, choice of professions, promotion and remuneration. As reported in the 4th and 5th CEDAW Country Report, the 1999 Nigerian Constitution in section 42(1) clearly provides that there should be no discrimination on the basis of sex or employment. However, due to deeply rooted cultural attitudes, discriminations still exist. It was also noted in that report that section 42 (3) permits special provisions in favour of special groups on various grounds including sex under section 42(3). It must be noted that no progress has been made in addressing discriminatory practices promoted in section 42(3) of the constitution since there has been no constitutional amendment in Nigeria since 1999.

11.2 Discriminatory employment practices

The 4th and 5th CEDAW Country Report noted that there were no manifest discriminatory laws against women in recruitment and employment. However, the ratio of men to women employed in the formal sector is still very much in favour of men. However, there are existing programmes by various stakeholders to create change. The NEEDS, SEEDS, FEE DS and LEEDS are sustainable development strategies aimed at reducing poverty through job creation to both sexes, ensuring food security and remedying inequalities. The Nigeria Labour Congress is engaged in raising awareness through advocacy and lobbying to ensure that non-discriminatory employment practices are encouraged. The NLC also adopted a Gender Equity Policy in February 2003 with a view to mainstream women and ensure their participation at all levels of the NLC. Due to that effort:

- Two (2) positions are occupied by women in the NLC national executive council (vice president and auditor)
- Women are also being elected into leadership positions e.g. in the textile union 2 women emerged as deputy president and trustee respectively, thus, becoming members of the decision making organs of the union; in the Chemical Union (NUCFRLANMPE) a woman emerged as deputy president.

The Federal Ministry of Labour and Productivity has intensified its efforts at ensuring that gender sensitive international standards on employment, working conditions, operational safety and health are adhered to.

11.3 Working conditions and employment practices concerning women are fairly improving in the private sectors. For example, banks in Nigeria (as in most other private sector organizations) allow women to go on 90 working days maternity leave; similar to what obtains in the Nigerian Public Service. The least that banks allow for maternity leave is 60 working days. Some banks, allow nursing mothers to come to work one hour late or close one hour

earlier than other workers. This is in line with the provision of section 54(1) (d) of the Nigeria Labour Act, Cap 198, LFN, 1990.

There are still discriminatory practices that are yet to be addressed. These include:

- Compelling single girls to sign employment contracts agreeing to postpone marriage until the third anniversary of their employment.
- Compelling newly employed married women to sign job contracts agreeing not to have children until the third anniversary of their marriage.
- Employment of single girls as marketing officers with stringent schedules for sourcing customers and deposits with high targets which exposes them to sexual exploitation.

11.4 Gender specific division of labour is still very much common in Nigeria's employment pattern. Traditional perceptions and some sort of stereotypes have skewed women into some jobs, leaving them nearly absent in some others. Nigeria's Demographic and Health Survey (NDHS) 2003 shows that more women are employed in sales and services and agriculture than in other sectors such as professional, managerial and technical jobs.

Table 11.1 Percent distribution of women employed by occupation, according to background characteristics

Background Characteristics	Professional/ Managerial/ Technical	Clerical	Sales & Services	Skilled Manual	Unskilled Manual	Domestic Service	Agriculture
Age							
15-19	2.5	1.7	53.3	9.6	5.5	4.6	22.8
20-24	7.3	2.1	53.8	13.9	3.8	1.5	17.5
25-29	7.7	1.8	57.3	14.6	2.0	0.5	16.1
30-34	7.8	1.7	56.6	11.2	2.1	1.1	19.6
35-39	9.9	2.0	60.7	6.5	2.0	1.1	17.8
40-44	11.2	1.3	54.4	3.0	1.7	1.3	26.7
45-49	9.0	0.5	55.4	2.0	1.8	0.3	30.9
Residence							
Urban	13.2	3.4	58.0	13.3	3.5	1.6	7.0
Rural	5.1	0.7	55.1	7.5	2.1	1.2	28.1
Region							
North Central	7.0	0.6	45.2	6.5	2.2	1.8	36.7
North East	4.6	1.2	63.5	11.4	1.1	2.0	16.2
North West	3.3	0.4	68.3	12.9	4.3	1.4	9.4
South East	15.2	3.7	45.1	8.1	2.1	0.3	25.5
South - South	12.0	2.9	42.8	8.1	3.3	0.7	30.0
South West	11.5	2.7	61.9	7.8	1.7	1.6	12.7
Total	8.0	1.7	56.1	9.5	2.6	1.4	20.6

NDHS, 2003

11.5 Unemployment level is high among women. According to the NDHS 2003, percentage of men employed during the period of the survey was 70% while there were only 56% of women who were employed during the period. 29% of men were unemployed during that period while 44% of women were unemployed. Unemployment rate is higher among women because in most cases family responsibilities, employees' preference for male workers and some other discriminatory practices deny women access to gainful employment.

11.6 Efforts to Address Women's Unemployment Due to Child Care

Generally, family responsibility and specifically child care are serious constraints to women's employment in Nigeria. Many married women do not seek formal employment because of such responsibilities. Majority who resign from their jobs do so in order to commit more time to their families. This is a contributory factor to the high rate of unemployment among Nigerian women that results in their low economic status and limits their participation in political and public life.

In this regard, Local, States and the Federal Government are making concerted efforts to improve women access to employment and guaranteed livelihood. Majority of Local and State Governments are establishing women skills acquisition centres, women development centres and micro credit schemes specifically targeting women. Examples of these are schemes such as the Women Fund for Economic Empowerment (WOFEE) designed for women operating micro enterprises and the Business Development Fund for Women (BUDFOW) for women in small to medium scale enterprises currently operated by the Federal Ministry of Women Affairs. Under the WOFEE, twelve states have received N6million each. This is to be distributed as soft loan to women at 9% interest rate as against the 12.5% currently charged by banks. Furthermore, States that did not benefit from the six million Naira WOFEE loan were given agricultural machines for distribution to women under the BUDFOW programme. This is an on-going process.

There is currently a N500 million (\$3,846,154) agricultural facility set aside specifically for women involved in agricultural production and processing. The National Poverty Eradication Programme (NAPEP) and the National Directorate of Employment (NDE) programme at the Federal, State and Local levels also have special provisions for women in terms of employment and poverty reduction.

11.7 There are still persistent cases of social exclusion and discrimination against women in relation to employment, participation in politics and governance. Women are still involved in the informal economy rather than the professional, managerial and technical jobs. In spite women being 49.52% of the population, they are not adequately represented in both the public and private sectors services.

However, to address this issue there are existing programmes put in place by the government at Local, State and Federal levels respectively designed to meet the country's development challenges. The goals of these programmes are to ensure poverty reduction through job creation, guarantee food security, wealth creation and redistribution, remedy

inequality and unemployment and to promote the emergence of a private sector driven economy.

Progress made in promoting the participation of women in economic, political and public life has been comprehensively documented in Articles 7 and 8 of this report.

11.8 Security and Health of Pregnant Women Workers

Sections 55(1) and 56(1) of the Labour Act Cap 198 of the Laws of the Federation of Nigeria (LFN) seek to protect women by prohibiting employment of women at nights and underground work. This provision promotes inequality between the genders and subtly promotes discrimination even as it appears protective.

Section 54(1) (a) -(d) of the Labour Act, LFN 1990 adequately provides for the protection of pregnant women, especially in terms of job security. Section 54 (1) (a) and (b) provide that pregnant women are entitled to a maternity leave of a least 12 weeks. She is also entitled to at least 50 per cent of her salary/wages during that period. It must be noted, however, that some employers pay women on maternity leave their full salaries. Pursuant to these provisions, a Nigerian court has held that the dismissal of a woman from her employment on her return from maternity leave amounted to a dismissal on account of her pregnancy, and was therefore, unlawful. (*Ajiboye V. Dresser Nigeria Limited, 1972, 7 CC HCJ 57*) .

As part of government 's on-going efforts at ensuring that the rights of women are well protected within the labour market, the Labour law has been reviewed and approved by the Federal Executive Council and it is awaiting enactment by the National Assembly. The new bill States that in the event of multiple births, a woman is entitled to four extra weeks ' maternity leave.

11.9 Factors Responsible for Changes in Women's Employment Status

Despite the identified problems, significant changes in the status and quality of women's employment have been recorded and are largely due to factors highlighted in Box 11.1.

♣ *Increased women's entry into various categories of employment resulting from improved educational qualification and proficiency of women;*

♣ *Advocacy for implementation of Affirmative Action through visits, sensitization and awareness programmes by the FMWA in conjunction with NGOs and development partners;*

♣ *The NAPEP, NDE and other Micro Credit programmes of the Federal Government specifically targeted at women, which provide skills acquisition and capital for both men and women to improve their production ventures and*

♣ *Vocational skills training provided by Women Development Centres nation-wide.*

Box 11.1

Article 12

Equality in access to health care

12.1 Legal and Other Measures Taken

Article 12 enjoins state parties to take all appropriate measures to eliminate discrimination against women in the provision of health care services, including family planning. Section 17(3) (c) of the 1999 Constitution has made provisions for ensuring adequate health, safety and welfare services for all persons.

In pursuance of the provision of the Constitution, relevant government ministries at all levels in Nigeria, and with the assistance of developmental partners, have vigorously pursued programmes for the provision of health care services.

The Federal Government through the Federal Ministry of Health has improved on the policy environment towards enhancing the provision of health care services to women and children. Some of such laws are listed in Box 12.1.

In some States, special hospitals for women and children have been established. Statistics indicate slight improvement in some aspects of women's access to health care services in Nigeria. The governments of Kano and Borno States have a policy on free health care for pregnant women, including Post Abortion Care (PAC) services.

12.2 Notably, the Medium Term Plan of Action for Health Sector Reform initiated by the present administration is still ongoing. Through the Federal Ministry of Health and other stakeholders, the Federal Government aims to achieve tangible improvement in seven key areas:

- Primary Health Care
- Disease Control

Box 12.1

National Reproductive Health Policy & Strategy, 2001
 National Food and Nutrition Policy in Nigeria, 2001
 National Reproductive Health Strategic Framework of Action, 2002 - 2006
 National Policy and Plan of Action on Elimination of Female Genital Mutilation in Nigeria, 2002
 National Guidelines on Micronutrients Deficiencies Control in Nigeria 2005
 Breastfeeding Policy (1994)
 National Guidelines and Strategies for Malaria Prevention and Control during Pregnancy 2005
 National Strategic Framework and Plan of Action for Vesico-Vaginal Fistula (VVF) Eradication in Nigeria, 2005 among many others;
 National Health Insurance Scheme Act of 1999
 National Policy on Population for Sustainable Development (2004) which has the overall goal of improving the quality of life of and the standards of living of the people of Nigeria;
 Maternal and Child Health Policy (1994);
 National Adolescent Health Policy (1995);
 Plan of Action for Control of Non-Communicable Diseases in Nigeria (1999).

- Sexual and Reproductive Health (including STDs and HIV/AIDS)
- Secondary and tertiary health care drug production
- Management coordination with development partners
- Organization and management of health care delivery

12.3 Actual Progress made to Ensure the Elimination of Discrimination Against women in the health sector

Actual progress made in this area is determined by increase in the number of health care facilities and centers established since the last reporting period. In the fourth and fifth CEDAW country reports, data for 1999 indicated that there were 18, 258 registered Primary Health Care (PHC) facilities, 3, 275 secondary facilities and 29 tertiary facilities across the country. The 5th report also noted that 67 percent of the PHC facilities, 25 percent of secondary facilities and all but one of the tertiary facilities were owned by the public sector.

12.4 Maternal mortality and morbidity

Statistics on maternal mortality and their geographic disparities reported in the 4th periodic report remains unchanged as shown in figure 12.1.

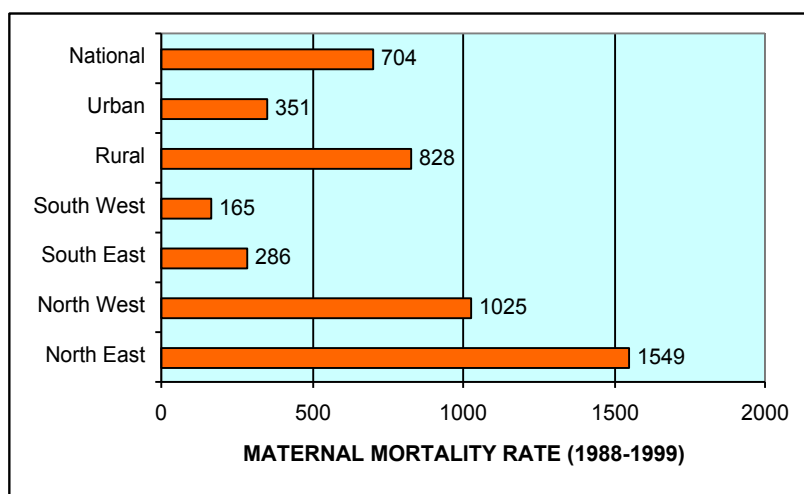


Fig. 12.1 Maternal Mortality Rate by Zones/ Urban and Rural areas (per 100,000 live births)

Source: NDHS, 1999

In pursuit of targets for MDG 4 & 5 i.e. reduction in child mortality and improved maternal health respectively, the African Regional Reproductive Health Task Force, held between 20 and 24 October 2003, in Dakar, Senegal called on all partners to develop and implement a Road Map for accelerated maternal and newborn mortality reduction. Nigeria's Road Map has consequently been developed, as an adaptation of the regional road map.

The Map provides a framework for building strategic partnerships for increased investment in maternal and newborn health at institutional and programme levels. The implementation at country level will be considered in 2 phases of 5 years each, namely: Phase 1: 2005 – 2009; Phase 2: 2010 – 2014; and Final Reporting year: 2015.

In contributing to a reduction in the maternal, neo-natal mortality and morbidity in Nigeria, the UNFPA is supporting capacity building efforts and provision of medical equipment in 15 States of the Federation, especially, in the areas of life-saving skills for midwives. This has resulted in an increase in the number of standard basic PHC facilities in the country.

12.4.1. Impact of Abortion Laws on Women

Section 297 of the Criminal Code (applicable in the South) and Penal Code (applicable in the North) prohibit abortion in Nigeria except when it is done to save the life of the mother. The section provides that *“a person is not criminally responsible for performing in good faith or with reasonable care and skills a surgical operation. ...upon an unborn child for the preservation of the mother's life.”* The implication is that it is an offence when the surgical operation is not carried out to save or preserve life.

While S235 of the Penal Code also criminalizes “intentional performance of an act” preventing a child from being born alive or causing it to die after its birth”, ground of preservation may include consideration of risk posed by the pregnancy to the mother’s physical or mental health.

Other offences related to abortion in the Nigerian legal system includes supply of materials knowing that they will be used for abortion – Section 230 of the Criminal Code; and the Penal Code provides that any person who intentionally undertakes any act to cause miscarriage is subject to 14 years imprisonment.

Admittedly, maternal mortality rate is still very high in Nigeria. Of the total number of abortions in Nigeria, physicians perform only 40%. Low income women and girls who cannot afford the high cost of abortion or who are ignorant of the dangers of unsafe procedures utilized by unqualified individuals, stand very high risks of losing their lives.

12.4.2 Post Abortion Care

In 2001, the Federal Government adopted a comprehensive national reproductive health policy that provides an excellent framework for addressing the many reproductive health needs of women, and safe abortion, including post abortion care, to the full extent of the law. This policy is one of the only national reproductive health policies in sub-Saharan Africa that recognizes that women have a legal right to abortion in certain circumstances.

The policy endorses the need for legal abortion services to be available, but relatively few or no public health services yet offer such services. Government has endorsed but has not yet

applied guidance from the World Health Organization on provision of safe abortion care beyond the inclusion of safe abortion in the national RH policy.

Unplanned pregnancy remains a concern in Nigeria. Of the approximately 6.6 million pregnancies that occur each year in Nigeria, 63% end in planned births, 10% in unplanned births (mistimed or unwanted) births, 11% in induced abortion and 16% in miscarriage. About 25% of pregnancies each year in Nigeria are unplanned (1.4 million), and 760,000, or slightly more than half of these, end in abortion. Women in the North and in the South are equally likely to have experienced an unwanted pregnancy. Seventeen percent (17%) of women said they ended an unwanted pregnancy because they wished to space the next birth or avoid having any more children (20% in North and 14% in South).

The use of modern family planning remains low at 8%. About 25% of women of childbearing age are in need of family planning—they are sexually active and able to have a child but do not want one soon or ever and are not using any contraceptive method. Sixty percent (60%) of Nigerian women who have had an abortion were not using contraception at the time of becoming pregnant. Among women having abortions, those most likely not to have been using contraception are poor women (80%), women with no schooling (78%), adolescents (72%) and those living in the North (71%).

Of the main causes of maternal mortality, unsafe abortion is the single most preventable cause of death. Unsafe abortions remain frequent occurrences, killing over 34,000 Nigerian women annually¹. Many more women are likely to suffer chronic long-term complications. Treating complications creates a drain on government health services.

12.4.2 Measures taken to Address Problems of Abortion and Post Abortion Issues

There are plans to reform the laws on abortion. A coalition of NGOs has packaged a bill on abortion and groundwork is in progress to garner support for the bill which will be presented before the National Assembly for passage into law soon.

Sexuality education programmes are in place in many states of the federation. Several schools have already adopted the sexuality education curriculum and are already using it.

Nigeria has made significant progress in improving the quality of Post-Abortion Care (PAC) in partnership with NGOs. Ipas, a notable Abuja-based international NGO, has been actively supporting PAC services in 98 public sector service delivery points in four priority states: Kano, Sokoto, Kebbi, and Borno. These 98 facilities served 6,774 PAC clients between July 2005 and June 2006. About 88% of first-trimester uterine evacuation procedures are performed with MVA in these sites, compared with 82% three years earlier. Ipas is also working with the public health sector and local NGOs in seven focus states (Zamfara, Katsina, Adamawa, Taraba, Rivers, Lagos, and Abuja/Federal Capital Territory) to improve the quality of and access to PAC services. To strengthen pre-service training, Ipas partnered with the

Nursing and Midwifery Council of Nigeria to provide PAC training to midwife educators in all schools of midwifery in the country. All midwife graduates now have skills for PAC.

A range of technological options is available to help women cope with unintended pregnancy, including emergency contraception after unprotected intercourse and manual vacuum aspiration for safe pregnancy termination.

Further, misoprostol, an important drug with a number of obstetric uses, has been registered nationally for management of postpartum hemorrhage. Manual vacuum aspiration (MVA) and misoprostol are part of the proposed Mama Kit (a proposed government-supplied equipment kit for safe motherhood programmes).

12.5 Infant and Under -five mortality rates

Infant and under -five mortality rates are used in this Report to judge the performance of the country in providing health care services to children and pregnant mothers. The NDHS 2003 recorded that infant mortality rate in 2003 (100 per 1, 000 births) is significantly higher than those from the 1999 NDHS (75 per 1, 000) and the 1990 NDHS (87 per 1, 000). The NDHS 2003, however, noted that the difference between the rates may not indicate an increase in infant mortality, but rather reflects an underestimation during the previous surveys. Still, a

Background Characteristic	Neonatal Mortality	Post neonatal Mortality	Infant Mortality	Child Mortality	Under -five Mortality
Urban	37	44	81	78	153
Rural	60	61	121	139	243

Source: NDHS 2003

mortality rate of 100 per 1, 000 births (10 percent) are very much on the high side, and efforts are in place to bring this rate to a minimal level.

In addition, rural communities suffer higher infant mortality rates than urban communities, implying that rural areas lack access to adequate health care services compared to urban areas.

From the table above, mortality rates in infancy and early childhood are higher in rural than in urban areas. In terms of infant mortality, rural rates (121 per 1, 000) exceed urban rates (81 per 1, 000) by a factor of about 1.5. Much of this difference arises from the neonatal rates. In the case of child mortality, rural rate (139 per 1, 000) exceed urban rate (78 per 1, 000) by a factor of about 1.8. Under -five mortality rate in rural areas (243 per 1, 000) also exceed urban rate (153 per 1, 000) by a factor of 1.6.

12.5 Provision of Pre -natal Care

Pre-natal care is a prerequisite to good health for woman and safe child delivery. In the past, government effort at providing health services to women has focused mainly on ante - and

neo-natal care. Also, low literacy levels and poor sex education has resulted in low consciousness of reproductive health issues among women.

However, there are specific policies developed by the government through the Federal Ministry of Health to improve the reproductive health status of Nigerian women. In particular, the National Reproductive Health Policy and Strategy 2001 are designed to achieve quality reproductive and sexual health for all Nigerians. The National Reproductive Health Strategic Framework and Plan (2002 -2006) compliment these documents. The Strategic Framework of Action has designed programmes targeting safe motherhood, family planning, sexually transmitted infections, HIV/AIDS, adolescent reproductive health, harmful practices (Female Genital Mutilations etc.), reproductive rights and gender issues, cancers of the reproductive system, infertility and sexual dysfunction, menopause and andropause among others. However availability of data and statistics to guide evidence based planning in favour of women's health is still low.

Furthermore, there is free provision of pre-natal care for pregnant women in many states of the federation. Maternity leave in Cross River State has been increased from 3 to 4 months.

12.7 Family Planning Services

All tertiary health centers (University teaching hospitals and federal medical centers) in Nigeria have family planning units. Family planning services are also available in most secondary health facilities in Nigeria. However, documented evidences show that cultural and religious factors are the primary explanations for the under-utilization of modern family planning services in Nigeria. The rate of prevalence of contraception method has persistently remained low as shown in Table 12. 2.

12.8 HIV/AIDS

HIV/AIDS is a development and health crisis that constitutes a major threat to lives in many Africans. In Nigeria, as in many other parts of the world, gender inequality has continuously made women and girls more vulnerable to the diseases than their male counterparts. Available statistics, however, show that Nigeria is currently recording success in its efforts at controlling the epidemic. The HIV prevalence rate declined from 5.6% in 2001 to 5.0% in 2003. A further decline was recorded in 2005 to 4.4%. This decline is attributable to a number of programmes; advocacy and awareness campaigns, family planning, sex education, counseling and care for those infected and affected by HIV/ AIDS.

Contraception Method	Prevalence Rate (%)
Any method	13
Any modern method	8
Pill	2
IUD	0.7
Injectables	2
Male condom	2
Any traditional method	4
Unmet need for family planning	7%
Source: NDHS, 2003	

12.8.1 Health Specific HIV/AIDS Interventions

The establishment of the NACA, SACA, FACA and LACA at the federal, State and local levels is one of the most aggressive intervention strategies commenced by the Nigerian government in containing the spread of HIV/AIDS in Nigeria. The committee at the federal, State and local government areas is involved in campaigns against the spread of HIV/AIDS. Other interventions to stem the spread of HIV/AIDS embarked upon by government are presented below:

- *The National AIDS/STDs Control Programme (NASCP) is responsible for the prevention, control and dissemination of health information on HIV/AIDS control in Nigeria. It is the health sector response to the multisectoral HIV/AIDS response and is responsible for about 80% of the critical aspects of prevention, care and support for both people living with and affected by HIV/AIDS. It collaborates with other health related ministries, government agencies, international development partners and donor agencies for most of its activities.*
- *The National Anti-Retroviral Therapy (ART) programme started in 2001 with the aim of caring for only 10,000 adults and 5,000 children but as at date with support from the international agencies and development partners especially PEPFAR project and GFATM, ART services are now available in over 67 sites where over 50,000 PLWA access ARV drugs. In June 2005, the President of the Federal Republic of Nigeria directed the Federal Ministry of Health and other stakeholders to provide access to ARVs for 250,000 PLWHAs by June 2006, to actualize this, the Hon. Minister of Health inaugurated the Presidential Working Group as well as a larger Presidential Task Force on actualizing the Presidential Mandate. The two groups have produced a plan of action for actualization of the mandate with a cost estimate of about N27billion.*
- The Prevention of Mother to Child Transmission (PMTCT) programme that began with six tertiary sites in 2002 has expanded to over 45 sites and about 42,000 pregnant women have benefited from the Programme.
 - A Draft National PMTCT Training Manual was developed in March, 2005. The PMTCT curriculum was pilot tested in May and June 2005;
 - Training was conducted for health workers in ARV sites with no PMTCT services and a total of 90 health care workers were trained in 14 health facilities, 500 Health care workers were also trained on PMTCT management information system at secondary sites. The PMTCT Guidelines were printed;
 - In May, 2005 a sensitization training workshop was organized for the Mass Media on the ART programme. In July, 2005 the health education materials on PMTCT were printed in Igbo, Hausa and Yoruba languages for the 11 catchment areas;
 - Draft radio jingles on ART programme in Nigeria were finalized in August and the National PMTCT Programme was evaluated.

- A HIV Counselling and Testing (HCT) programme has also been introduced. The NASCP conducted two batches of training workshops in March and July 2005 in Benin and Owerri. A total of one hundred and six participating health workers were trained- 49 on HIV/AIDS and 57 on HCT for PMTCT in July. A stakeholders' meeting was held on HCT.
- Epidemiology, Research and Surveillance component has also been introduced to fight the spread of HIV/AIDS. This component in collaboration with WHO, DFID, CDC and other development partners conducted the following surveys in 2005: a National HIV/Syphilis Sero-Prevalence Sentinel Surveillance, National HIV/AIDS and Reproductive Health Survey, Behavioural Surveillance Survey (BSS) among selected High Risk Group and an Integrated Behavioural Surveillance Survey among Selected High Risk Groups.
- The Laboratory and Blood Safety Component provides guidance and technical input into the new draft National Logistics System Design for the procurement of HIV test kits and ARV drugs. It is also actively involved in the current coordination process in the development of the HIV rapid test non-cold chain dependent combination algorithms for the country.

Box 12.2

◆ *In 2005, funds were allocated but no funds were accessed.*

◆ *In 2006, just over US\$4 million has been allocated and mostly released for various maternal health services supporting MDG goals. These include -N2.5 million (awaiting release), for use towards MDG targets in five states (Taraba, Yobe, Zamfara, Katsina, Gombe, Kebbi).*

-75 million naira (US\$ 550,000) released for expanded life saving skills (ELSS) for doctors and nurse/midwives.

-N200 million scheduled for release in the 3rd and 4th quarters of 2006 for procurement of drugs, equipment, training of providers and supportive supervision.

-N250 million released for procurement of delivery kits, mother's kits, and other hospital equipment.

12. 9 Allocation of Adequate Resources for Improved Women 's Health and Reduction of Maternal and Infant Mortality.

Since the national reproductive health policy was finalized, resources have been committed to programmes and services aimed at reducing maternal mortality. Committed funds to women 's health, shown in Box 12.2, are still low. In 2004, there was a budgetary allocation of N100million (approximately US\$750,000) but only 60 million was accessed (US\$450,000).

12.10 Measures for Improving Access to Affordable Healthcare by Adolescent Girls.

12.10.1 There has been increased focus by government to proactively address adolescent reproductive health in Nigeria over the past few years. The National Adolescent Health Policy recognizes adolescents as persons within the ages of 10 to 24 years. Specific policy objectives include the creation of a supportive climate for policies and laws addressing adolescent health needs. The National

Reproductive Health Policy and Strategy affirms that reproductive health is the right of all individuals including adolescents. The policy pays particular attention to youth and adolescent

reproductive health concerns, characterizing the current state of adolescent reproductive health in Nigeria as “poor”.

The objectives of government in addressing youth reproductive health as outlined in the policy include:

- increasing the proportion of young people who have access to accurate and comprehensive reproductive health information and services;
- initiating and supporting the enactment and review of laws relevant to adolescent health.

12.10.2 The Nigeria National Youth Policy and Strategic Plan of Action also recognizes that youths represent the most active and vulnerable segment of the population. The health component of this policy strives to “seek and offer solutions to youth problems such as drug abuse, addiction, teenage pregnancy and sexually transmitted diseases”.

In addition, in 2001, Nigeria’s response to HIV/AIDS, which disproportionately affects young people, was articulated in a 3-year HIV/AIDS Emergency Action Plan (HEAP). Within the framework of HEAP, as outlined in Strategy 5.1, the establishment of youth friendly health services across the nation is a planned activity (5.1.1.28) aimed at reducing the transmission of HIV/AIDS among high-risk youth, both in and out of school. Many CSOs have emerged on the scene working to reverse the poor status of adolescent health in the country. Umbrella bodies such as the Nigerian Association for Promotion of Adolescent Health and Development (NAPHAD), Nigeria Network of NGOs on Population and Reproductive Health (NINPREH) and Civil Society for HIV/AIDS in Nigeria (CiSHAN) have also been formed to coordinate activities of non-governmental organisations (including youth serving NGOs) on adolescent health and development.

Active NGOs in the field of Adolescent Reproductive include Action Health Incorporated (AHI), Girls’ Power Initiative (GPI), Adolescent Health Information Projects (AHIP), etc.

- AHI works to improve the poor status of adolescent health and well being. Some of the achievements recorded by the organization include the establishment of a Youth centre which provides over 1000 young people with age -appropriate information on a monthly basis.
- The centre runs an adolescent -friendly clinic which reaches over 3000 young people annually with sexual and reproductive health services.
- AHI Facilitated the establishment of youth -friendly health services in states such as Lagos, Akwa Ibom, Benue, Ebonyi, Bauchi, Borno, Kaduna and Nasarawa. The current project in Bauchi, Borno, Kaduna and Nasarawa States, supported by the Packard Foundation has (since 2001 to date) reached over 70,000 young people with youth -friendly sexual and reproductive health information and clinical services through activities implemented by 7 NGOs, 7 government hospitals and 1 school peer education programme.
- The Centre has trained Master Trainers and Teachers on FLHE curriculum implementation as follows:

- 45 National Master Trainers (on behalf of the Federal Ministry of Education)
 - 40 teachers from Federal Govt. Colleges on behalf of the Federal Ministry of Education
 - 34 HIV/AIDS Desk Officers from 16 states on behalf of Capacity for Universal Basic Education (CUBE)/British Council)
 - 137 Master Trainers from 15 states on behalf of the United Nations Population Fund
 - 1,400 (90%) career subject teachers in Lagos State on behalf of the Lagos State Ministry of Education and over 60 NGO programme managers, youth workers and health care providers in various aspects of youth -friendly health services and youth programming.
- AHIP Implements various programmes focused on improving adolescent health and development including peer education sports known as edutainment, in Kano. The centre is currently working with the Kano State Governments to adapt the National Family Life and HIV/AIDS Education (FLHE) curriculum for the State.
 - Youth, Adolescent Reflection and Action Centre is focused on mainstreaming sexuality education into schools programmes through trainings, and use of mobile phones.
 - Global Health Awareness Research Foundation is implementing FLHE in schools by training teachers, peer educators and instituting peer educator clubs in schools. Also provides counseling services that can be linked to mobile phones.
 - Girls' Power Initiative is also involved in implementing the national FLHE and training teachers and trainees in colleges of education. Runs computer training/ formal vocational education schools empowering young girls in the communities.
 - Education as Vaccine Against AIDS, an Abuja based NGO runs a youth programme in schools in serves as the host of the V -mobile/NACA AIDS voluntary counseling and testing centres.

12.11 Key Achievements in the Health Sector between 2005 and 2006

- The Female Genital Mutilation (FGM) Day was marked on 6th February 2005; about 120 Nurse Tutors were trained on integration of FGM prevention and management into the schools curricula of Nursing/Midwifery/Public Health Nurses/ Community Health officers (CHO) in four health zones, namely South East, South west, North East and South-south.
- The Female Functional Literacy for Health (FFLH) primer was integrated into the National Mass Literacy Curriculum of the Federal Ministry of Education. The FFLH was pilot tested in Niger and Oyo States.
- The Draft Strategic Framework/Plan of Action on VVF eradication has been finalized and a two-week advocacy/sensitization visit undertaken to high prevalence VVF States namely Kano, Sokoto, Kebbi and Katsina. 545 VVF patients had repair surgery in the period.
- Also 10 hectares of land was acquired in FCT, Abuja for Japanese assisted VVF training, treatment and rehabilitation centre at Kwali Area Council, Abuja.

- In February 2006, the Federal Ministry of Women Affairs undertook a needs assessment survey of the VVF centres in the country with a view to assisting the women and centres with facilities and other resources.
- Baby Friendly Initiative (BFI) is also another programme that encourages breast feeding among mothers. The initiative has commenced programmes on breast feeding like the presentation of grinding machine to recognized established breast-feeding support groups; recognition of successful Baby friendly Health facilities – FMC Keffi, Nasarawa in North Central Nigeria and Ministry of Health, Enugu in South East Nigeria; Radio and TV discussions by the National Co-ordinator Baby Friendly Initiative and the establishment of crèche in a number of locations.
- The FMOH/BFI in collaboration with UNICEF trained 108 health workers as counsellors on infant feeding between April and June 2005 to increase the number of counsellors at Prevention of mother to child transmission (PMTCT) sites in Nigeria to enable them acquire counselling skills required to help HIV-positive mothers make informed decision on infant feeding as it is now the most important intervention to reduce mother to child transmission (MTCT) of HIV. 28 counsellors were also trained - including infant feeding counsellors from various PMTCT sites, PLWH/AIDS and Artists in October 2005 to enhance their counselling skills.
- The BFI in collaboration with UNICEF organized a 5 day workshop in 2005 for the Integration of HIV and Infant Feeding Counselling into Nursing and Midwifery Schools. Participants were selected from the nurse tutors programme schools, Nursing & Midwifery Council, Association of Nurses and Midwives and the sub committee of the Council; twenty eight participants were trained.
- Nigeria is the first country in West Africa to achieve 98 percent household access to iodized salt (IDD-USI, Zaria, Nigeria, 2006). This is an important achievement that affects women, as most people who suffer from goitre in Nigeria are women.

12.12 Challenges

Poverty constitutes a serious problem to the health of women and children in Nigeria. Poverty explains the numerous cases of nutritional deficiencies leading to different kinds of diseases especially among pregnant women and children. This led to the introduction of the National Food and Nutrition Policy 2001 and the National Guidelines on Micronutrients Deficiencies and Control in Nigeria in 2005.

Another impediment is traditional practices especially FGM which harms and threatens women's health and make them vulnerable to HIV/AIDS. Government has also invested heavily in support of the National Policy and Plan of Action on Elimination of Female Genital Mutilation in Nigeria, 2002, while eleven States have passed legislation prohibiting FGM. Other challenges include lack of adequate access to health services especially in the rural areas of Nigeria.

There are no laws to facilitate access to contraceptives that recognizes the confidentiality rights of individuals seeking reproductive health services, particularly adolescents. There are also various forms of prejudices displayed by healthcare providers that constrain young users access to health care. However, there are pockets of youth friendly health centres in some parts of the country even though inadequate, but some NGOs have set up functional youth friendly centres to meet the needs of young people and adolescents.

Article 13

Social and economic benefits

13.0 Legal and other measures

13.1 Section 13 – 18 of the 1999 Constitution provides for the promotion of women's social and economic rights. The NEEDS, SEEDS, LEEDS & FEEDS which were launched by the various tiers of government in 2004 aim at reducing poverty and inequality; and in addition mainstreaming women's concerns and perspectives in all policies and programmes.

The Federal government in March 2006 through the National Population Commission (NPopC) in collaboration with development partners conducted a National Population and Housing Census to ascertain the actual number of houses and persons by gender with a view to ensure sustainable infrastructural planning and economic development.

13.2 - Actual Progress Recorded

The Federal and States Ministries of Women Affairs have recorded substantial success in promoting women's economic and social rights through various skills acquisition programmes, micro credit schemes, public enlightenment campaigns on topical issues and concerns of women. The under listed progress made by the FMWA & SMWA, NGOs and Development partners has helped to ensure the promotion and protection of women's social and economic rights:

- *Distribution of farming implements and food processing equipment to twenty (20) States through the States Ministries of Women Affairs as part of the 2006 International Women's Day celebration. Other States are expected to benefit in the second phase of the project.*
- *The compilation of viable Women Cooperatives through a National Survey is on going by the FMWA*
- *The government has revitalized the National Poverty Eradication Programme (NAPEP) to provide loan facilities to women for the establishment of small scale businesses. These loans attract a very minimal interest of about 5% as against the prevailing high interest rate of 12.5 - 15% charged by commercial banks.*
- *The Federal Ministry of Finance through twenty -six mega banks is disbursing five hundred million Naira (N500m) agricultural credits to women involved in agricultural production and processing for the 2006 farming season.*

In 2006, Access Bank and International Finance Corporation put in place a Gender Entrepreneurship Program. This is a \$15 million credit fund aimed at improving women's business management skills and enabling them to access business capital.

Tertiary Level	22.22%
Secondary Level	50.98%
Primary Level	17.65%
Adult or Quranic Education	3.47%
Uneducated Level	5.88%

- *The NCWD since 2002 has been monitoring and evaluating the Women Development Centres (WDCs) nationwide with a view to repositioning them for optimal capacity utilization. The initial situational report on 25 States submitted in March 2005 brought about the rehabilitation and equipping of some of the Centres to provide training in tailoring, knitting, land cultivation, cookery, poultry including issues on gender awareness and human rights. This has resulted in high patronage by literate and non-literate women and girls.*

- *The report showed the distribution of beneficiaries of WDCs by educational attainment between the years 2002-2004*

The above figure shows that the WDCs provide training for women at all level of education. About 95.43% of beneficiaries reported that activities of WDCs were beneficial to them as against 4.5% who reported that they have not benefited from the activities of WDCs. Those who benefited specified the form of benefit to include improved skills (58.70%), increase income (22.1%) and improved literacy (17.39%).

- In January 2006, the National Centre for Women Development (NCWD) with support from the Japan International Development Agency developed a standardized gender/vocational training manual to enhance women training at all the Women Development Centres in all the 774 LGAs of the federation.
- The Small and Medium Development Agency of Nigeria (SMEDAN) launched in 2003 to facilitate access to capital by Small & Medium Scale Enterprises (SMEs).
- Ekiti State government has given N17million Naira out as revolving loan to 820 cooperative women groups between 2003 and 2004, and 160 Widows had access to N1.5 Million Naira as micro credit services
- In 2005, the Government of Kano State provided microfinance grants and skill acquisition programme to support two hundred (200) women living with HIV & AIDS.
- The Needs Assessment Survey which was conducted by the FMWA in March, 2006 revealed the existence of 16 well established and well funded Vesico Vaginal Fistula (VVF) Centres in 16 States of the Federation where VVF is very rampant. As a

follow up, the Ministry has initiated rehabilitation and economic empowerment programmes for the victims through skills acquisition.

- NAPEP in 2002 identified and rehabilitated ten (10) VVF centres by donating two hundred thousand Naira (N200, 000) as grant to each centre to enable them to run efficiently.
- In 2003, the Federal Government launched the National Health Insurance Scheme (NHIS) to guarantee access to health care. The scheme makes provision for 10% subsidy on the medical expenses for women.
- The Federal Ministry of Health in partnership with other stakeholders has also designated special days to highlight the issues of health affecting women and the girl child. The days are the 22nd day of May of every year as Safe Motherhood day and 6th Day of February as FGM Day.
- Wives of some State Governors in the Country through their various pet projects and activities are providing special economic and social programmes for adolescent girls and vulnerable women in their geographic locations. The NCWD is currently building a databank of all the projects.
- Government at all tiers have and continue to undertake advocacy and sensitization programmes to educate women on their economic and social rights through the print and electronic media, seminars, trainings and workshops in collaboration with Development partners.
- The NCWD, NGOs and women faith-based organizations and CBOs have also carried out intensive dissemination of IEC materials on women economic and social rights.
- Within the period under review, the Federal Ministry of Information & National Orientation through its Federal Information Centres, Child Rights Information Bureau and media parastatals embarked on series of activities to sensitize women on the Child Rights Acts and CEDAW with the aim of promoting children and women's social and economic rights.
- Lagos State have established crèches in the market places to enhance women's ability to work while nursing babies.

13.3 Challenges

Despite successes recorded in promoting the Economic and Social Rights of Women, there is still considerable room for improvement. As shown in table 13.2 below, the Percentage of women who are below the poverty line is almost twice the number of men.

Table 13.2 Gender Stratification within the Overall Economy and Private Sector		
Gender Issues	Men	Women
Below Poverty Line	35%	65%
Purchasing power	\$1,495	\$614
Fed. Civil Service	76%	24%
Mgt. Staff	86%	14%
Medical Doctors	82.50%	17.50%
Informal sectors	13%	87%
Industrial sector	30%	11%
Land ownership	90%	10%
Agriculture work	30%	70%
Anima Husbandry	50%	50%
Food Processing	10%	90%
Marketing inputs	40%	60%
Properties disposable at will	95%	5%

Source: National Bureau of Statistics – CWIQ, 2006

Other critical issues that negatively impact women's economic and social rights include:

- Perceptions that children of female employees are not dependents of their mothers unless the father has died or is of unsound mind. This has implications for women's tax liability.
- Control of wives resources by husbands resulting in the diversion of loans granted to women for domestic and other expenditure.
- Existence of customary laws and cultural practices that deny women access to ownership of land and property. The Core Welfare Indicators Questionnaire (CWIQ, 2002) revealed that female headed households are less likely to own land than male headed households. More male headed households owned bicycles, motorcycles and cars than female headed households.
- Gender insensitivity of both State and federal government budgets.

Article 14

Women in rural areas

14.0 Measures and Programmes in Place for Equal Access

14.1 During the reporting period, government took measures to promote women's empowerment in the rural areas. Several socio-economic programmes have been initiated to address the issues and concerns of the rural woman at State level. The SEEDS, FEEDS & LEEDS documents which currently drives government economic reform agenda at all levels seek to achieve self-sufficiency in food through mass production of agricultural raw materials for domestic agro-based industries and for export.

Capacity building by the Skills Division of the FMA for rural women in the field of agriculture is conducted regularly. Several State Ministries of Agriculture have also supported women in agriculture located in rural areas with agricultural equipment e.g. women in Ugah, Nassarawa State, Umuamaku in Anambra State and Odogbolu in Ogun State have received such support.

14.2 Actual Progress made

14.2.1 Economic Empowerment

- In achieving integrated rural development and agricultural production, the various governments have provided subsidies in respect of infrastructure, fertilizer, improved agricultural extension services, harvesting of the country's water resources and development of small-scale rural agro-industries.
- In March 2006, the FMWA in collaboration with the National Agricultural Cooperative Rural Development Bank (NACRDB) established a funding window for micro-credit delivery to grassroots women cooperative societies in 22 States.
- In furtherance of its commitment to the empowerment of women, the Jigawa State government between 2005 and 2006 provided support to 2000 rural women to be gainfully engaged in Animal Husbandry.
- Between 2004 and 2006 the Kano State Government established 11 new cottage industries and reactivated 16 old ones towards improving women's economic status.
- The Multi Partner Micro-Finance Scheme (MPMF), a programme of NAPEP which emerged from the partnership arrangement between the following agencies - Central Bank, commercial banks, micro-finance institutions, cooperative societies, State and Local Government Authorities and other private companies maintains an enlarged pool of funds for lending to women and young people in the rural areas.
- Rural Telephone Projects are being implemented by the government in partnership with private telecommunication companies and women cooperatives at the rural level to bridge the telecommunication gap and expand women's access to economic opportunities.
- Women Cooperative Societies in different parts of the country are also accessing loans under the UNDP and World Bank programmes.
- Increased involvement of rural women in the "home-grown" (Esusu, Adashe) micro-credit schemes is facilitating women's trading activities and other forms of enterprises.
- The Borno State government provided grinding machines and water pumps to women in 135 rural communities.
- In Enugu and Jos, an NGO has implemented various economic, leadership and skill training on/empowerment programmes and activities for over 7000 rural women between 2002 and 2005, as shown in Table 14.1. The women were trained on rebuilding the society, basic business and marketing skills, women and family law, job creation, dealing with domestic violence and prevention of STIs and HIV/AIDS transmission.

State	Community	Number	State	Community	Number
Enugu	Ihe	560		Neke-Uno	150
“	Ukehe	520		Aku	151
“	Edem	520		Umulumgbe	296
“	Iwollo/Oghe	580		Akpoga	76
“	Agbogugu	585		Coal Camp	104
“	Nachi	465		Ugwogwo Nike	149
“	Abakpa	360		Jos	2000
“	Idodo	360	Grand Total		7240
Source: Women for Women International Nigeria: 2006 Report					

14.2.2 Education

4,525 educationally disadvantaged communities in ten States of the Federation have benefited from training programmes at the community level under the self-help component of the World Bank assisted second Primary Education Project (PEP) (Ministry of Education 2005)

- The National Policy on Education 2004 provides support services for adult and non-formal education including curriculum development, mobile and rural libraries, television viewing and audio-listening centres, and studio-visual teaching and learning aids.

14.2.3 Agriculture

- In 2005, the Federal Government, the SMWA in Akwa Ibom and Abia in collaboration with the International Institute for Tropical Agriculture (IITA) set up various initiatives to maximize cassava production that targeted rural farmers especially women. A similar project, Cassava Revolution, exist in Ogun state.
- There is increased funding for agriculture, agro-allied activities and fishing under the Agricultural Credit Guarantee Fund (ACGSF) coordinated by NAPEP with many participating banks.
- In 2004/2005, the Borno State Government gave two (2) corn mills to each of its 27 LGAs and twenty rice husking machines to ten (10) rice producing communities in the State.
- The 1st phase of the FADAMA project witnessed low participation of women beneficiaries solely because women do not own land. However the 2nd phase of the FADAMA project which started in 2004 witnessed an increased number of women beneficiaries due to the in-built gender sensitive requirements for participation.
- The Federal Government has provided bore holes to facilitate mechanized farming and access feeder roads for easy access to farm land and transportation of farm products to end users in seventy five sites across the country.
- There are six model rural communities in each of the six-geopolitical region of the federation, where the communities are provided with bore holes, palm plantations sites,

resting houses, refectories, slashers, and ploughers to reduce drudgery in farming and improve farming techniques.

- Kaduna State disbursed a loan of 6 million Naira to 121 indigent women in the state districts to facilitate rural agro-based trading. In addition, 23 cottage industries have been established in the 23 Local government areas of the state. The cottage industries are for processing - cassava, honey, chili pepper and fruit juice.
- 450 women in Akwa Ibom, Bayelsa, Delta, Rivers and Ondo states have been trained between November 2005 and May 2006 on environmental violence against women. This led to reduction in conflict between oil companies and communities and increased female participation in negotiation for compensation as a result of oil spillage.

14.2.4 Health

- The National Primary Health Care Development Agency (NPHCDA) implements a Ward Health System which seeks to improve and ensure sustainable health services with full and active participation at the grassroots level. The system provides for training of traditional birth attendants on normal and abnormal pregnancies and how to identify women at risks as well as the training of village health workers to identify simple health problems and deal with them.
- The National Agency for Food Administration and Drug Control has also taken its message of safe drug, food and water consumption to the grassroots through women - focused campaign programmes.
- Sixteen States have established Vesico -Vaginal Fistula (VVF) Centres which provide for treatment and rehabilitation of victims from rural communities.
- Bayelsa State provides mobile health services in an ultra modern market to cater for immediate health needs of the predominant number of women that are found in the markets, this is coupled with subsidized medical care that is being operated under the State's health scheme. Provisions of free anti-retroviral drugs are also given to HIV/AIDS patients under the scheme.
- The UNFPA is providing support in the supply of contraceptives to Public Health Facilities, which has resulted in a drastic reduction in stock-out rates of commodities.

14.2.6 Social Services

- In Kebbi State, a Social Security Trust Board is set up to administer a social security fund to vulnerable children and poor families. A similar initiative is also being implemented by the Social Welfare Department of the Federal Capital Territory, and in Kano and Zamfara states etc.
- Construction of boreholes for regular supply of water in rural areas nationwide by the Federal Ministry of Water Resources through technical cooperation with development partners.
- The National Planning Commission in collaboration with the EU Micro Project Programme, between 2002 and 2006, executed various community development projects

in nine States (South -South and South East zone) which have positive impact on women.

14.2.7 Broad Dissemination of CEDAW Provisions and Concluding Observations on the Fourth and Fifth Combined Country Report

In order to publicize the CEDAW Convention, the 4th and 5th CEDAW Periodic Report and its concluding comments, the ministry with the support of development partners such as UNICEF and UNIFEM facilitated a National Stakeholders Debriefing meeting on the outcome of 4th and 5th CEDAW Periodic Report, with a view to draw attention to the various issues raised and the need for partners to channel efforts at actualizing recommendations made by the UN CEDAW Committee.

Further to the above, an advocacy sensitization meeting with print and electronic media organizations was held to mobilize and enlist their support for the wide dissemination of CEDAW provisions and the concluding remarks on the 4th and 5th Report.

At another forum, the officials of women machineries at the sub-national level were debriefed on the Concluding Comments in order to create awareness on issues raised to enable them formulate programmes for actualizing the comments, especially those that affect the lives of women in the rural areas.

About ten thousands copies of the concluding remarks have been re-produced and disseminated nationwide. Also, in 2005, the UNFPA in collaboration with the Rivers State Ministry of Information published and distributed the CEDAW, ICPD, MDGs and Beijing Platform for Action in a reader friendly format.

Challenges

- Women, generally do not participate in decision making at the community level, except they are members of Traditional Village Council or Community Development Committees. However, at the household level, women participate more in decision making because of increase in female headed household as shown in Table 14.2 below:

- Limited access to justice among rural women due to high legal fees and lack of capacities for asserting rights. Contrarily, most organizations providing free legal services are based in urban centres.
- Limited access to information as a result of inadequate power supply, inadequate knowledge and skill about information technology is a major impediment to the advancement of women in rural communities.
- Lack of equal access to land and opportunities to contribute to decision making processes at the community Level.
- Inadequate cultivating, harvesting, processing and storage facilities for women.
- Traditional beliefs that the use of certain modern technologies hinders women's progress in farming at the rural level.

<i>LEVEL/Type of Decision Making</i>	<i>Male</i>	<i>Female</i>
<i>Community Type</i>		
<i>National</i>	23.7	4.2
<i>Rural</i>	27.0	4.6
<i>Urban</i>	17.2	3.2
<i>Household Type</i>		
<i>National</i>	74.2	72.8
<i>Rural</i>	74.4	72.9
<i>Urban</i>	73.9	72.7
Source: NBS, CW IQ 2006		

Article 15

Equality before the law

15.1 Legal Measures

The Constitution of the Federal Republic of Nigeria 1999 provides the enabling environment for equality of men and women before the law to be achieved. Section 17 subsection (1) and (2)(a) specifies that the state social order is founded on the ideals of Freedom, Equality and Justice. In furtherance of this order, every citizen is entitled to equality of rights, obligations and opportunities before the law. Furthermore, the combined effect of Sections 33-46 of the same Constitution also guarantees equality of sexes under same conditions. There is in place, the provision of legal aid services for indigent citizens to engage a legal practitioner to represent them in court. Furthermore, under the Nigerian legal system, the constitution is supreme and any provision of the law that is inconsistent with a constitutional provision shall be null and void to the extent of such inconsistency.

The Sharia legal system, operational in certain states, by its guiding principles under the Islamic law, all owns equal access to the courts of law for justice and legal remedies. Quranic precept protects women's rights to equality before the law by documenting the case of Khaulat bin Thaalaba, a woman complainant to whom the Quran 58:1 granted full hearing and remedy.

15.2 Policies

The National Policy on Women adopted in 2000 specifies the overriding principles that underpin government's commitment to equality of women and men before the law. In its paragraph 13, titled "Legal Reforms/Legislative Protection" the policy notes that the Nigerian

Constitution is explicit on Government's aspirations that all citizens be treated as equal under the law but acknowledges that these aspirations are limited in fulfillment because of the complexity of the Nigerian legal system arising from a tripartite system of laws (Statutory, Customary and the Sharia), which are sometimes contradictory.

The policy further recognizes specifically, the right of Nigerian women to enjoy the same privileges as provided in Section 27, Subsection 2a of the 1999 Nigeria Constitution which confers citizenship on a wife of a Nigerian citizen but is not applicable to a husband of a Nigerian citizen. It highlighted the need for harmonization and legislative protection for vulnerable women. Accordingly, the draft bill for amending the constitution (which did not make it through the National Assembly) reviewed the section by making it applicable to any spouse married to a Nigerian citizen.

15.3 Reform Measures to Enhance Equality Before the Law

- *In order to address the impact of discriminatory laws and practices on women as well as unequal access to justice, several reform measures have been initiated especially in the hindsight of the 2005 NCWD/UNICEF/World Bank -IDF project discussed severally in earlier paragraphs.*
- *The Domestic Violence (Prevention) Bill 2005 which seeks to prevent domestic violence and empower courts to grant protection orders to victims of such violence.*
- *The Violence (Prohibition) Bill 2003 which was presented to the National Assembly by the Legislative Advocacy Coalition on Violence against Women (LACVAW). The bill seeks to outlaw, rape, incest, etc., establish a trust fund for victims of violence and set up a Commission to aid victims. Advocacy for its passage into law is on going.*
- *In 2004, the Attorney General of the Federation and Minister for Justice (AG) inaugurated a National Committee to Review the Administration of Justice Law. This Committee submitted a final draft national bill on Criminal procedure containing recommendations for the simplification of the criminal procedure to accommodate the interests of vulnerable groups including women and children.*
- *In 2005, the AG inaugurated another National Committee on the Review of Discriminatory Laws against Women with the National Human Rights Commission facilitating the process. The outcome is the Abolition of all Forms of Discrimination Against Women in Nigeria and other Related Matters Bill, 2006 which seeks to domesticate CEDAW, promote affirmative action and abolish all forms of discrimination against women. It is now an executive bill currently under consideration by the national assembly.*
- *The Elimination of Violence in Society Bill, 2006 being tabled by the Federal Ministry of Justice for consideration as an executive bill by the House of Representatives and Senate. This bill seeks to end, by prohibiting and punishing perpetrators of all forms of violence in the society.*
- *Nigeria's president Obasanjo inaugurated on March 16, 2006, a seven-member, Presidential Commission on the Reform of the Administration of Justice. The Commission was charged with the responsibility of (i) developing a strategic plan for the reform of the*

administration of Justice sector in Nigeria (ii) proposing modalities for the efficient coordination and functioning of the various agencies of the Justice system (iii) evolving a national crime prevention strategy and (iv) developing a legislative framework for the protection of the rights of victims of crime and human rights violations, especially women and children. It is expected that the reform will include fair representation of women in the judiciary, the Police Force and Prisons.

15.4 Challenges

In spite of the constitutional and administrative measures in place, several issues account for the limited access of women to justice in Nigeria amongst which are:

- The high cost of litigation, including lawyer's and court fees, which make it unaffordable for most women due to their low economic status in society;
- The inaccessibility of courts of law due to their distance/locations coupled with poor transportation systems, are major inhibitive factors for most poor/rural women.
- Barrier deriving from use of English rather than local languages as communication medium in courts and the complex nature of the court system.

Article 16

Equality in marriage and family

16.0 *Proactive and Innovative Measures to Remove Contradictions in the Three Legal Systems*

16.1 Preceding reports have acknowledged the existence of discriminatory practices and provisions in the civil, religious and customary laws dealing with age of marriage, consent in marriage, inheritance, maintenance, FGM, divorce, widowhood practices, and polygamy, among others. It is noteworthy that the NCWD led a National study on discriminatory laws, practices and court decisions relating to the status of women and children in Nigeria cited in Article 2 of this report, reviewed and analyzed the tripartite systems of law from a gender perspective.

The report of the study published in October 2005 contained a number of recommendations to Nigeria's Federal and State Governments for the amendment or outright abolition of provisions of discriminatory and obnoxious laws.

Precedent cases proposed for amendment include court decisions such as the *Akinbuwa V. Akinbuwa and Otti v. Otti*, case which upheld the objectionable provisions of Sections 15(2) (C) and 16(e) of the Matrimonial Causes Act, recognizing extreme violence as a ground for divorce. Judgment was premised on extant provisions which require that the abusive spouse must have been convicted of a list of other serious offences before such violence can be ground for a divorce.

The proposed amendment is that any degree of violence should be a ground for divorce; and the abusive spouse need not have been convicted of any of the listed offences. Previous abuses or violence on the spouse/petitioner should simply be required as confirmatory evidence of such violence that is presented as ground for divorce.

Also recommended for repeal is Section 55(1) (d) of the Northern States Penal Code Law which endorses wife battery as chastisement and equates the relationship of husband and wife with that of a master and servant. It gives a husband license to discipline his wife by beating. This recommendation is aimed at promoting and protecting the rights of women to equality in marriage.

The findings and recommendations of the 138 page report were fully integrated into the final draft of the “Abolition of all Forms of Discrimination Against Women in Nigeria and other Related Matters Bill, 2006”. The bill is under consideration in the National Assembly. Similarly, the 7 -member Presidential Commission on the Reform of the Administration of Justice in Nigeria is considering the recommendations in the report as part of its mandate.

Nigeria has also ratified the Protocol to the African Charter on the Rights of Women in Africa. While Advocacy for the domestication of the Protocol and CEDAW are vibrant and there is political will for its passage into law. This is evident in the packaging of the CEDAW bill as an executive bill forwarded to the Senate by the President.

Pertinent aspects of the African protocol that align with CEDAW are:

Article 21 *which provides that*, a widow shall have the right to an equitable share in the inheritance of the property of her husband and to continue to live in the matrimonial house. In case of re-marriage, she shall retain this right if the house belongs to her or she has inherited it. Also women and men shall have the right to inherit, in equitable shares, their parents’ properties. During her marriage, a woman shall have the right to acquire her own property and to administer and manage it freely.

Article 6 which enjoin States Parties to ensure that women and men enjoy equal rights and are regarded as equal partners in marriage. It further requires parties to enact appropriate national legislative measures to guarantee that every marriage shall be recorded in writing and registered in accordance with national laws, in order to be legally recognized. If the protocol once domesticated, will definitely create a legal framework for women married under the customary law to take action against any form of discriminatory practices as such marriages will be recognized and share benefits inherent in statutory law marriages.

To further guarantee equality in marriage, Section 21 of the Child’s Rights Act stipulates eighteen years as the minimum age for marriage and betrothal. This takes care of the absence of a fixed age of marriage in the *Marriage Act, Cap. M6, Vol. 8, Laws of the Federation of Nigeria, 2004*, and the *Matrimonial Causes Act, Cap. M.7, Vol.8, Laws of the Federation of Nigeria, 2004*, and outlaws the arbitrary fixing of age of marriage under customary and traditional practices. At least ten states of the Federation have adopted the provisions of the Child’s Rights Act, 2003.

The report of the National Political Reform Conference convened between 2004 and 2005 to review the constitution of Nigeria released in May 2005, found among other things, that:

- a. Denial to women, children and other minorities of socio-economic rights, especially equal rights to own land, equal access to and participation in economic and political activities and processes, constitute gross violations of Nigeria's international obligations.
- b. Several provisions of the criminal and civil laws are discriminatory against women and such laws are inconsistent with Nigeria's international obligations.

The Reform Conference recommended the following actions: -
That Equal Opportunities Commission should be established to replace the Federal Character Commission.

That the discriminatory and gender insensitive provisions of sections 55 (1) (d) and 282 of the Penal Code of Northern Nigeria; 221, 353 and 360 of the Criminal Code Act, and 26 (2) of the 1999 Nigerian Constitution regarding citizenship be repealed;

That the provisions of section 1 of the Criminal Code Act on the definition of prostitution be reviewed; and section 16(2) (c) of the Matrimonial Causes Act on proof of conviction before cruelty is established be also reviewed;

That the rights of widows be entrenched in the Constitution ;

and that all Nigerian laws be reviewed to reflect gender sensitive language.

These recommendations have inspired activism on the part of both civil society organizations and government to push for the earlier mentioned legal reforms and to monitor their implementation at both the national and State levels.

Other Related Initiatives by NGOs and Government

16.2.1 WRAPA's work on Codification of Muslim Family Laws (2005/6), to give married women enhanced access to justice, protection of their equal rights in marriage, divorce and ownership of property, will facilitate uniform decisions within the judiciary once enacted. The codification will also enhance the judiciary's ability to interpret and enforce legislation in a gender-equitable way because the proposed code accommodates both international equality norms and progressive interpretations of Sharia used in other Muslim countries.

16.2.2 A validation workshop held in April 2006, reviewed the findings and recommendations of the Report on the Review of Reproductive Health Policies and Legislations in Nigeria. Under the coordination of the Independent Policy Group, Abuja, supported by ENHANSE/U SAID, a policy brief has been prepared for President Obasanjo and

submitted to the Federal Ministry of Health for due consideration. The review identified gaps in the existing policies and legislations and made policy-oriented recommendations that seek to address the problem of maternal mortality and enhance the promotion and protection of the rights of women in Nigeria.

16.2.3 Also worthy of mention here are the health sector initiatives on gender-based violence embarked upon by Federal Ministry of Health. These include the development of a draft policy guideline for the management and control of Gender-Based Violence (GBV) targeting health workers, law enforcement agents and the Judiciary. This is a follow-up to the findings of its 2003 National HIV/AIDS and Reproductive Health Survey.

According to the March 2006 Report on Gender Mainstreaming and Future Challenges towards Gender Equality in Nigeria, commissioned by the Government of Japan, and conducted by WRAPA, Abuja, the draft policy guideline was tested between December 2005 - January 2006 and utilized for the training of different categories of target groups in Lagos.

16.2.4 Between 2004 and June 2006, the under listed Nigerian NGOs and several others, engaged in diverse public education activities, capacity building initiatives, legal assistance and counseling services for female victims and survivors of violence and violation of human rights: Project Alert, Lagos; WRAPA, Abuja; BAOBAB for Women's Human Rights, Lagos; WACOL, Enugu; Action Health Incorporated, Lagos; Girls' Power Initiative (GPI), Calabar; WOCON, Lagos; CIRDDOC, Enugu; WOTCLEF, Abuja; Women's Optimum Development, WARDC, Lagos; GADA Lagos; LRRDC Lagos, AHIP, Kano; GHARF Enugu; WHARC, Benin etc..

16.2.5 Highlights of the Gender Mainstreaming Report produced also reveal that GBV is influenced largely by: -

- Women's reluctance to discuss violence
- Lack of adequate support and protection for women who discloses having been abused;
- Lack of existing laws to adequately protect victims;
- Lack of technical competence and resources, among others.

Among recommendations proposed to redress GBV concerns were:

- a. Increase in public and private sector budgetary allocation for gender mainstreaming programmes/activities;
- b. Increased dialogue with traditional and religious gatekeepers to build on current efforts for greater impact to reduce harmful socio-cultural practices.
- c. Strengthened statistical capacity for collecting and disseminating gender disaggregated data to aid policy formulation, programme planning and implementation as well as gender specific outcomes;
- d. Governments to intensify efforts towards girl-child education in the North West, North East and North Central and tackle in addition, male-child education crisis in the South-East and South-South;

- e. Intensify community -based sensitization programmes towards the elimination of gender - based violence, such as FGM, early marriage, widowhood practices and wife inheritance, etc.

16.2.6. Provision of Shelter for Female Victims of Violence: -

WACOL, an Enugu based NGO has an ultra modern shelter/safe haven where it provides temporary shelter for female victims of battery and violence at the peak of crisis pending the outcome of legal action. Similarly in Lagos, Project Alert on Violence against Women (PROLERT) runs a shelter for women who have suffered abuse or any forms of violence.

16.3 Challenges

Dearth of gender disaggregated data is a major constraint to the achievement of equality of women and men before the law, depriving gender actors evidence to argue for affirmative action and gender specific concessions and interventions as a strategy for attaining gender equality. There is need to have useful data on the prevalence and pattern of violence against women and discriminatory practices in the various parts of the country.

Another constraint is the inadequate legal framework and enforcement mechanisms for existing legislation. Whereas Nigeria is signatory to an array of international human rights instruments which affirm in clear terms the aspirations of enhancing women 's rights, Nigeria also has an array of laws reflecting aspirations in direct variance to what these international instruments espouse. Nigeria still has many customary laws that provide institutional support for practice s such as early marriage, early and unspaced child bearing, FGM, widowhood rites and dis-inheritance that limit women 's enjoyment of their right to equality. Even where statutory laws exist to outlaw some of these inimical customary and religious practices , practical experience and evidence abound that enforcement level is negligible.

Part III Conclusion

1.0 CEDAW domestication

Although CEDAW is yet to be domesticated as part of Nigerian law due to the procedural reasons mentioned in the previous and current country reports, it is worth noting that the cumulative effect of the on-going reform measures highlighted under paragraph 15.2 of this report, seek to pave way for its eventual incorporation into Nigerian law in the shortest possible time.

Furthermore, short of domesticating CEDAW, Nigerian Courts are not precluded by any law from taking the provisions of CEDAW into consideration in arriving at decisions involving questions of non-discrimination and equality.

2.0 OBLIGATION TO ELIMINATE DISCRIMINATION

Nigeria has amply demonstrated her obligation and intent to eliminate discrimination as evident in current and past reports. Indicators contained in this report reflect that numerous legislative, policy and advocacy efforts have been and are still being taken by governments and civil society groups as well as development partners, to eliminate discrimination against women in Nigeria.

3.0 STATUS OF WOMEN IN EDUCATION, HEALTH, ECONOMIC AND SOCIAL LIFE

Despite the existence of socio-cultural practices and discriminatory policies that militate against women's enhanced status in education, health, economic and social life, observations are that within the reporting period, proactive measures have been taken by governments at all levels to ensure the progressive realization of both qualitative and quantitative female education, improved access to healthcare and social services, economic and political opportunities.

Government's success levels in the above critical areas recorded in this report is essentially due to the collaborative and cooperative efforts of development partners, donor agencies and the aggressive and sustained campaigns/initiatives embarked upon and being organized by Civil Society Groups nationwide.

4.0 OTHER OBSTACLES TO WOMEN'S EQUALITY

Development status and indicators contained in the report acknowledge the fact that several reasons account for women's unequal access to justice, economic resources and persistent inequality in marriage and family relations in Nigeria. However, the reform measures put in place by government coupled with other initiatives being pursued by NGOs and supported by donor agencies seek to systematically and gradually remove such impediments in favour of women's enhanced status.

5.0 THE WAY FORWARD

Having noted the on-going reform measures in most of the sectors of the Nigerian economy tailored towards mainstreaming gender in law, policy, government, politics and economy, there is still need for government to redouble her efforts by ensuring that adequate budgetary allocations are made and released in timely manner for gender oriented intervention programmes/activities.

In addition, sustained political will is required to progressively mainstream gender in budgeting, governance, health, constitutionalism, access to economic resources as well as social services. Furthermore, the human, technical, material and financial capacity of civil society groups and gender machineries at all levels need to be strengthened to enable them embark upon effective and results-focused monitoring and evaluation of the reform measures and other initiatives highlighted in this report.
