REPORT OF THE

TRIBUNAL ON VIOLENCE AGAINST WOMEN IN POLITICS

AND

THE STRATEGY SESSION ON THE GENDER AND EQUAL OPPORTUNITIES BILL

13th April 2016
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ABBREVIATIONS

ACPN  All Congress Party of Nigeria
AIT  Africa Independent Television
APC  All progressive Congress
CEDAW  Convention on the Elimination of All forms of Discrimination Against Women
CIRDDOC  Civil Resource Development and Documentation Centre
DFID  United Kingdom’s Department for International Development
ED  Executive Director
FIDA  International Federation of Women Lawyers
GEO Bill  Gender and Equal Opportunities Bill
INEC  Independent Electoral Commission
LEDAP  Legal Defence and Assistance Project
NCAA  National Coalition on Affirmative Action
PDP  People’s Democratic Party
SA  Special Adviser
UN  United Nations
V4C  Voices for Change

1. INTRODUCTION

The ‘Tribunal on Violence against Women in politics and the Gender and Equal opportunities Bill’ was held at the Barcelona Hotel, Abuja on Wednesday, 13th April 2016. Present at the event were over 100 participants (Attendance list attached) from civil society, the media, the National Assembly and also female politicians
from Nigeria’s 6 geopolitical zones. Special guests at the event include: Distinguished Senator Abiodun Olujimi; Distinguished Senator Enyinnaya Abaribe; the former Majority Leader of the House of Representatives, Honorable Mulikat Akande Adeola; former Executive Governor, Anambra state, Dame Virgie Etiaba; and the former Deputy Governor, Anambra state, Barrister Stella Odife. Other special guests were: the former Minister of Women Affairs and former PDP Woman Leader, now member PDP Board of Trustees, Iyom Josephine Anenih; former Executive Director of the National Human Rights Commission, Barrister Bukhari Bello; the former Woman Leader of the APC, now senatorial aspirant, Barrister Sharon Ikeazor; and former Commissioner of Women Affairs, Enugu state, Professor Joy Ngozi Ezeilo. Also present were the SA Gender to the Honorable speaker of the House of Representatives, the SA, Gender to the Distinguished Senate President and the Chairman of the ACPN, Mallam Galadima.

The Tribunal was structured to include 3 panel discussions during which female politicians would share their personal testimonials and a verdict session at the end of the day, the ‘panel of judges’ would declare their verdict.

2. OPENING SESSION

The Tribunal hearings began with general introductions at 10.15a.m. This was followed by the welcome remarks, which were presented by the Executive Director, CIRDDOC and Coordinator of the Affirmative Action Initiative for Women, formerly the National Coalition on Affirmative Action, (NCAA) Mrs. Oby Nwankwo. She explained that the purpose of the Tribunal was to provide space for the voices of female victims of electoral violence to be heard in order to catalyze public condemnation for women’s human rights breaches. She informed participants that the Tribunal was organized following the international ‘Women Have Wings’ award, which she won recently. The award, which came with a USD5, 000 cash price was given to 5 women all over the world in recognition of their respective pieces of work on women’s political participation. Mrs. Nwankwo explained further that she decided to apply her cash grant towards organizing the Tribunal as a way of advancing women’s human rights in Nigeria. Additional funding support for the event was provided by the DFID's Voices for Change (V4C) programme.

Apart from providing an opportunity for female survivors of electoral violence to share their experiences, the Tribunal was also structured to provide space for a national conversation and strategy session around the Gender and Equal Opportunities (GEO) Bill, (the CEDAW and African Union Protocol on the Rights of Women in
Africa domestication bill) which was recently rejected by the Senate. The Bill was rejected during 2nd reading on grounds of conflict with religion and customs and the constitution, which recognizes customary Law. Ms. Nwankwo explained that the Bill is intended to promote a complimentary not competitive relationship between men and women through the provision of equal opportunities. It emerges from a premise of partnership and equity, which does not in any way diminish the headship of men. Noting that states such as Imo, Anambra, Kogi, Plateau and Ekiti states have passed similar Bills into Law, she called on Legislators to provide a framework for the protection of the rights of women by passing the GEO Bill into Law.

**Goodwill Messages**

The goodwill message from V4C was presented by Ms. Wumi Asubiaro-Dada. She explained that V4Cs support to the Tribunal formed a part of the organizations attempts to support the emergence of an enabling environment for women’s empowerment. Ms. Asubiaro –Dada noted that one of the critical elements of an enabling environment is the existence of laws, which affirm and uphold women’s human rights.

The Chair of the ACPN, Mallam Galadima urged female aspirants to political office to consider aligning with any of the other over 30 political parties that exist in Nigeria apart from the PDP and the APC. He observed that women tend to gravitate towards the two major political parties while other parties have actually done more to promote women’s participation and election to public office. The ACPN for instance, in recognition of INECs 35% affirmative action principles had allotted 35% of seats in their executive council and working committees to women.

**Keynote Address**:

The Ghanaian representative to the UN CEDAW committee of experts Ms. Hilary Gbedemah presented the day’s keynote address. In it, she noted that women themselves need to be actively involved in advancing the rights that affect them. Women’s participation brings with it the value added of diverse perspectives to the national development process. Some of the obstacles faced by women who aspire to political office include the absence of constitutional and legislative quotas, cultural barriers and insufficient support from the media.

### 3. TRIBUNAL SESSION

**PANEL 1**

**Moderator : Amaka Kia (Journalist, African Independent Television)**

**Opening Statement: Dame Virgie Etiaba (Former Executive Governor, Anambra state)**
Testifiers:

Dame Virgie Etiaba’s opening remarks provided an overview of the rates of women’s political representation from 1999 till date. She noted the decline in numbers for women in political office especially between 2011 and 2015 and called for concerted action in order to checkmate further decline during the next electoral cycle.

Key issues Raised in Panel 1:

- Nigerian women are beginning to contest for political office even in states and communities where politics is traditionally dominated by men.
- Women who win party primaries to emerge as party flag bearers are sometimes asked to step down because the party indicates a preference for male contestants to ‘fight the fight’ or to battle for the offices in question.
- Even where they have ‘popular’ support from the grassroots, female flag bearers are sometimes frustrated out of the process through a series of distractions including bullying, intimidation, death threats and rigging.
- There are some women who still have cases in court pending from the 2011 general elections.
- In some cases, INEC appears to enable the systemic exclusion of women from the political space by ignoring court orders; ignoring political parties that are clearly engaged in gender specific discrimination; and making the clearance process particularly tough for female aspirants. One of the testifiers was told by INEC during the clearance process that she did not have a ‘good job’ and that her income was ‘too small’. This raises questions as to what exactly qualifies as a ‘good job’ within the context of INECs clearance process.
- Some women politicians have also been victims of court judgements that appear to have been compromised.
- The role of political godfathers and vested interests remains a challenge during the elections to the extent that aspirants mostly need to align with them, in order to win elections.
- The monetary cost of politics is one of the major reasons for women’s limited participation in politics. One testifier explained how she got into debt after borrowing heavily to fund her campaign. This has totally discouraged her from attempting to contest again.
- Female aspirants need to interface more effectively with the INEC gender unit, with FIDA and also with the media in order to address some the challenges they face.
• Women aspirants need to include engagement with community gate keepers as part of their election strategies. Women who anchored their campaigns on grassroots movements and networks had more success at the polls.

**PANEL 2**

**Moderator:** Iyom Josephine Anenih (Member Board of Trustees, PDP)

**Opening Statement:** Professor Joy Ezeilo (Former UN Special Rapporteur on Trafficking in Persons)

**Testifiers:**

Dr. Sarah Jibril
Hon. Mulikat Adeola
Barrister Stella Odife
Barrister Sharon Ikeazor
Barrister Ebere Ifendu

In the opening statement, Professor Ezeilo noted that women’s participation in politics and representation in power has been consistently marred by under representation and voicelessness, violence, thuggery, mercantile politics, and entrenched patriarchal attitudes that have also further limited many women’s participation in politics.

**Key issues raised in Panel 2**

• The use of women’s femininity as a tool against them is one form of sexual violence which female politicians are frequently subjected to. This is enabled by the fact that we live in a society where the promiscuity of men is not questioned. For instance single mothers who are nominated to public office are sometimes publicly questioned about the identity of their children’s fathers during confirmation hearings.

• The consistent exclusion of women in the political space raises questions about the quality of the conscience of the human species nurtured by women. Women’s political participation is more about respect for mankind and justice.

• Women need to distinguish themselves from men in politics by a consistent demonstration of ethical values.
• Part of the strategy to increase women’s representation in political offices should be to ensure that more women get into party leadership structures.
• Women need to collaborate and strategize with other women from other political parties especially as women generally face the same challenge across board.
• There is also the need to continue to seek out and partner with male champions of change.
• Women groups need to sustain and deepen advocacy for more women in both appointive and elected position.
• Mentoring of young girls is missing in our leadership today. This is part of the rationale for setting up the Women in Politics Forum. The forum has to date, mentored 100 young girls from the 6 geopolitical zones in the country.
• INEC needs to do more in order to compel political parties to enforce the affirmative action commitments contained in party manifestoes and documents.
• Part of the reason why the GEO Bill failed at Senate was because the promoters did not harness the numerical strength of Nigerian women or facilitate the emergence of a critical mass to push for its passage.
• Women who aspire to political office need to have passion for it; they need to respect the men so that they will also be respected; and they need to abide by high moral standards. In cases where a woman is invited for nocturnal meetings, she may consider taking along a male relative or a grown son for such meetings.
• Women who eventually get into political office need to treat other women as their primary constituency and pull them up as much as possible.

**PANEL 3**

**Moderator:** Professor Joy Ngozi Ezeilo

**Members of the Panel:**

Distinguished Senator Abiodun Olujimi

Distinguished Senator Enyinnaya Abaribe

Mallam Bukhari Bello (former Executive Secretary, National Human Rights Commission)

Ms. Hilary Gbedemah (Member representing Ghana, UN CEDAW panel of experts)

Barrister Chinonye Obiagwu (Executive Director, LEDAP)

Barrister Ezinwa Okoroafor (FIDA)
This session focused mainly on the GEO Bill and what next steps need to be taken in order to ensure its passage into Law.

**Key issues raised in Panel 3:**

- Most of the people who are currently speaking for or against the Bill have never read it and have no idea what exactly it says.
- Even though the Bill does not in any section refer to lesbianism or abortion, the opponents of the Bill (not just Nigerian Legislators) have misconstrued the Bill as something that has been formulated strictly for the purpose of promoting these issues.
- Other concerns expressed by opponents of the Bill have to do with inheritance rights, age of marriage, the proposed jail term for offenders, and allegations that the Bill infringes on the religious rights of some.
- That the Bill was written in order to compliment the provisions of the 1999 Constitution, which relate to equality of access and opportunities for every Nigerian. However the narrative around the Bill currently does not highlight this. Women groups need to generate a more positive narrative around the Bill.
- There was not enough advocacy with the law makers especially those from Northern Nigeria which has created an impression that the Bill is for Southerners and by Southerners against the Northern part of the country.
- The promoters of the Bill did not reach out enough to male champions of change and gender friendly men as partners in the process.
- Women need to form a critical mass and use that to apply coordinated pressure on the legislature.
- There are cultural and religious differences across Nigeria’s 6 geopolitical zones. It is important that the contents of the Bill appear to recognize and address these diversities.
- There may be a need to change a few words in some sections of the Bill in order to address the underlying fears of those who are resisting the Bill.
- The NCAA needs to draw from the prior experiences of those who had pushed for other gender-specific Bills in the past and also provide a platform for effective networking and synergy amongst diverse women groups.
• Issues that have already been covered in the Child Rights Act and the Violence against Persons Prohibition Bill do not need to be included in the GEO Bill and should be removed before the next presentation to Senate.
• In addition there should be a deliberate effort to navigate contentious issues especially where they are constitutionally ascribed within the purview of the responsibilities of the 36 states. The issue of inheritance rights for instance may not need to come up in the GEO Bill since it is something which each state has constitutional jurisdiction for.
• Finally, NCAA needs to provide explanatory notes, for each section of the Bill, manage the narrative around it and be more proactive in explaining its provisions.

4. VERDICT FROM THE PANEL OF JUDGES:

Judges:
Professor Joy Ngozi Ezeilo
Barrister Bukhari Bello
Barrister Chinonye Obiagu
Prince Engr. Ralph Ndigwe

The 4 member panel of judges unanimously ruled as follows:

Recognizing that Nigerian women comprise half of the Nation’s population and therefore half of Nigeria’s development potential;

Affirming the role and contributions of Nigerian women to national development at different levels;
Affirming also the support of gender friendly Nigerian men and male champions of change, towards the protection of women’s human rights;
Recognizing the need for women to take the lead in telling their stories;
Recognizing further the critical need for women’s voices and experiences to form a part of the discourse around emerging national issues;
Affirming the House of Representatives for passing the Gender and Equal Opportunities Bill into Law;
Condemning in the strongest possible terms, the failure of the Senate to protect the rights of Nigerian women through the passage of the Gender and Equal opportunities Bill;
Condemning also the distortions and misrepresentations of the intent and the purpose of the Gender and Equal Opportunities Bill;
Clarifying that the Bill is intended to compliment Constitutional provisions that promote equality of access ad opportunities for every Nigerian;
Recognizing that the testimony of witnesses before the panel confirms that female political aspirants are consistently faced with institutionalized violence, sexually nuanced discrimination, entrenched patriarchal norms and feminized poverty, all of which have limited women’s political participation.

Recognizing further that many of the legal commitments and international agreements on women’s human rights which Nigeria has signed on to are observed in breach,

This tribunal hereby calls for urgent action to address and redress the violations which female survivors of elections related violence have suffered. The Federal Government and all political parties should put in place mechanisms to minimize the incidence of political violence against women through affirmative action, law reforms and an improved sanctions regime. The Tribunal further calls on INEC to monitor and enforce party implementation of affirmative action commitments and on the media to provide improved coverage of women’s experiences in electoral processes. The Tribunal finally calls on the National Assembly to reintroduce the bill which it rejected on March 15th 2016 and pass it into law in fulfillment of its international commitments undertaken when it ratified CEDAW and the African Union Protocol.

5. CLOSING

The day’s session was brought to a close by 4.07p.m., with a vote of thanks by Ms. Oby Nwankwo.

Conclusion: The objectives of the tribunal were fully achieved. One of the objectives is to provide survivors of electoral violence and political rights abuse the opportunity to speak out against the violations and seek public condemnation of such violations. Secondly the tribunal was aimed at exposing and documenting the increasing incidents of marginalization/exclusion of women in politics and highlighting the human rights implications. There were a total of 12 testifiers who shared their experiences in the field and that enabled the panel of judges to give a powerful verdict condemning the perpetrators and making recommendations for redress. Over 100 participants were in attendance at the tribunal and these included many representatives of the print and electronic media. There has been an increased awareness of the general public on the issues highlighted in the tribunal.

As a follow up, the proceedings will be published and used as an advocacy tool to engage policy makers and legislators to support the Gender and Equal Opportunities Bill as well as respect for women’s human rights.

The third objective was to create awareness on the pressing need to domesticate CEDAW and the African Union Protocol on the Rights of Women in Africa as legal frameworks for the adoption of affirmative action as a strategy to increase women’s participation in politics and decision-making. The third panel discussed the issue of the Gender and Equal Opportunities bill i.e. the CEDAW and AU Protocol domestication bill that has been pending before the National Assembly at length. The bill was rejected by the Senate during the second reading on March 15, 2016 and this attracted public outcry. The sponsor of the bill Senator Olujimi and one of
the few male gender champions Senator Enyi Abaribe were in attendance to proffer advice to civil society on the way forward for the bill.

One week later on the 26th of April 2016, the Senate President announced that the bill will be re-introduced to the Senate soon and he expressed optimism that the bill will pass this time around. He made this commitment while receiving Fatimah Samora, United Nations (UN) Country Representative in Nigeria, who led a delegation of members of the United Nation Development Programmes (UNDP) on a visit to the Senate president. The news report is also attached.

Mrs. Stella Odiase
Rapporteur
13th April 2016
SAN FRANCISCO, April 26 (THEWILL) – Senate President, Bukola Saraki has stated that the Senate would soon re-introduce the Gender Equality Bill that was thrown out by the senators at plenary few weeks ago.

He made the disclosure on Tuesday, in Abuja, when Fatimah Samora, United Nations (UN) Country Representative, led a delegation of members of the United Nation Development Programmes (UNDP) on a visit to the Senate president.

He said the bill would be re-listed as soon as possible, and all contending issues of violence, participation in governance, education and entrepreneurship would have been addressed in the new bill as he responded to Samora’s call for the need to revisit the controversial Gender Equality Bill.

“I can assure you that the bill will be reintroduced as soon as possible as all contending issues in the bill like violence, education and inheritance are being addressed,” he said.

“I want to reassure you that this Senate is going to pursue goals similar to that of the United Nations in Nigeria. You can see we have a sizeable number of the Senators present here, that reflects the readiness and commitment of this present Senate to collaborate with you.

“We are very keen to have the Bill come back to us as soon as possible and we are very hopeful that this time around it would be passed.

“The issues regarding education, participation in governance, entrepreneurship have been identified, I am sure that by the time the bill is reconsidered it will sail through.”

Samora had appealed for financial support in the furnishing of the rehabilitated UN building in Abuja that was bombed by the Boko Haram insurgents in 2010 adding that the building would be reopened during the fifth anniversary of the bombing which will take place in August this year.

She also solicited for increased counterpart funding of the HIV pandemic and more funds to enable communities displaced by the Boko Haram in the Northeast return to their respective homes.

*Story by David Oputah*
## Appendix 2:

**Tribunal on the Women’s Right to Political Participation**

Barcelona Hotel, Wuse 2 Abuja on 13 April 2016

**Programme**

**Event Facilitator:** Amaka Kia (AIT)

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<td>Executive Director CIRDDOC/Coordinator NCAA</td>
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<td>Goodwill Remarks</td>
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<td>Voices for Change (V4C) Women Have Wings</td>
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<td>09.30 – 10.00</td>
<td><strong>Keynote address</strong></td>
<td>Ms. Hilary Gbedemah, Expert UN CEDAW Committee</td>
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<td><strong>Tea Break</strong></td>
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<td><strong>Panel 1:</strong> Violence against Women in Politics</td>
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<td>Ms. Happiness Williams (Imo)</td>
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<td>Alhaja Zainab Audu (Kano)</td>
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<td>Ms. Louisiana Ekhomun (Edo)</td>
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<td>Ms. Ify Amazonwu (Anambra)</td>
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<td>Ms. Comfort Amwe (Kaduna)</td>
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<td>Hon. Angela Odey (Kaduna)</td>
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<td>11.30 – 12.30</td>
<td><strong>Panel 2:</strong> Women in Politics</td>
<td>Iyom Josephine Anenih</td>
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<td><strong>Opening statement</strong></td>
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<td>Joy Ngozi Ezeilo, Ph.D.; OON.</td>
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<td><strong>Discussants</strong></td>
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<td>12.30 – 01.30pm</td>
<td>Discussions and questions</td>
<td>Chief (Mrs.) Sarah Jubril H/E Barr. Mrs. Stella Odife Sen. Nkechi Nwogu Mrs. Ebere Ifendu Ms. Sharon Ikeazor Hon. Mulikat akande</td>
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<td>01.30 – 02.30pm</td>
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<td>02.30 – 03.30pm</td>
<td>Panel 3: Gender and Equal</td>
<td>Joy Ezeilo</td>
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<td>Chino Obiagwu</td>
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<td>03.30 -04.00pm</td>
<td>Discussions and Questions</td>
<td>Ms. Hilary Gbedemah Dist. Senator Abaribe Hon. Uzoma Abonta Ms. Fatima Kakuri Dist. Senator Olujimi</td>
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<td>04.00 -04.30pm</td>
<td>Verdict by the Panel of Judges</td>
<td>Alhaji Bukhari Bello Prince (Engr.) Ralph Ndigwe Dr. Joy Ezeilo Barr. Chino Obiagwu</td>
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Appendix 3

Welcome Address

by Oby Nwankwo (Mrs.) Executive Director CIRDDOC Nigeria/Coordinator Affirmative Action Initiative for Women (NCAA) at the Tribunal on Women’s Right to Political Participation in Nigeria on the 13th April 2016 at Barcelona Hotel, Abuja.

Her Excellences, Distinguished Senators, Honourable Members, His Royal Highnesses, distinguished ladies and gentlemen of the press, ladies and gentlemen, it is my privilege and honour to welcome you all to this special occasion, which is a tribunal on women’s rights to political participation in Nigeria. A tribunal is a forum organized in an informal court setting where victims of human rights or women’s rights abuses give testimonies of their experiences. Tribunals have been found to be compelling for documenting and making visible violations of human rights as well as an effective mechanism for demanding accountability for the protection of women’s rights.

While tribunals are not legal proceedings per se, and do not have the power to enforce recommendations, they nonetheless have effected significant changes in attitudes and policies concerning women. By having victims of the violations speaking publicly about these abuses and bringing out the violations of human rights involved in the actions, they attract condemnation of the violations from well meaning people.

This tribunal is organized by the Civil Resource Development and Documentation Centre (CIRDDOC) in collaboration with the Affirmative Action Initiative for Women (NCAA), with support from the Women Have Wings Courage Awards and the Voices for Change. The tribunal is to celebrate the 2015 Women have Wings Courageous Award received the Executive Director of CIRDDOC and Coordinator of the NCAA, Oby Nwankwo in recognition of her work on women’s political participation using tribunals in the past. The award came with a $5000 grant, scholarship to the Aspen Ideas Festival in Denver, Colorado a week-long Women Have Wings residency program in Boulder Colorado in June 2016, and a Global Fund for Women dinner reception for me in Denver Colorado.

I have dedicated the cash grant to Nigerian women in politics and this is the reason for this tribunal.

Permit to briefly introduce the partners in this project. CIRDDOC is an independent, non governmental Organisation committed to the promotion of human rights, women’s rights, and access to justice. NCAA is a coalition of over 100 NGOs committed to the adoption of affirmative action as a strategy for increasing women’s political participation. NCAA is the coalition pushing the Gender and Equal Opportunities Bill, the bill which was rejected by the Senate during its second hearing two weeks ago.

On its own part, the WHW Global Courage Award has as its mission “to honor women whose bold actions serve to focus energy and attention in such unique and powerful ways that they accelerate the ongoing change — change that is vital to creating a more prosperous and peaceful future for us all.”
Voices for Change (V4C) is represented here. She would handle their own introduction. I would only like to express our appreciation to V4C for coming to the rescue when it became clear that $5,000 would not be sufficient to pull off this tribunal and for its support of NCAA to advocate for the passage of the Gender and Equal Opportunities bill. We thank you.

The main objective of the tribunal is to provide a forum for survivors of violence against women in politics and political rights abuse the opportunity to speak out against their violations and seek public support for change. The tribunal will provide an opportunity for women who have participated in politics to share their experiences in order to expose the increasing incidents of exclusion of women from politics and decision making and indeed incidents of violence against women in politics.

The tribunal is also aimed at creating awareness of the Gender and Equal Opportunities bill, especially its contents and seek the support of the public for its passage. From several comments in the media since the ill-fated journey of this bill, it has become obvious that many people including the commentators on the bill have not read it. They have erroneously ascribed many issues to this bill. The bill will be distributed to the public during this tribunal. This tribunal seeks to engage experts and general public to identify strategies towards the passage of the Gender and Equal opportunities bill into law.

On the 15th of March 2016, the Gender and Equal Opportunities bill was rejected during its Second Reading. One of the issues raised against the bill is that some of its provisions are in direct conflict with customs and religions of some communities and with the Nigerian Constitution, which recognizes customary law. I want to clarify here that the provisions of the Gender and Equal Opportunities Bill are not in conflict with Nigeria's 1999 Constitutional provisions; rather they amplify the provisions of the Constitution, including section 42, which prohibits sex discrimination and s. 21, which upholds the preservation of cultures that enhance human dignity and are consistent with Freedom, Equality and Justice. Accordingly, the Bill reinforces the complementary and not competitive relations between men and women to be achieved through equal opportunities, mutual respect and common benefits to both.

Let me assure the public that the bill will not take away family headship from men. It enjoins shared roles and responsibilities for family life. Equality refers principally to equal opportunities to access, contribute and seek redress.

The bill will bring about development and advancement of all persons, male and female in the country and will go a long way in eliminating cultural practices like early or forced marriages, female genital mutilation, and disinheretance which are inimical to women and girl child development.

It is noteworthy that the Bill has so far been passed in five states - Imo, Anambra, Kogi, Plateau and Ekiti states. It was also passed by the House of Representatives in 2015. Please take time to read all the documents we are giving out on this bill.

The tribunal will consist of three panels – Panel on Women in Politics, Panel on Violence against Women in Politics and Strategy Panel on the Gender and Equal Opportunities bill. It will consist of personal testimonies of women who have been in the field as well as experience sharing by female politicians generally. A panel of
judges will declare a verdict at the end of the proceedings. The verdict usually consists of condemnation of bad practices and recommendation for improvement.

It is hoped that through the tribunal, awareness will be created on the need to pass the gender and Equal Opportunities bill as the legal framework for the adoption of affirmative action as a strategy to increase women’s participation in decision-making. The Gender and Equal Opportunities bill provides for temporary positive measures to ensure equal representation of women in decision making positions.

The outcome document of this tribunal will be used as an advocacy tool for improving the human rights of women in Nigeria and to convince the legislators that the time to provide the framework for the protection of the rights of women is now.

Distinguished ladies and gentlemen, on behalf of the Women Have Wings, Tides Foundation and V4C, the sponsors of this programme, CIRDDOC and NCAA, I welcome you all and urge you to sit back, relax and enjoy yourselves.
I am honoured to be at this Tribunal today to make a presentation on Ensuring a Functional Framework for Women’s Political Participation.

A few questions come to mind. Why is there a need to ensure a functional framework for women’s political participation and what are the obstacles? The Recommendations provide pointers to how to improve women's political participation to enable them pursue their rights.

I. Rationale behind Ensuring a Functional Framework for Women’s Political Participation.

When women’s rights to participation are upheld, all other rights to which they are entitled are more easily promoted. This framing illustrates the interconnectivity of rights. Human rights are universal and interconnected; a violation in one area affects another. A classic example is how all the Articles of the Convention on the Elimination of all forms of Discrimination against CEDAW have an impact on violence against women - a sub-theme of today's Tribunal.

Articles 1 & 2 of the Convention deal with eliminating discrimination. Violence against women is a form of discrimination as it is targeted at women because they are women. Article 5 touches on inimical social and cultural practices/violence against women/maternity discrimination. Trafficking and the exploitation of prostitution – also forms of violence against women – are dealt with in Article 6. Physical and verbal violence targeted against women in politics will come under the ambit of Articles 7 & 8 on women's equal representation at the national and international levels. The Committee comes across forms of economic and psychological violence within the context of Article 9 on nationality, where women or their children are denied social benefits on account of inequalities in nationality laws.

School-related violence falls under Article 10 on education; whilst issues of sexual harassment and inequality in benefits are forms of violence encountered in Article 11 on employment. Women encounter various forms of physical and psychological violence within the health sector when they are denied the desired treatment or excluded from exercising their autonomy. These rights are recognized within Article 12 on health. Where equal economic & social rights are denied women, they are more vulnerable to violence. Because physical remoteness of rural areas, rural women are less likely to benefit from the services and facilities available to those residing in the urban areas. Article 14 sets out the conditions women living in rural areas should be provided with. Finally, family life is a setting within which all forms of violence – physical, sexual, economic,
and psychological occurs, and Articles 15 & 16 provide for access to justice to obtain redress, and equality in family life respectively.

II. Advantages of Actualizing International Obligations on Women's Participation to address VAW.

Women’s political participation will assist in addressing their rights including putting an end to violence. The advantages of the domestication of the GEO Bill are many. Firstly, it contains all the salient provisions of CEDAW, thus providing a holistic and functional framework of women's rights, including participation in public life. Secondly, with domestication, Nigeria would achieve compliance with its international, regional and national obligations. Thirdly since this framework provides for equal participation, the demands of democracy will be realized. Those affected by any issue would have the opportunity of their voices being heard – i.e. ensuring inclusivity. This leads to the fourth advantage, the value argument. Women's perspectives which are not always the same as men's would be brought to the various discourses. Literature abounds to show that women's participation leads to alternative development paradigms vis-à-vis health, sanitation and education (in Ghana, the periods in which the numbers of elected women peaked saw an increase in social protection legislation).

Fifth, there is the necessity argument which posits that unless there is legislative or other deliberate intervention, the low numbers of women in national parliaments will not self-correct, and will increase at only one percent every four years. Legislation is therefore needed to counter the deep-rooted socio-cultural underpinnings that influence the low figures. Finally, as women's issues and their participation is actualized, they create role models for the next generation - social capital. Many more women are thus encouraged to enter public spaces promoting balanced discourses thus bringing on board the entirety of human capital to achieve the country's developmental goals.

III. Obstacles faced by women in Pursuing Political Participation

Women's political participation is hampered by several factors, underscoring the need for legislation to facilitate their surmounting these obstacles. A few will be highlighted.

1. Socio-economic Obstacles

~ Women's Low Positions
As a result of the inequalities they face arising from the sexual division of labor i.e. their productive and reproductive functions to sustain their families coupled with their lack of control over economic resources, public perceptions of women tend to be low. Faced with these dual burdens, they experience time poverty preventing them from developing the skills required for participation in decision-making in wider public fora. Together, these circumstances also contribute to women’s inability to raise capital crucial to electioneering campaigns yet, ironically, they make significant (invisible) contributions to household expenditure.

~ Finances:
Even though some political parties waive varying proportions of filing fees, candidates still have to bear other costs including publicity, transportation, protocol items etc. and invariably, an eligibility criteria comprising evidence of having "contributed" to/"supported" the party.

~ Education
Women's lower levels in terms of formal education, governance skills, public speaking/confidence, knowledge about elections, "understanding of political systems or about the impact that political initiatives and policies will have upon their lives negatively affect their motivation to participate in the political processes. This also means that women are not always registered to vote." (CEDAW General Recommendation 23 para. 20 (a)).

GR 23, para. 48 (b) obliges states reports to provide details of restrictions on women's rights to participate in public life, and to indicate whether these restrictions stem from tradition, religious or cultural practices.

2. Ideological and Psychological Hindrances

~Traditional/Cultural Roles
When women venture into political life, they made to feel uncomfortable, and are ostracized, ridiculed and stigmatized by family, community, religion – and even other women - because they have crossed cultural barriers. The result is different levels of conflict. They have to reconcile, or choose between the clashing expectations of the prevailing stereotypes, and their feminine nature.

"Women have tried to enter politics trying to look like men. This will not work. We have to bring our differences, our emotions, our way of seeing things, even our tears to the process."
Anna Tibaijuka, Professor, Tanzania

~ Women's Attitudes towards Each Other
As a result, female candidates are bereft of support or refuge in a “woman’s constituency”. Should she lose the elections, other women who might have vied for political office are discouraged from doing so. A cycle of apprehension for politics is perpetuated. Society then turns around and wonders why women do not offer themselves for political office, or support one another, proclaiming “women are their own worst enemies.” They overlook the fact that the woman who has “stepped out” has taken a risk which others on account of their socialization may not want to be tainted with, or do not have the coping mechanisms to withstand the perceived, and in some instances, actual backlash.

~ Lack of Male Support
There is the need for women to seek spousal/family approval as they own family name, and appropriate the right to protect it. Also notions of women's domestic responsibilities and bodily autonomy means that in the eyes of the family, they leave “their” household tasks unattended to as they spend a lot of time away from home – “unsupervised”. Furthermore, the enormous public attention they receive is difficult for some men to handle. Finally, there are the smear campaigns and campaign-related violence to contend with.
~ Perception of politics (both the process and content) as dirty:
Because of the mudslinging - extending to/affecting families, and women’s inability to fight back due to socialization, it requires high level of self esteem to engage in the rough terrain of politics.

~ Role of the Mass Media
The mass media do not always accurately portray women in politics, dwelling on trivia and their *faux pas*. The media are actually used in perpetrating gender biases and stereotypes about women’s “place” in society, and as objects of beauty, rather than a focus on their potentials and achievements. They also carry or repeat verbal violence against women.
Ghana’s Affirmative Action Bill, makes it an offence to “subject a female in public service or public life or employee to gender specific verbal attack, stereotyping, hate speech or harsh rhetoric”.

3. The Challenges of the Political System
~ Masculine Model of Politics: Party Structures
Driven by patriarchal values and structures, men tend to predominate in the top positions of the "viable" parties, so it is not common to find structures within the parties which are responsible for ensuring that a respectable proportion of women get elected. Women within political parties are poorly funded, have no clearly defined progression path or structured capacity building programs. Whilst ethnicity, religion, geographical origin, age are considered in selecting candidates, gender is not.

4. Failure of Public Policy
The inability of governments to implement and monitor compliance with the existing legal and administrative frameworks has also contributed to the exclusion of women from decision-making fora.

IV. Recommendations
1. Adherence to gender equality strategies including training to transform attitudes and to build the capacities of women. Ultimately Affirmative Action (TSMs in CEDAW Art. 4) and legislatively mandated provisions (containing constitutional and legislative quotas, reserved seats) and sanctions are obligatory to ensure a critical mass of women capable of catalyzing change.

2. Advocacy using the international/regional/instruments and reporting cycles and procedures to draw the attention of governments, civil society and other stakeholders to catalyze compliance.

3. Creatively engaging Stakeholders (men, traditional and religious leaders, inter-agency actors) for the societal and attitudinal change needed to accept women’s rights, and women as leaders and entitled to equal participation in public life.

4. Cooperation with women's organizations, building their capacity and ensuring their adequate funding to enable them engage in grassroots mobilization and engagement.

5. Targeting the electoral system as the first-past-the-post system does not favour women. Even though changing the electoral system is a complicated and long-drawn out procedure, between 1993-2003, Rwanda, Sierra Leone, S. Africa managed to change their systems to proportional representation systems,

6. Party Level Reform is crucial to ensure targets, training progression paths and winnable seats for women.
GHANA'S EXPERIENCES IN DOMESTICATING CEDAW

Ghana has adopted piecemeal adoption and has comprehensive gender-neutral laws on inheritance, domestic violence, labour, and harmful traditional practices, but gaps remain thematically and within the respective legislations. Currently, there are Bills on the Property Rights of Spouses, a review of the Intestate Succession Law and an Affirmative Action Bill. To redress social, economic and educational gender imbalance in the Ghanaian society.

Ghana’s Representation of the Peoples Act 1960 which provided seats to ten women represented the first successful affirmative action law in Africa. Thereafter, affirmative action was introduced in education, and the country made investments in health and infrastructure to support the affirmative action agenda. The present Affirmative action process finds grounding in the 1992 Constitution, Article 17 (4) (a) which provides that:

(4) Nothing in this article shall prevent Parliament from enacting laws that are reasonably necessary to provide -
   (a) for the implementation of policies and programmes aimed at redressing social, economic or educational imbalance in the Ghanaian society;

And in the country’s international obligations, mindful of Article 40 (d) of the 1992 Constitution which requires Ghana to

(d) adhere to the principles enshrined in or as the case may be, the aims and ideals of-
   i) the Charter of the United Nations;
   ii) the Charter of the Organisation of African Unity;
   iii) the Commonwealth;
   iv) the Treaty of the Economic Community of West African States; and
   v) any other international organisation of which Ghana is a member.

In 1998, following on the Beijing Conference on Women Ghana’s Cabinet issued a Directive on Affirmative Action. The processes were revived in 2006, after Ghana’s Concluding Observations from the CEDAW Committee were received, and from 2010 - 2012 activities were designed to target a 40% representation of women in decision making positions. Several papers were produced, an Affirmative Action Bill Working Committee was established. Nation-wide public and stakeholder consultations were held. After this, the Bill was drafted. There was also a debate on the format, whether it should be a wider Affirmative Action Bill with Gender Equality provisions, or to focus solely on a Gender Equality Bill. The consensus was to focus on a Gender Equality Bill, hence the title, Affirmative Action (Gender Equality) Bill. The Bill is currently pending Cabinet Approval for 2016.
Appendix 5:

Statement on Political Violence against Women in Nigeria
by Joy Ngozi Ezeilo

Women participation in politics and representation in power in Nigeria’s nascent democracy has been consistently marred by underrepresentation and voicelessness. From 1999 election to date, we have seen only a marginal increase in the number of women representatives in elective and appointive positions. From available statistics, women overall political representation in post-2015 general election is less than 10%.2

One of the many road blocks women in Nigerian politics face is political violence against them, often intended to scare and undermine their right to participate in public life, to seek political power or get involved in governance and decision making positions. The limited participation of women in political life is fundamentally an expression of their underprivileged situation in society. The conceptualized public and private sphere dichotomy that consigns the role of women to the domestic sphere, and see the public space as a traditional place for men, tend to perpetuate discrimination and distinctions on the basis of sex which, invariably, impacts on women’s electoral outings. The unfavourable political terrain characterized by violence, thuggery, monetisation of politics and entrenched patriarchal attitudes have discouraged many women from participating in politics.3

Such political violence includes physical, emotional and mental violence perpetrated by family, community, political class, especially the male politicians; and co-contestants for positions of power who feel that these women are coming in what they consider their traditional sphere and birth right to occupy.

I have had numerous electoral cases where even women’s right to use their fathers or husband’s names have been legally challenged in the quest to embarrass, intimidate and ridicule them as women underserving of your vote because of their marital status. The picture of a female gubernatorial candidate was once posted naked in social media. In fact the naked body wasn’t hers but was rather superimposed on her real face to cheapen her and present her as a woman of

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1 Joy NgoziEzeilo, OON [Ph.D. (Nig.), LLM (London), LLB. (Nig.), BL, Diploma Peace & Conflict Res (Uppsala)]. Research Professor, Nigerian Institute of Advanced Legal Studies (NIALS) Also, Department of Public & Private Law, Faculty of Law, University of Nigeria. Also former UN Special Rapporteur on Trafficking in Persons, Especially Women and Children (2008-2014).Founding Director, Women Aid Collective (WACOL).

2 See Joy Ezeilo, “Assessing the Level of Women Participation in the 2015 General Elections”, Mambayya House Journal of Democratic Studies The publication is due December, 2015 Published by the Aminu Kano Centre for Democratic Research & Training,Mambayya House Bayero University, Kano (BUK).

no virtue. The intentions of her political traducers succeeded in shattering her political ambition as the photo caught attention of the electorate in a religiously fundamentalist Nigeria; she was not a woman to consider for such serious position. Consequently, her political ambition failed like that of many women in Nigeria’s political enterprise.

Also, women vying for elective offices have been branded lesbians and photos of them in compromising positions with other women forged and misleadingly presented to the public as part of pornography circus. It is a fact that the society rarely questions male sexual escapes or promiscuity or irresponsibility the way that of a woman occupies center stage in electioneering campaigns. Women nominated for appointive positions, including as ministers and commissioners are not spared the violence of public invasion of their private lives as their marital status and questions around who fathered their children are openly asked during confirmatory parliamentary sessions. If these are not examples of political violence committed against women based on their gender what else is?

My point is that political violence are not limited to physical violence of beating or battery of a woman aspirant but in the main consists of: psychological, emotional and mental violence that affects a woman’s confidence, self-esteem and the will to pursue a political life. Often her personal issues become so political and her body the site of the struggle that only the toughest of women will weather such storms of political assaults to get into power and decision making positions.

I want to reiterate that women in Nigeria have constitutionally guaranteed rights to freedom of association, which includes the right to join political parties and to vote and be voted in elections. According to the Beijing Platform for Action, 1995,

“Women’s equal participation in decision making is not only a demand for justice or democracy, but can also be seen as a necessary condition for women’s interests to be taken into account. Without the perspective of women at all levels of decision-making, the goals of equality, development and peace cannot be achieved.”

The article 9 of the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa provides that:

“States Parties shall take specific positive action to promote participative governance and the equal participation of women in the political life of their countries through affirmative action, enabling national legislation and other measures to ensure that: (a) women participate without any discrimination in all elections; and (b) women are represented equally at all levels with men in all electoral processes....”

The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW: 1979) prohibits discrimination in all spheres of life and guaranteed in articles 7 and 8 women’s right to participate in politics and public office representing its government at national and international levels. Furthermore, article 4 of CEDAW supports affirmative action in favour of women, especially
in political or any other field as a temporary special measure aimed at accelerating de facto equality between men and women.

Since Nigeria is a State Party to both CEDAW and the Protocol to the African Charter on the Rights of Women, it is under an obligation to take all appropriate measures to eliminate discrimination against women in the political and public life to ensure political terrain free of fear and violence. Consequently, I urge States of the Federation of Nigeria to replicate the provisions of Violence Against Persons Prohibition Act, 2015 (VAPP, Act) that protects women from political violence in their various states to compliment the federal provisions limited in its application to only the Federal Capital Territory, Abuja. To guarantee women’s right to participate in government there is an urgent need to create enabling environment politically, legally, economically, socially and culturally. There is need, in particular, to end sexual and gender based violence; and to create through legislative intervention equal opportunity, and to eliminate discrimination against women in the political and public life; importantly, to ensure to women, on equal terms with men, the right to both elective and appointive positions.

Nigeria women demand that our government steps it up for us politically and otherwise- 50/50 - on the road to 2030. We cannot achieve sustainable development without democracy and development that is engendered. The time is now to pass the Gender and Equal Opportunity Bill (GEO, Bill), while commending the House of Representative for passing this bill we urge the Senate to immediately re-introduce and take appropriate steps towards its passage. Its provisions are in tandem with already undertaken obligations for which Nigeria is bound internationally. I commend the organizers of this Tribunal on the Women’s Right to Political Participation for bringing to the national front burner this important issue. Distinguished ladies and gentlemen the struggle has just begun and history will not forgive us if we fail to be part of making the realization of women’s political participation a reality.

Thank you and May God Bless you as you commit to making Nigeria’s political terrain free of gender based violence and enabling for women in Nigeria to realize their full potentials.
Appendix 6 - Testimonies

ZAINAB AUDU BAKO
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I joined active partisan politics in year 2010 started with the defunct Congress for Progressive Change (CPC), proudly amongst the first batch to be registered in Kano State as bona fide card holding member no 00026. I actively participated in all party activities most memorable setting up the structures in 44 Local Government Areas and witnessing the Rallies to inaugurate/open all offices in the State, I witnessed the coming into the Party of (Gen Muhammad Buhari (GMB) the present President of Nigeria) and when he officially became a card holding member in his ward Daura of Katsina State.

My active participation and dedication paved the way for my first assignment/appointment of being the State Chairperson of the Women Committee for the CPC and later a National member of the Contact and Mobilization Committee as well. We successfully set up the party which grew like wildfire with a overwhelming followership, thanks to GMB in such a short period of time.

After the party was solidly placed on ground under the interim leadership, elections of substantive party officials were carried out from Wards, Local Government and State, it was then time to allow aspirations for the elective offices to be considered. In short we had aspirants flooding in, we had no female aspirants even though the tickets were offered free to female aspirants to entice us; that was when I was convinced to contest for House of Representatives.

I went through all the process filling and submitting relevant forms and vigorously campaigned. Kano State being a very traditional State, female aspirants encountered a lot of challenges. However I had little challenges in being accepted by my constituents, thanks to my family name which I used positively, in my campaigns. (Her father was a Governor in the state at some point).

I was the only female to contest amongst about eight (8) male aspirants in my Constituency Tarauni, for Member House of Representatives on January 9th 2011 for the primary elections. My team and I were ready, we have ten (10) wards and I had my structures in all the wards as the election conducted was congresses by card-carrying members. It was hectic in some wards the counting was disrupted by thugs supporting aspirants who realize their lines had very few people on the queue as the poster of aspirants were held or pasted on walls and queues were formed for the aspirants favoured by the card holder. INEC staff and security were present as observers while party officials conducted the elections. From reports reaching us from the election centres, I was scoring the highest votes, leading to disruption by thugs in some wards as stated earlier. At the end of the day, reports from my officials from all the wards were in my favour, but we had to wait for official announcement from the party.

The official report from the State Chairman declared me winner hence the nominated Candidate for the Party and my name with the results had been forwarded to the National Headquarters of the Party in Abuja for onward delivery to INEC Headquarters who will post the names of the Candidates officially at State branches. This process took forever as unfortunately being a new and extremely popular party especially in the North West, some party officials with the help of unscrupulous party members (bigwigs), selfish sentiments took over and name changing took place till the very last second INEC gave for the submissions. It was crazy,
though now history as Nationwide CPC suffered this unfortunate practice. When the candidates’ names were pasted at the INEC State office, to my great dismay it was not my name. Almost instantly the aspirant whose name was posted as the winner called me and said “I told you I am the winner” and ended the call. Factions in the party sprang up. It was really crazy.

I immediately protested and challenged the Party. We took legal action as a group, but I was later advised to take up an independent protest after one of us was successful in his case – that was the Candidate of Nassarawa Constituency. So I went to court filed a pre election case challenging the results of the primary election. The State knowing fully well of what transpired armed me with the official true certified results to present in court – HC SUIT NO.K/153/2011, the suit initiated by way of an Originating Summons on March 10th 2011 and filed on March 14th 2011. The case that obviously was influenced ended on November 1st 2011 on a flimsy technical judgment that the court had no jurisdiction to handle the case, after conveniently playing with judicial delay tactics.

I was devastated. My lawyer could not believe what transpired and said whether I agree or not, pay him or not he was immediately appealing the case for the judgment was nonsense and a case of Justice DELAYED Justice DENIED. We moved to the Appeal court in Kaduna where we filed a notice of appeal on December 16th 2011 - APPEAL NO CA/K/31/2012. My Lawyer made such a brilliant brief of Argument. The case in first instance was in the form of Originating Summons as we knew fully well the Respondent did not have any certified result, to avoid a case whereby false witnesses will be involved, official certified documents were our best option if we wanted Justice to be served.

To cut a long story short, on the fateful day that the judge was to read the judgment of the panel of Judges, I witnessed something I had never in my life ever heard of talk less of seeing. The judge asked me to stand and before me she was obviously making changes to the judgment for I stood there for over half an hour before her listening to her repeatedly saying “I am sorry” in open court writing at the same time. After she finished, she then went on to read the thwarted judgment in which we were informed that the lower court had jurisdiction but they refused to give judgment in my favour, nor could they give my opponent judgment, because of documents filed before them. It was amazing, as it became very clear I had a water tight case but for some influence somewhere they could not declare me the winner, and it would be detrimental to them if they declare him the winner for his documents were not certified nor complete. I guess that was why she was apologizing? This enraged my lawyer even more and made him proceed to the Supreme court where we are now in Abuja - SUIT SC/88/2014. Still waiting to be heard and a judgment given.

With this brief testimony I can factually state that I have no regrets whatsoever to all the decision I have taken on my stolen mandate, and I am very proud of my decision to take my case to its logical conclusion no matter how long it takes, I want to believe I may be the only female yet to refuse to step away for a small token etc. and challenge her stolen mandate. I am JUSTICE DELAYED JUSTICE DENIED Personified,

Lastly I want to extend my heartfelt gratitude to CIRDDOC for their concern on the plight of women in politics in particular and all your Human Rights projects generally. I was pleasantly surprised when I got a call from you, as I have not publicized my plight, so more grease to your elbows and may you all reap the blessings of your efforts, thank you most sincerely for this opportunity.

Zainab Audu Bako
Happiness Williams

MY EXPERIENCE DURING THE 2011 AND 2015 ELECTION

In the primary election at the party level, I was the only woman that contested among seven men in the twenty one autonomous community and ten wards. The primary election was very tough as my husband supported me and gave me his strong consent and I won. The party LGA executives strongly criticized my candidature and kicked against my campaign because I am a woman. In the church, it was 50/50; many women did not support because they were jealous and callous. The party chairman and the executives voluntarily denied me of funds so that I will be handicapped. During 2011 election, other party opponents that I contested with, used tugs, police men and army to destabilize my supporters. They even ran away with the ballot boxes that were used for voting. The INEC officials were nonchalant as opposition parties rigged the election. They allowed their members to vote as many times as possible. The tugs of the opposition party made the general election unrealistic as they denied my supporters from voting. Some ward chairmen supported me while others refused to support as they demanded for financial gratification; while some were making other demands. All these hindrances were as a result of lack of finance.

During 2015 election I won my opponents with 86 votes during my primary election and my opponents were all men. After a month plus, my state party chairman called for a meeting and told me to step down for a man who has money, their main reason of telling me to step down is because I am a woman and I don’t have money.

But strongly I was supported by my husband, my L.G.A Executives and National executive of the party.

Then I went ahead with the main election which I contested with nine men and finally I came third position.
Louisa Eikhomun’s Campaign Experience

I hail from Ugboha, Esan South East in Edo State, South South Nigeria where the role of girls and women has been so defined even in political participation only to vote. Since Nigeria's independence in 1960, women in my community have been voting but none had ever ventured to seek elected post, not because they do not have what it takes, but because they have been conditioned to accept that political office is not for them. I was worried by this and began a movement in 2012 called 'Esan Women Movement' with the aim of breaking cultural barriers to women’s political participation and calling for equal opportunities for women in voting and being voted for. While mobilising, sensitising and motivating the women on their political rights, I involved the men on the issue but they laughed and mocked the idea claiming women cannot lead men in politics.

I went further to sensitize and mobilize young girls to contest as ward counsellors, but they all declined having been marginalized for so long, they claimed fear of their fathers, fear of violence and fear of "no woman has ever sought elective position before" and in 2013 during our local government election seeing no woman was ready to contest, I mobilised the women to agitate for appointive positions. This yielded little.

As Nigeria's 2015 general elections drew near, I tried talking to the women to believe in themselves to participate but the responses were the same. In my dilemma I realised I was like the women too. What was stopping me from contesting? We have seen political participation as a mystery and this needs to be demystified. I began to consult with women groups and my political party on my interest in contesting for the Edo State House of Assembly. It was a tall ambition coming from a patriarchal culture of the Esan tribe. From my declaration, to my campaigns and the primaries it was a huge battle. I was harassed and intimidated to end my ambition before it began. I was mocked, plotted against, threatened to step down, called all sort of names. Women were told to avoid me or else they will be sent packing from their matrimonial homes. I exhausted my savings, my energy and my good looks.

Prior to this time, I had been the delight of my political leaders (all men). I had been a Ward Returning Officer and Presiding Officer in elections. I was always called upon to mobilize women for campaign rallies, put on them colourful headgears, wrappers and T.-Shirts, to sing and dance under the sun or rain for years. As soon as I wanted to grow above that, they all formed an unholy alliance against me.

My banners and posters were not spared. Even in my own village, my banners and posters were viciously torn. This also happened in the other wards where I went to campaign to send a message to me to end my race. I did all that was required by the electoral body, INEC. I was interviewed and cleared for the primaries. I was challenged during the interview for contesting. Women leaders were mobilised against me that it was not time for a woman to contest.
I almost backed down, but each time I remembered that no woman had ever ventured into the political space to lead from my area, I encouraged myself to get to the end.

At each campaign ground after my speech, the men would rise to shake my hands and wished I was a man that I would have been their choice. The bigger political leaders told me in confidence that they know I could represent the people but their hands were tied. The women wanted a change and saw me as that change. But then they are not their own owners in a society where husbands watch their wives and fathers watch their daughters at polling unit to monitor their votes.

The night to my primaries I was approached by various men to step down or be put to shame. I went to my ward delegates during the night talking with them when my ward leader ordered that I vacate the premises. I was used to his threats now and I left. It was a sleepless night as my close kinsmen became emissaries on his behalf. I was told not to venture out to the field by morning. Many of my kinsmen had stopped talking to me before long and I received all manner of threats and concluded that no delegate will vote for me. My mother had to go to the ward leader to leave me alone. Since he was sure I was going to lose the election if I do not step down; then he should stop threatening me and allow me as I was not campaigning with his money.

By morning all my followers disappeared; and only two men went with me to the local government headquarters for the primaries. At the end of the primaries, of the 300 votes from the 300 delegates, men and women, with 30 of them from my village Ugboha, I only got TWO votes.

Since the primaries and general elections in 2015, all the male aspirants have been given different appointments but I am yet to be reconciled or considered for an appointment. I had followed due process in my campaign, I started on time, did my consultations, spent money, went from ward to ward, unit to unit and also met with leaders, men, youths and women one on one, I had what it takes to lead, I had a track record, I was a familiar face in their politics but I was A WOMAN.
Appendix 7
The National Coalition on Affirmative Action (NCAA)

CLARIFICATION OF MISCONCEPTIONS ON THE GENDER AND EQUAL OPPORTUNITIES BILL AS DEBATED ON THE 15TH OF MARCH 2016

1. The National Coalition on Affirmative Action (NCAA) is the coalition of Civil Society Organisations advocating and providing support for the passage of the Gender and Equal Opportunity Bill (GEO bill). NCAA and the Nigerian women's movement extend gratitude to the Senators who supported the Bill and the teeming Nigerians around the world who have continued to decry this sad development. We look forward to this and more support in ensuring the Gender and Equal Opportunities Bill is re-presented and is eventually passed into law.

2. The coalition is compelled to provide clarification to some of the issues raised by the Senate on the 15th of March 2016 which led to the voice votes indicating that the Gender and Equal Opportunities bill failed to pass the Second Reading in the Senate of the Federal republic of Nigeria. While we commend the Senate for a very robust debate, we believe that further information on the bill will help to address the misconceptions and misinterpretation of some of the key sections in the bill.

3. The debates on the GEO Bill further represent our diversity, as a multi ethnic, multi religious and multi- cultural nation. Thus the points advocated for and against the bill expressed the lacunas between our culture and existing laws and our perception of gender equality, limitations of women’s rights and how issues of private persons can affect the development of our nation. We therefore will unpack some of these issues for clarification and also propose answers that will better situate legislative intention in the right context.

4. The following were the issues raised by the dissenting Senators:

   i. That the section of the bill which gives a widow automatic right to take custody of her children on the death of her husband and the right of a widow to an equitable share of her husband’s inheritance and to continue to live in her husband’s house are inconsistent with the customary law of some communities and in conflict with the Constitution which recognises customary law.
ii. That the received English laws provide that where any law is inconsistent with local laws, the local laws shall prevail.

iii. That the provision of the bill on the modification of socio-cultural practices is directly in conflict with the Nigerian Constitution, because Nigerian Constitution is very clear, on customs and practices of all Nigerians, especially in relation to their religious right as guaranteed by the Constitution.

iv. That granting women freedom will give rise to a situation of a derogatory notion of male weakness known in the Northern part of Nigeria as ‘Mijin Hajiya’.

6. NCAA offers clarification on the GENERAL AND SPECIFIC issues:

a) General Issues

The provisions of the Gender and Equal Opportunities Bill are not in conflict with Nigeria’s 1999 Constitutional provisions; rather they amplify the provisions of the Constitution, including section 42, which prohibits sex discrimination and s. 21, which upholds the preservation of cultures that enhance human dignity and are consistent with Freedom, Equality and Justice. Accordingly, the Bill reinforces the complementary and not competitive relations between men and women to be achieved through equal opportunities, mutual respect and common benefits to both.

The bill will not take away family headship from men. It enjoins shared roles and responsibilities for family life. Equality refers principally to equal opportunities to access, contribute and seek redress.

b) Specific Issues

i. Section 21 (a) of the Constitution of the Federal Republic of Nigeria 1999 which gives directives on Nigerian cultures provides that the State shall protect, preserve and promote the Nigerian cultures which enhance human dignity and are consistent with the fundamental objectives (underlining is ours) in Chapter 11. These include the ideals of Freedom, Equality and Justice. The chapter also guarantees equality of rights, obligations and opportunities before the law for every citizen; as well as recognition of the sanctity of the human person and enhancement of human dignity.

ii. To give effect to section 21, the High Court laws and Customary Court Laws of many states of the Federation empower the courts to uphold only the cultures and customs that are not repugnant to natural justice, equity and good conscience. This is in line with the constitutional provision on the preservation of cultures that enhance human dignity and are consistent with Freedom, Equality and Justice.
iii. Therefore a widow’s rights to an equitable inheritance of her husband’s estate, to take custody of her children and to continue to live in the matrimonial home on the death of her husband are issues of equity, justice and freedom.

iv. From the provisions of the Supreme Court Act, High Court and Customary Court laws, local or customary laws, which are inconsistent with statutory laws do NOT prevail rather those that do not enhance human dignity and are inconsistent with Freedom, Equality and Justice are null and void to the extent of the inconsistency.

v. On the fear expressed that freedom for women will be counter-productive and result in wives not respecting their husbands and morality in line with religion being compromised, the two major religions in Nigeria preach the core values of human dignity, justice and equity.

a) Islamic Perspective: The Prophet Muhammad (PBUH) said, “Women are partners to men”. Hadith by Ahmad, Abu Dawud, Tirmidhi and Al- Buzzar. “Indeed Allah commands you to render back trusts to whom they belong, and when you judge between people that you judge with justice” ... Qur’an: 4:58

b) Christian Perspective:

God hates partiality in law, especially when men make laws to deal treacherously with their wives...Malachi 2: 7-9 &14 & 15.

vi. On inheritance of women - the GEO Bill has and does not introduce any contention; rather it up holds the right of female surviving relatives of a deceased person to an equitable share of the estate left.. The Holy Bible in Numbers 27:1-8 clearly states that daughters are entitled to inheritance. The Qur’an has clearly defined provisions on inheritance that justly distribute estates in accordance with relation status to the deceased their rights and responsibilities as surviving kith and kin.

Merits of the Gender and Equal Opportunities Bill include:

i. The bill will bring about development and advancement of all persons, male and female in the country and will go a long way in eliminating cultural practices like early or forced marriages, female genital mutilation, and disinheritance which are inimical to women and girl child development.

ii. A careful look at research data from different development reports, including World bank and the United Nations Development Programme (UNDP), reveals that increasing social and economic opportunities and political representation for women has ripple effects on health, education, and socio-economic outcomes throughout society and for the next generation.

iii. The Nigerian Government will, by the enactment of the GEO Bill, fulfil its international obligations undertaken through the ratifications of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the African Charter

iv. The Sustainable Developments Goals (SDGs) adopted by world leaders, including President Muhammadu Buhari GCFR at the United Nations General Assembly, New York, in September, 2015 which came into force January 1, 2016 envisaged a world of universal respect for human rights and human dignity, the rule of law, justice, equality and non-discrimination. A world in which every woman and girl enjoys full gender equality and all legal, social and economic barriers to their empowerment have been removed.

v. By enacting this Bill into law the National Assembly will be giving full meaning or effect to s. 42 of the 1999 Constitution that prohibits discrimination on grounds of sex amongst others; but fell short of enacting in clear terms the principle of equality and non-discrimination that has become part of customary international law, for which no derogation is permitted.

Oby Nwankwo
National Coordinator
NCAA
March 2016.
FOR AN ACT TO INCORPORATE AND ENFORCE CERTAIN PROVISIONS OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN, THE PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLE’S RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA, AND OTHER MATTERS CONNECTED THEREWITH. (HB. 756)

1. Citation.

This Bill may be cited as Gender and Equal Opportunities Bill, 2015.

2. Interpretation.

Unless the context otherwise states or as contained in the Interpretation Act (Cap 123 LFN 2004), the following words are intended to mean,

“Abuse” includes physical, psychological, sexual, verbal, economic, social, cultural or similar mistreatment or mishandling which interferes with the integrity of a female or male human being.


The “Covenant” means either the International Covenant on Social and Political Rights or International Covenant on Economic, Social and Cultural Rights.


“The Chairman” means the Chairman of the Commission.

Introduced Newly:

“Constitution” means the Constitution of the Federal Republic of Nigeria, 1999 (as amended)

“Court” means any court with jurisdiction over issues of marriage in the Federal Capital Territory.

"Discrimination against any person" shall mean any distinction, exclusion or restriction made on the basis of his or her sex or gender or other condition or status, which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by any person, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social,
cultural, civil or any other field.

“Women” include the girl child.

“Men” include the boy child.

“Members” mean the Members of the Commission


“Staff” means the staff of the Commission.

“Violence” includes physical, psychological, sexual, verbal or emotional maltreatments or assault.

"Violence against women" means all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of armed conflicts or of war;

3. **Purpose of this Bill.**

The Purpose of this Bill is to give effect to –

(a) Chapters II and 1IV of the 1999 Constitution of the Federal Republic of Nigeria.

(b) The International Covenants on Human Rights which affirm the principle of non - discrimination and proclaims that all humans are born free and equal in dignity and rights, and that everyone is entitled to all the rights set out without distinction of any kind including distinction based on sex;


4. **Prohibition of Discrimination.**

a. No person, organ or agency of government, public or private institution, commercial or corporate body, community, or other entity, or any representative of such organ or agency of government, public or private institution, commercial or corporate body, community, or other entity shall either through words spoken, acts, inactions, omissions, laws, regulations, administrative procedures, policy, guideline, rules, customs or practices discriminate against any person on the ground of gender, age or disability.

b. Any law, regulation, custom and practice, which constitute discrimination, shall be null and void and of no effect and shall not be enforceable against any person.

c. No rule or directive of a public, corporate, social or communal entity which is a violation of the provisions of this bill shall be enforced against any person.

5. **Promotion of Equality, Full Development and Advancement of all Persons.**

a. Every person, body, institution, community, authority or private enterprise whether public organ or body, public institution, individuals, communities or authority and private enterprise
in Nigeria shall take all appropriate measures, including regulatory policy, fiscal and administrative measures, to ensure the full development and advancement of all persons, especially young women and girl children, for the purpose of guaranteeing to them the exercise and enjoyment of human rights and fundamental freedoms on a basis of non-discrimination and equality of all persons.

b. Accordingly, every person, organ or agency of government, public or private institution, commercial or corporate body, community, or other entity, or any representative of such organ or agency of government, public or private institution, commercial or corporate body, community, or other entity, shall accord to women, children, and other persons equality before the law, and accordingly, shall on the basis of equality;

i. give women equal rights to conclude contracts and to administer property,

ii. treat women equally with men in all stages of procedure in courts and tribunals.

iii. ensure that no rule, regulation, agreement, protocol, contract or any other public or private instruments of any kind with a legal effect shall restrict, limit or in any way discriminate against any person in terms of legal capacity.

iv. no practices of law enforcement agency or body shall restrict or limit the legal capacity of women to undertake surety or recognisance on behalf of any person.

v. Desist from denying or limiting any privilege, respect, advantage or benefit due or accruable to women only on the basis that she is a woman.

6. Adoption of Temporary Special Measures to Eliminate Discrimination.

(a) Every organ or agency of government, public or private institution, commercial or corporate body, community, or other entity, shall adopt temporary special measures as set out in this Bill aimed at accelerating de facto equality of opportunity and treatment between men and women, and such measures shall not be considered discrimination as defined in the present Bill or in any other law in force, and shall in no way entail as a consequence the maintenance of unequal or separate standards or regulations between men and women in such organ or agency of government, public or private institution, commercial or corporate body, community, or other entity;

Provided that:

i. where a position exists under the special provisions under this section, ample opportunity must be given, and information disseminated to women widely,

ii. these measures undertaken pursuant to the provisions of this section shall be gradually discontinued when the objectives of equality of opportunity and treatment have been achieved, provided further that no special measure shall be in
place and be enforced for a period of less than 10 years or more than 25 years.

(b) For the purpose of the special measures provided in sub section 1 of this section, it shall be mandatory for all organs or agencies of government, public or private institution, commercial or corporate body, community, or other entity, to ensure:

(i) in the case of political and public sphere, that a minimum of 35 per cent of all offices, positions, or appointments is reserved for women;

(ii) in the case of employment, credit or other economic sphere in the public or private, a minimum of 35 percent of all offices, facilities, positions or appointments is reserved for women;

(iii) in the case of educational placement and school enrollment, including award of scholarships, bursaries, or such allocations, that parity is ensured for boys and girls, men and women;

(iv) in the case of primary school enrolment, mechanisms should be put in place to ensure parity in enrolment and retention of boys and girls.

(v) In all other cases, a minimum of 35 percent is reserved for women.

(c) Without prejudice to the provisions of subsections (a) and (b) of this section, all organs or agency of government, public or private institution, commercial or corporate body, community, or other entity, shall take appropriate measures to protect the maternity status and reproductive health of women, including allocation of special facilities, time, and resources aimed at protecting maternity, and such special measures shall not be considered discriminatory.

7. **Modification of Socio-Cultural Practices.**

Every organ or agency of government, public or private institution, commercial or corporate body, community, or other social entity, including educational institutions shall have the responsibility to modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of gender stereotyping, prejudices, and customary and all other practices which are based on the idea of the inferiority or the superiority of either of the sexes, or the roles for men and women, and to this end:

(i) every public or private educational institution shall ensure the adoption of appropriate teaching methods and curriculum including provision of facilities that emphasise the promotion of equality of all sexes in all circumstances and for all purposes, including choice of career, equal participation and inclusion of all persons in all activities of the school or institution.
the family as a unit of society shall ensure that values, practices or other forms of rearing of children, ward and young people in the family and community, or other forms of socialization, is not discriminatory, and promotes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children.

(iii) Widows shall not be subjected to inhuman, humiliating or degrading treatment;

(iv) A widow shall automatically become the guardian and custodian of her children, after the death of her husband, unless this is contrary to the interests and the welfare of the children;

(v) A widow shall have the right to remarry, and in that event, to marry the person of her choice.

(vi) A widow shall have the right to an equitable share in the inheritance of the property of her husband and shall have the right to continue to live in the matrimonial house. In case of remarriage, she shall retain this right if the house belongs to her or she has inherited it.

(vii) Women and men shall have the right to inherit, in equitable shares, their parents' properties.

8. **Elimination of Discrimination in Political and Public Life.**

Every organ or agency of government, public or private institution, commercial or corporate body, community, or other entity, shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right to;

a. participate fully in all political activities, including the right to vote and be voted for in all elections and public referenda, and to be eligible for election to all publicly elected offices and bodies without any restriction, limitation or barriers whatsoever,

b. participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government.

c. be given, on equal terms with men and without any discrimination, and without prejudice to the provisions of section 6 of this bill, the opportunity to represent such organ or agency of government, public or private institution, commercial or corporate body, community, or other entity, in any official capacity, or to represent the Federal Republic
of Nigeria or any part of the federation at the national, regional or international level, and to participate in the work of international organizations without any restriction whatsoever.

9. **Elimination of Discrimination in Education.**

Every organ or agency of government, public or private institution, commercial or corporate body, community, or other entity shall take all appropriate measures to eliminate discrimination against women in the field of education to ensure on the basis of equality of men and women, and without prejudice to the provisions of section 6 of this bill:

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

b. The elimination of any stereotyped concept of the roles of men and women at all levels and in all forms of education by encouraging coeducation and other types of education which will help to achieve this aim.

c. The same and equal opportunities to benefit from scholarships, bursaries, and other study grants;

d. The same opportunities for access to programmes of continuing education, including adult and functional literacy programmes, particularly those aimed at reducing, at the earliest possible time, any gap in education existing between men and women;

The same Opportunities to participate actively in vocational, extra curriculum, and other non-academic activities of such school, private or public educational institution including in sports and physical education.

10. **Elimination of Discrimination in Employment.**

Every organ or agency of government, public or private institution, commercial or corporate body, community, or other entity shall take all appropriate measures to eliminate discrimination against women in the field of employment, occupation or profession, in order to ensure, on a basis of equality of men and women, and without prejudice to the provisions of section 6 of this bill.
a. The right to work commensurate with skill, competence, expertise and knowledge, as an inalienable right of all human beings;

b. The right to equal employment opportunities, including the application of the same criteria for selection, promotion and assignment of responsibilities in employment;

c. The right to free choice of profession and employment, and equal treatment and consideration in the areas of promotion, job security and all benefits and conditions of service including training and retraining opportunities.

d. The right to equal remuneration of persons of equal skill, competence, expertise and knowledge, including benefits, and to equal treatment in respect of work of equal value, as well as equality of treatment in the evaluation of the quality of work;

e. The right to social security, particularly in cases of unemployment, sickness, physical challenges, old age and other incapacity to work, as well as the right to paid leave;

f. The right of a woman in employment to maternity leave or any such leave or concession relating to her maternity needs, shall not limit or restrict her right to equal treatment as provided under this section.

g. The right of everyone to the protection of the person’s health including maternal health, and to the person’s safety in work place, including the safeguarding of the function of, and choices in, reproduction and maternal or paternal responsibilities. Accordingly, no rule, regulation or policy of any organ or agency of government, public or private institution, commercial or corporate body, or other entity shall limit or restrict or otherwise strictly regulate the period or conditions, an employee undertaking maternity leave or other advantages in the workplace relating thereto.

11. Elimination of Discrimination on Grounds of Marital Status.

(a) Every organ or agency of government, public or private institution, commercial or corporate body, community, or other entity shall prevent discrimination against women on the grounds of marriage, marital status, or maternity; accordingly, shall:

i. not dismiss, restrict or otherwise impose any disadvantage on any person in respect of employment, contract, or other occupational engagement, whether in the public or private sphere, on the grounds solely of the
person’s marital status, circumstances of birth, condition of pregnancy, maternity leave, or such other reasons relating to the person’s maternal or paternal status;

ii. ensure enforcement of maternity leave with pay or with comparable social benefits without loss of former employment, promotion, advantage, or other allowances which otherwise are due to the person;

iii. provide necessary supporting social services to enable parents in employment to combine family obligations with work responsibilities and participation in public life, in particular through the establishment and development of child-care facilities in the work premises;

iv. Provide special protection to women during pregnancy in types of work and practices harmful to them.

(b) Protective regulations, policies and practices relating to matters covered in subsection (a) of this Section and the other sections of this bill, shall be reviewed as often as necessary in the light of scientific and technological knowledge and shall be revised, repealed or extended as necessary.


(a) Every agency, organ, body, authority, public institution or private enterprise shall take all appropriate measures to eliminate discrimination against any person on any ground whatsoever, in the field of health care. Accordingly, every organ or agency of government, public institution, commercial or corporate body, or other entity responsible for providing public health care services shall ensure that all women who are pregnant and within 2 years of delivery, and all children under the age of 12, are given free and quality health care services, including provision of all necessary medical, surgical, diagnostic, and pharmacological supplies.

(b) Notwithstanding the provisions of subsection (a) of this section, all organs or agencies of government, public or private institution, commercial or corporate body, community, or other entity shall ensure provision and access to appropriate services and information in connection with Health status of the spouses, the pre natal, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation.

(c) Every man and woman is entitled to receive the necessary material, medical, psychological, socio and legal assistance through governmental agencies and /or non-governmental agencies providing such assistance; as well as being informed and availed access to legal, health and social services and
other relevant assistance.


Every organ or agency of government, public or private institution, commercial or corporate body, community, or other entity shall eliminate discrimination against women in all areas of economic and social life in order to ensure, on the basis of equality between men and women, the same rights, in particular:

a. the right to family benefits;
b. the right to equal access between men and women to capital, credit, including informal sector, small and medium scale loans, mortgages and other forms of financial credit;
c. the right to participate in recreational activities, sports and all aspects of cultural life.

14. Right to Choose Indigeneship and Identity.

(a) Every organ or agency of government, public or private institution, commercial or corporate body, community, or other entity shall grant to women and men equal rights to acquire, confer, change or retain their indigeneship, and in particular, shall ensure that neither marriage, divorce nor widowhood shall deny a woman the right to choose or retain her citizenship and identity and she shall have the choice, without hindrances, limitations, disadvantages or conditions, to retain her maiden name.

(b) Every person shall have the right to define and assert his or her identity, and accordingly, no rule, regulation or guideline shall impose on any persons, place of abode, domicile, state of origin, or name.

15. Right to Confer Citizenship.

Women shall have equal rights with men to confer their citizenship on their children.

16. The Rights of Persons in Rural Communities.

Every organ or agency of government, public or private institution, commercial or corporate body, community, or other entity shall;

a. Take into account the particular problems faced by rural women and the significant roles which they play in the economic survival of their families, including their work in the
informal non-monetized sectors of the economy, and shall ensure the application of the provisions of this Bill to women in rural areas.

b. Take all appropriate measures to eliminate discrimination against women in rural areas in order to ensure, on the basis of equality between men and women, that they participate in and benefit from rural development and, accordingly, shall ensure to such women the right to:

i. participate in the identification, design and implementation of development projects at all levels;

ii. benefit directly from social security programmes;

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

iv. organize self-help groups and co-operatives in order to obtain access to economic opportunities through employment or self-employment.

v. have access to agricultural credit and loans, marketing facilities, appropriate technology and equal treatment in land and agrarian reform as well as in land resettlement schemes.


Every organ or agency of government, public or private institution, commercial or corporate body, community, or other entity shall take all appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations and shall ensure, to women and men

a. The right to enter into marriage;

b. Right to freely choose a spouse

c. Rights and responsibilities during marriage and at its dissolution including choosing whether to retain maiden name or adopting a family name;

d. Rights and responsibilities as parents, irrespective of their marital status, in matters relating to their children including decisions relating to welfare and upbringing of their children. In all cases the best interests of the child concerned shall be paramount;

e. Rights to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable
them to exercise these rights;

f. Complimentary and corresponding rights and responsibilities with regard to custody, guardianship, wardship, trusteeship and adoption of children.


a. All forms of violence against women are prohibited, whether the violence takes place in private, family or public sphere, including unwanted or forced sex, or traditional, religious or cultural practices harmful to the health, well-being and integrity of the woman.

b. All forms of violence against elderly women including sexual abuse, and discrimination based on age are prohibited.

c. All forms of violence against women with disability including sexual abuse, and discrimination based on disability are prohibited.

d. Every educational, school or training authority in the state shall promote peace education through curricula and social communication in order to eradicate elements in traditional and cultural beliefs, practices and stereotypes which legitimize and exacerbate the discrimination against women, persistence and tolerance of violence against women.

e. All forms of trafficking in women and children, abuse and exploitation of women and children in any manner or way, and medical experiments on women without their informed consent, or on children without the informed consent of their parents or legal guardian, are prohibited.

f. Any person who violates the provisions of sub-section (a) - (e) of this section shall, without prejudice to section 20 of this Bill, be guilty of an offence and liable to:

i. imprisonment not less than one year or to a fine of not less than Five Hundred Thousand Naira only, or to both imprisonment and fine.


Subject to the subsisting provisions of the Marriage Act, Child Rights Act, and the Matrimonial Causes Act:

a. No marriage shall take place without the free and full consent of both parties;

b. the minimum age of marriage for women shall be 18 years;

c. every marriage shall be recorded in writing and registered in accordance with national laws, in order to be legally recognized;

d. a woman and a man shall jointly contribute to safeguarding the interests of the family, protecting and educating their children;

e. during her marriage, a woman shall have the right to acquire her own property and to administer and manage it freely.

a. Any person, organ or agency of government, public or private institution, commercial or corporate body, community, or other entity, or any representative of such organ or agency of government, public or private institution, commercial or corporate body, community or other entity, who fails or neglects any of the duties imposed under this bill shall be liable to an offence, and on conviction, to such term of imprisonment not less than one year, or such fine not less than five Hundred Thousand Naira or both imprisonment or fine as the court may impose considering the entire circumstances of the case.

b. Any person who suffers violation of his or her rights, or becomes victim of any action, omission, or inaction of any organ or agency of government, public or private institution, commercial or corporate body, community, or other entity, or any representative of such organ or agency of government, public or private institution, commercial or corporate body, community or other entity shall be entitled to fair and adequate compensation as may be determined by the court, taking into consideration the special damages suffered, as well as social, psychological, emotional and health related burden suffered by such person by reason of such action, omission or inaction aforesaid.

c. Any person, or official of anybody or entity, be it in a public or private institution or community who condones, aids, facilitates and abets any other person, body or entity to fail or neglect or omit in any of the duties imposed under this bill shall be liable and the provisions of sub section (a) and (b) of this section shall apply to such a person or body.

d. Where a corporate body, agency, institution or community is liable under sub section (a) and (b) of this section, the chief executive, leader, or head of such corporate body, agency, institution or community shall have the primary responsibility of the punishment imposed by the court in accordance with the said section, and where there is continued failure or omission or neglect to comply with the duty imposed after the punishment prescribed in this section, such chief executive, leader, or head of corporate body, agency, institution or community shall be personally liable for such punishment as may be imposed by the court, taking into consideration the provisions of sub sections (a) and (b) of this section.

e. The court may in addition order such exemplary damages, public apology, or such redress or restitution as may be deemed appropriate in the circumstances by the court.

PART B.

21. THE COMMISSION.

The Federal Character Commission herein after called the “Commission” is hereby vested with the powers to enforce and implement the provision of the Bill.

22. Functions of the Commission.

The Commission shall, in addition to the powers confers on it in the Constitution, carry out the following
functions -

(a) Monitoring and supervision of the implementation of the Bill;

(b) Promote gender equity and the entrenchment of social justice in all spheres of life.

(c) Organize meetings, conferences, symposia and other enlightenment for the entrenchment of full rights to men and women on equal terms for the full advancement and development of Nigeria;

(d) Investigate and make application to the appropriate court or tribunal for an order of assessment of practices of any person, organ, body, institution, private or public organ in accordance with the Bill;

(e) Liaise with the National Human Rights Commission and other such bodies relating to enforcement of fundamental rights;

(f) Prepare and submit periodic reports on the state of implementation of the Bill to the Government and other appropriate bodies;

(g) Perform such other functions and activities as may be specified by any law or enactment.

(h) Undertake such other activities as are expedient for giving full effect to the provisions of this Bill.

23. Legal Obligation to Give Information to the Commission.

Any Officer of the Commission investigating the commission of an offence under this Bill may cause any person -

(a) To attend; and

(b) To produce any relevant materials or evidence before such officer for the purpose of being examined in relation to any matter, which may assist in the investigation of the matter.

24. A person, representative of an organ, body, institution summoned, is obliged to appear and produce all relevant information required under the notice within his/ her knowledge or which is available to such person.
25. 1. (a) Willfully refuses to appear in response to a written notice to attend; or

(b) Willfully refuses to produce such materials or evidence as requested by the Commission with regards to which the officer of the Commission has reasonable grounds for suspecting or believing that an offence under this Bill or under Chapter IV of the 1999 Constitution has been or is being committed;

(c) Makes or procures another person to make any statement in the information which such person knows or believes to be false or misleading in a material particular; or

(d) Intentionally obstructs another person in the exercise of the power conferred by this Bill; commits an offence.

(2) An individual who commits an offence under subsection (1) above, is liable on summary conviction to imprisonment for a term not exceeding one month or a fine not exceeding fifty thousand Naira and Corporate Five Hundred Thousand or to both such fine and imprisonment.

(3) Any Corporate Organization that commits an offence under Sub-Section (1) above, is liable on conviction to a fine of not less than Five Hundred Thousand Naira only.

26. **Failure to Comply with Direction for Reversal of Discrimination.**

Where the Commission upon receipt of a complaint and after due investigation gives a direction under this Bill and an individual, community, institution, public or private enterprise fails to take any step to reverse any act of discrimination, the Commission may proceed to initiate proceedings against such person, organ, body, institution, public or private enterprise in the appropriate court.

27. **Jurisdiction.**

The High Court of the Federal Capital Territory shall have original jurisdiction to look into applications arising from any breach of the provisions of this Bill.

28. **Procedure.**

Procedure shall be in accordance with the procedure under the Fundamental Rights (Enforcement Procedure) Rules.
2009, or any other rules of procedure for the time being applicable to the court.

29. **Miscellaneous.**

If an offence under this Act is proved to have been committed with the consent or connivance or is attributed to any neglect on the part of any director, manager, secretary or other similar officer of a body corporate, or any person who was purporting to act in any such capacity, such officer as well as the body corporate, commit an offence and are liable on conviction to imprisonment for not less than One Year, or to a fine of Five Hundred Thousand Naira or to both imprisonment and fine.