

ANALYSIS ABOUT
LEGISLATIVE, JUDICIAL
SYSTEM AND THE
INSTRUMENTS FOR THE
DEFENSE OF WOMEN'S
HUMAN RIGHTS IN
NIGERIA

NIGERIAN GROUP



TITLE: Analysis about Legislative, Judicial System and the Instruments for the Defense of Women's Human Rights in Nigeria.

GROUP: Mariam Marwa Abdul, Olayinka Adeleke, Olajumoke Adeyeye, Adenike Babalola, Maryam Tauhida Ibrahim, Monica Voke-Ighorodje, Martha Onose

Work done in the Master on Empowerment and Leadership in Development Projects, within the project 10-cap1-0863 "Young Women, Empowerment and Development in Subsaharan Africa" cofinanced by the Spanish Agency of International Cooperation for Development and executed by Fundación Mujeres.

This publication was produced with financial support from Spanish Agency for International Development Cooperation (AECID). Its content are the exclusive responsibility of the author(s) and does not necessarily represent the views of AECID or Fundación Mujeres.

Diciembre - 2011



TABLE OF CONTENTS				
Acron	yms			5
1	Introd 1.1			6
	1.1	Background to Nigerian Ratification of International Treaties, Conventions and Protocols		6
	1.2	Other Strategies Developed by Nigerian Government to Promote Women's Rights		9
2	An Ana	alysis of the Existing Gap between the Judicial and Legislative Advancements and the Daily Life of Women In Nigeria		13
	2.1	The Nigerian Legislative: Influence on Women's Rights		15
	2.2	Nigerian Judicial Systems: Influence on Gender Equality and Women's Rights		17
	2.3	Common Norms and Practices: Hindrances to Women's Rights		18
3	_	izations Working for the Promotion and Defense of omen's Rights in Nigeria		23
	3.1	Local Organizations that Promotes the Defense of Women's Rights in Nigeria		23
	3.2	Regional Organizations that Promotes the Defense of Women's Rights in Nigeria		34
	3.3	Government Organizations that Promotes the Defense of Women's Rights in Nigeria		36
4	_	n Funding Agencies that Work for the Promotion ad Defense of Women's Rights		37
	4.1	Organizations that Hinders the Exercise of		37



4.2	Conclusion		41
Bibliography			42



ACRONYMS

ACGSD - African Centre for Gender and Social Development
ACHPR - African Charter on Human and People's Rights

APPRRW- African Protocol on People's Rights and the Rights of Women

AWDF - African Women Development Fund

CEDAW - Committee on the Elimination of Discrimination Against Women

CEWRAC- Centre for Women Reproductive and Child's Right

DevNet - Development Information Network

ECOWAS- Economic Community of West African States

FGC- Female Genital Cutting
FGM- Female Genital Mutilation
GENDI- Gender Development Initiative

GPI- Girls Power Initiative

GTDN- Gender Training and Development Centre

HRE- Women Fights Education

KIND- Kudirat Initiative for Democracy MDGs - Millennium Development Goals

NEPAD- New Partnership for African Development

NHRC - National Human Rights Commission

SSP- Support Services Programme

UNECA - United Nations Economic Commission for Africa

WACOL - Women's Aid Collective

WHARC- Women's Health and Action Research Centre
WISCORD- Widening Scope for Rights and Development
W.TEC- Women Technology Empowerment Centre



CHAPTER ONE INTRODUCTION

1.1 BACKGROUND TO NIGERIAN RATIFICATION OF INTERNATIONAL TREATIES, CONVENTIONS AND PROTOCOLS

In Nigeria, there are various forms of legislation that are in existence, namely: statutory, religious and customary laws/legislations. They all form the basis of the laws that promote and protect the lives of women in Nigeria. However, as in many countries with patriarchal structures or governments that see international instruments as foreign and of no consequence or use for them (conservatively sticking to the three main forms of legislation), the adhesions of these laws with respect to international instruments for the defense of women's human rights is very negligible. Once the Nigerian government for instance signs a treaty or treaties/international instruments, they fail to have them ratified or at the very least domesticated, so it poses various types of discriminations against women.

For example, the Nigerian government ratified CEDAW in 1985 without reservations; consequently, it is bound to fulfill all obligations contained in Article 2 towards the promotion of the principles of CEDAW. However, the situation in Nigeria shows that the Nigerian government is not carrying out its obligations as a signatory to the instrument and as a result, the appalling state of women's human rights in Nigeria has been attributed to the non domestication and non implementation of CEDAW in the country. As advocates for the rights of women, we spend a lot of time simplifying international treaties into 'easy to read' handy books, workshops and trainings for judges, police, and legislators to imbibe and buttress the point that these treaties if domesticated can be a very useful tool for the defense of women's human rights throughout the country, and as a consequence if used to its full capacity can set a precedence for its wide use not only in Nigeria but in all other African countries and beyond.

In the three types of laws previously mentioned, the rights of women has not yet attained the desired level, in spite of the low political will of the government to women's rights. With



respect to women's human rights issues, the statutory laws are mostly contained in the Constitution and other laws promulgated by the National Assembly.

The customary laws are mostly unwritten and arise as a pattern of living within communities. In Nigeria like other African countries, traditional customs, deep-rooted cultural norms and religious beliefs tend to compete with many existing laws such as statutory laws with regards to some issues. Customary laws, therefore, are the body of rules governing a particular group of people. The highest occurrence of violence happens in the home and perpetrated by closely knit families, which is a contradiction, as the African family is noted for being so close knit. Customary law is described as a mirror of accepted usage which means that customs are not static but are flexible and change with the times of specific societies. It is good to note that not all customary laws and practices are repugnant and/or inflict violence against women, but the vast majority of customs as practiced in Nigeria are barbaric and repugnant to natural justice, equity and good conscience. 1 In the case of religious laws, the most recognized in Nigeria is the Sharia legal system practiced in the Northern parts of the country. Although in recent times there has been a 're-introduction' of the law, it has actually been in existence and in operation from colonization. It has continued through the doctrine of continuity like other customary laws. While Shari'ah criminal jurisdiction has actually been revitalized, jurisdiction over personal law including marriage, property and inheritance has been constant.

What forms the basis of controversy for this form of law is the way it is interpreted. Mostly it is interpreted and carried out by patriarchal judges and people who have political interest in smearing the good names of women who have done nothing wrong. Take for instance the case of Amina Lawal who, in 2000, was subjected to various forms of humiliation and sentenced to be stoned to death. The act of 'adultery' is one that is done by two consenting adults, why then was Amina singled out for stoning and the man left alone? Why was she branded a loose and unscrupulous woman? These are the problems with this type of law; the way it is interpreted is a far cry from what is contained in the Qur'an and from the Hadiths.

- 7 -

¹ Customary Law practices and Violence against women: The position under the Nigerian Legal System



Nigeria is signatory to many international treaties which prohibit violence against women. There are also many regional instruments and national laws that frown at such violence, however, the violence continues.

Table 1: Status of some International and Regional Frameworks Adopted by Nigeria

CONVENTION/COVENANTS AND	DATE ESTABLISHED	DATE
PROTOCOL		RATIFIED/ACCE
		DED IN NIGERIA
Convention for the Elimination of	Adopted by the UN General Assembly	13 th June, 1985
All forms of Discrimination	1979, came into force in September,	
Against Women (CEDAW)	1981	
International Covenant on Civil	Adopted by the UN General Assembly in	29 th July, 1993
and Political Rights	16 th December 1966 but came into force	
	in 23 rd March 1976	
Convention on the Rights of the	20 th November, 1989	19 th April, 1991
Child		
International Covenant on	Adopted by the UN General Assembly in	29 th July, 1993
Economic, Social and Cultural	December 16, 1966, but came to force	
Rights	on January 3, 1976	
Protocol to Prevent, Suppress	Adopted by General Assembly	28 th June, 2001
and Punish Trafficking in Persons,	resolution 55/25	
Especially Women and Children,	of 15 November 2000	
supplementing the United		
Nations Conventions against		
Transnational Organised Crime		
Convention against Torture and	Adopted by the UN General Assembly	28 th June, 2001
other cruel, inhuman or	on 10 th December, 1984 but came into	
degrading treatment or	force on 26 th June, 1987	
punishment		
	Convention for the Elimination of All forms of Discrimination Against Women (CEDAW) International Covenant on Civil and Political Rights Convention on the Rights of the Child International Covenant on Economic, Social and Cultural Rights Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Conventions against Transnational Organised Crime Convention against Torture and other cruel, inhuman or degrading treatment or	Convention for the Elimination of Adopted by the UN General Assembly 1979, came into force in September, 1981 International Covenant on Civil Adopted by the UN General Assembly in 16 th December 1966 but came into force in 23 rd March 1976 Convention on the Rights of the Child International Covenant on Adopted by the UN General Assembly in Economic, Social and Cultural Rights Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Conventions against Transnational Organised Crime Convention against Torture and offer on 10 th December, 1984 but came into degrading treatment or force on 26 th June, 1987



7	Protocol to the African Charter	Adopted by the Assembly of Heads of	16 th December,
	on Human and People's Rights	State and Government of the	2004
	On the Rights of Women in Africa	Organization of African Unity meeting in	
		its Thirty-first Ordinary Session in Addis	
		Ababa, Ethiopia, in June 1995, endorsed	
		by resolution AHG/Res.240 (XXXI)	
8	Solemn Declaration on Gender	Adopted by the Heads of State and	Second Report
	Equality	Government of Member States of the	(2009)
		African Union, meeting at the	
		Third Ordinary Session in Addis Ababa,	
		Ethiopia, 8 th July 2004	
9	African Charter on Democracy,	Adopted by the eighth Ordinary Session	Signed on 2 nd
	Elections and Governance	of the	July 2007 but
		Assembly, Held In Addis Ababa, Ethiopia,	has not been
		30 January 2007	ratified

1.2 Other Strategies developed by the Nigerian Government to promote women's human rights in the country include:

- Section 2 of the 1999 Constitution of the Federal Republic of Nigeria emphasized the commitment to the principle of non-discrimination be it sex, tribal, religion and other segregating factors in the country.
- The Establishment of the National Consultative and Coordinating Committee for monitoring the implementation of the Beijing Platform for Action and the African Plan of Action ²(WOM/1427, 2004)
- The establishment of the Federal Ministry of Women Affairs and Social Development.
 The Ministry is replicated in all the 36 states of the federation including the Federal Capital Territory (FCT), Abuja. The Ministry's mission is to serve as the national vehicle

WOM/1427 (2004) Tripartite Legal System Hinders Progress Towards Gender Equality in Nigeria. Committee on Elimination of Discrimination Against Women 637th and 638 Meetings Available Online at: http://www.un.org/News/Press/docs/2004/wom1427.doc.htm Accessed on Nov 13 2011



to bring about speedy and healthy development of Nigerian women and men in the mainstream of the national development processes and ensure the survival, protection, development and participation of all children in preparation for meaningful adult life.

- The development of National Gender Policy by the Federal Ministry of Women's Affairs and Social Development in 2007 as part of its effort to eliminate gender discrimination. Developed to replace the National Policy on Women, the goals of the National Gender Policy are to "build a just society devoid of discrimination, harness the full potentials of all social groups regardless of sex or circumstance, promote the enjoyment of fundamental human rights and protect the health, social, economic and political well being of all citizens in order to achieve equitable rapid economic growth; and evolve an evidence based planning and governance system where human, social, financial and technological resources are efficiently and effectively deployed for sustainable development", (Federal Ministry of Women Affairs and Social Development, 2007).
- In addition, the Nigerian government also initiated and developed several programmes and initiatives aimed at ensuring women access to equal rights and opportunities (WOM/1427, 2004)). Among these programmes and initiatives are:
 - Better Life for Rural Women (1987);
 - National Commission for Women (1989);
 - The Family Support Programme (1994) among others.

With this and other instruments, women are still far behind in having equal access to social, physical, educational, economical and political opportunities in the country. Unequal gender and power relations still exist which have placed majority of Nigerian women at disadvantage in accessing rights and social justice. Different forms of discrimination due to gender are still prevalent in most part of the country. Their access to equal rights and social justice is highly constrained.

The 1999 Constitution of the Federal Republic of Nigeria is the highest law of the land and contains various discriminatory laws/clauses against women. It does not give a full meaning or make provision for the concept of discrimination against women.



Citizenship

In some sections of the constitution there is outright discrimination against women, for instance, the section on citizenship provides for a Nigerian man who marries a non- Nigerian woman to confer citizenship on her by virtue of their marriage, whereas, a Nigerian woman who marries a non- Nigerian man cannot confer citizenship on her husband by virtue of their marriage.

Employment

The employment of women into the Foreign Service and Federal Civil Service is based on Federal Character and not aimed at gender balance, which means that preference is given to people's state of origin and ethnicity not on the basis of whether they are male or female, this has therefore hindered women from employment in the Federal Service and Federal Civil Service and as such they are underrepresented. The Nigerian government is yet to come up with a solution to this lacuna in the employment of women in both these sectors.

Education

Women still continue to be under educated and the girl-child does not have the privilege of a good education, boys and men continue to have the upper hand in education. The male adult literacy level is 70.1% while the female adult literacy level is 54.6%. The girl child ends up being open to harassments and intimidation owing to the patriarchal nature of the Nigerian society, and ultimately cannot compete with men in the work force in the future. This defeats the purpose of provision in the constitution when at the end of the day the level playing field for men and women/boys and girls is not equal.

Health

Nigeria contributes 10% to global maternal deaths. Women cannot negotiate safe sex, women are vulnerable to HIV/AIDS, abortion and pregnancy related deaths are rampant, so when the laws specify the right to health and state all the benefits available, they refuse to set the necessary infrastructure for women to get the necessary care they require.



Socio-economic Rights

The 1999 Constitution fails to make provisions for socio-economic rights. This has in fact affected women who constitute a larger part of Nigerian's who live below the poverty line. This severely affects the economy of the country and dents the productivity level of women in Nigeria³.

-

³ The Nigeria CEDAW NGO Coalition Shadow Report – The United Nations Committee on the Elimination of all forms of discrimination against women, Holding at the United Nations Plaza New York, June 30-July 18, 2008.



CHAPTER TWO

ANALYSIS OF THE EXISTING GAP BETWEEN THE JUDICIAL AND LEGISLATIVE ADVANCEMENTS AND THE DAILY LIFE OF WOMEN IN NIGERIA

The attainment of gender equality has been identified as a prerequisite for achieving sustainable development in all societies. Many countries in the world have demonstrated their commitment to gender equality and women's empowerment through commitment to various treaties, covenants, and declarations which are aimed at promoting gender equality and women's empowerment. Gender equality and women empowerment have been identified as catalysts to people-oriented development that fosters poverty reduction, improved standard of living, and good governance. Many governments in Africa have also realized that gender equality is the key to the continent yearnings for sustainable and people-oriented development. As a result, African governments have responded positively to the burden of under-development by instituting continent-specific development goals and strategies. They have also recognised the firm commitment to gender equality as the bait to development. This commitment was demonstrated through the development and adoption of several initiatives and protocol targeting elimination of discrimination and development of every individual's life irrespective of sex, tribe, class or religion. The African Charter on Human and People's Rights (ACHPR), adopted in 1981 and its Women's Rights Protocol of 2003; the ECOWAS Protocol on Democracy and Good Governance, 2001; and the New Partnership for African Development (NEPAD) adopted in July, 2001 are demonstration of the commitment to equal treatment of all citizens. These initiatives are linked with other international agreements, most especially the Millennium Development Goals (MDGs) 4(Federal Ministry of Women Affairs and Social Development, 2007).

However, with all the commitment and efforts at ensuring equality and fair treatment for all their citizens, many countries in Africa are still far from reaching a state where women who form almost 50% of the continent's population are free from discrimination and prejudices

⁴ Federal Ministry of Women Affairs and Social Development (2007). The Nigerian National Gender Policy, ISBN – 978-978-080-639-2



that limit that development. In her welcome address at the Conference organised by Partners for Gender Justice on the Role of the Judiciary in Promoting Gender Justice in Africa, Mrs Georgina Wood, the Chief Justice of Ghana stated that:

"In many countries, and more particularly in Africa, where the illiteracy rate is quite high, the justice system has never been kind to women; it fails them. The obstacles, both formal and informal, that women encounter in their attempt to access justice are quite numerous. Most national Constitutions, laws and international Conventions, Instruments, Protocols, etc. seek to promote equality between men and women but the reality is still a mirage. Although there are constitutional and other statutory provisions that on paper afford women a fair measure of protection, polices, procedures and practices often prevent women from the full and equal enjoyment of these rights and privileges and hinder them from accessing justice"⁵.

The Government of the Federal Republic of Nigeria like many other governments in the continent has been working effortlessly at developing a society that is free of discrimination and bias against all citizens. The government through its different programmes has been working at removing inequality in every developmental process: political, social and economical. However, the patriarchal culture which is prevalent in most part of the country is preventing the country from attaining its so much desired state of equality for all its citizens. The Nigerian Government has ratified many international and regional instruments aimed at promoting equal rights for all its citizens especially women and children. Also, the government has devised several strategies including the 30% quota system to ensure that its female citizens have equal access to decision making and governance. All these attempts notwithstanding, Nigeria is still lagging behind in maintaining equal status for its entire citizens. Women are still not free from several forms of discriminations and bias which prevents them from enjoying their rights as full and equal citizens of the country. The country is a signatory to

⁵ Partners for Gender Justice Conference (2008). Report on the 'The Role of the Judiciary in Promoting Gender Justice in Africa' hosted by the Judicial Service of Ghana. Available Online at: www.undp.org/cpr/documents/jssr/ghana conference report.pdf Accessed on: Nov 17 2011



many international treaties which forbid violence against women. However, gender inequality and gender-based violence still prevail in many parts of the country.

2.1 The Nigerian Legislature: Influence on Women's Rights

Nigeria, like many countries in the world have put in place several laws targeted at regulating and governing different facet of the public and private live. Looking at Nigeria's Tripartite system of law: The Statutory Law comprises English Statutes which over the years have been amended or re-enacted and written laws passed by the Legislature. The Customary Laws are the body of rules governing a particular set of people in the society and Islamic Laws are religious principles applicable to those subject to it ⁶(Customary Law Practices and Violence Against Women, 2011).

This system has its influence on almost all facets of life in the country. The Statutory, Customary and Islamic (Shari'a) Laws all influence decision making processes at individual, state and national levels and are in most cases misinterpreted to favour men, as already mentioned above. The reintroduction and expansion of Sharia in the northern part of the country has legitimised different acts of violence against women in the country. For instance, the support for child marriage without consideration for girl-child education and well-being; criminalising pregnancy outside marriage; oppression of women's activists; withdrawal of freedom of movement guaranteed by the constitution; enforcement of dress codes on women; restriction on the teaching of sex education to mention a few. All these restrictions and discriminations against women's rights have deprived them of enjoying their rights like their male counterparts. Rise in Christian and Muslim fanatics in Nigeria has also caused serious upheavals for women in accessing and enjoying their human rights. The African Centre for Gender and Social Development (ACGSD) of the United Nations Economic Commission for Africa learnt credence to this in its Gender Based Violence Report when it observed that domestic abuse in Nigeria is usually referred to as a family matter which often goes

⁶ Customary Law Practices and Violence Against Women: The Position Under The Nigerian Legal System Available Online at:

http://www.vanuatu.usp.ac.fj/sol_adobe_documents/usp%20only/customary%20law/Oluyemisi%20Bamgbose.htm Accessed on Nov 12 2011



unreported and unattended to ⁷(UNECA, 2009). The report also describes discrimination in women's access to financial resources. Many financial institutions require prior consent of a woman's husband before granting the woman a loan. Under the civil law, women enjoy limited ownership rights to land. This is however counteracted by states customary law which stipulates that only men have the right to own properties.

The 2007 National Gender Policy of the Federal Republic of Nigeria also describes the state of women's human rights violation in the country. As explained in the policy, human rights violations are rampant in Nigeria with women's rights being abused much more often than those of men. The Policy describes that the National Human Rights Commission (NHRC), established in 1999, has not adequately fostered the capacity of key public institutions, officials and leaders to generate popular understanding and promote fundamental human rights and freedoms. The most pervasive and severe violations of women's rights are frequently those related with the unwritten traditional norms and practices of the numerous and diverse ethnic groups. The policy stated the most common norms and practices through which women's human rights are violated in the country. These norms and practices include widowhood rites, inheritance rights, the land tenure system, female genital mutilation/female genital circumcision (FGM/FGC) and early marriage (Federal Ministry of Women Affairs and Social Development, 2007). Nigerian women's health and well-being are negatively affected through harmful acts involved in the norms and practices.

Several laws demonstrated a lot of inadequacies in regards to fundamental woman human rights. An example is the law on domestic violence. Domestic violence is currently classified under common assault, which downplays the seriousness of this crime (Federal Ministry of Women Affairs and Social Development, 2007). For instance, in the case of wife battery, according to section 55 of the penal code, wife beating is allowed as long as it does not amount to grievous hurt. Section 241 of the penal code described "grievous hurt" to include emasculation, permanent loss of sight, ability to hear or speak facial disfigurement, deprivation of any member or joint, bone fracture or tooth dislocation (Imam, 2000 in Federal

⁷ United Nation Economic Commission for Africa (UNECA) African Centre for Gender and Social Development (ACGSD) 2009. Gender Based Violence: Situation Analysis



Ministry of Women Affairs and Social Development, 2007). This results in violation of fundamental human rights of a woman who has been seriously beaten by the husband. Nigerian domestic law justifies such husband as he is considered to be acting within the law. To further demonstrate the country bias to women's human rights, Section 353 of the criminal code makes an indecent assault on males punishable by 3 years imprisonment, however, a similar offence of indecent assault on females is treated as mere misdemeanour punishable by a maximum of 2 years imprisonment (section 360), and this is clearly discriminatory! (Federal Ministry of Women Affairs and Social Development, 2007). Until recently, many legal instruments put in place in Nigeria are gender neutral and even at times gender blind. From the Nigerian constitution to the criminal code, local edicts up to customary laws contain articles which challenge women's enjoyment of their full human rights.

2.2 Nigerian Judicial Systems: Influence on Gender Equality and Women's Rights

Many areas in Nigeria do not have enough number of courts. This problem is more intense in the rural areas where the country's judicial system does not see enough reason to site courts in the rural communities. The inadequate number of experienced judicial actors (judges, prosecutors and lawyers) especially in the rural areas is also another serious problem hindering women's access to justice in Nigeria. Most of the times, due to the poor state of infrastructure in the rural areas, many qualified judicial personnel are usually not willingly to relocate to the rural areas since they know they would be deprived of basic social amenities. Limited budget, overcrowded dockets, dearth of resources, inadequate infrastructure and logistical support are serious problem preventing women's access to justice in Africa (Partners for Gender Justice Conference, 2008).

The Nigerian Justice System is not gender friendly in delivering its mandate. Often times, it fails to adhere to the rules of advocating fundamental human rights, freedom and good governance. Most laid out rules and operations in the judicial and legislative system are biased and women are often at a disadvantage (Federal Ministry of Women Affairs and Social Development, 2007). The courts on several occasions have shifted to the side of customs in its decisions on issues of marriage, inheritance or widowhood. This has resulted in imposing violence on the woman (Customary Law Practices and Violence against Women, 2011). Even



the Police Act of the Federal Republic of Nigeria views and treats women as unequal to men. A lot of its provisions violate provisions of the CEDAW and the African Protocol on People's Rights and the Rights of Women (APPRRW). Female police officers are not respected like their male colleagues and they are often treated as second-class officers irrespective of their ranks and qualifications. Inequality also reflects in respect to recruitment and training as women are usually prevented from full participation especially in full drill training resulting in their inability to effectively perform their tasks (Federal Ministry of Women Affairs and Social Development, 2007).

Several factors serve as barriers to women's access to justice. Most often, the victims of gender-based violence are usually ignorance of their rights and in addition usually lack the know-how in accessing the justice system. As a result, many perpetrators of violence against women have often gone free and unpunished from the evil acts committed. Lack of financial resources is also a major constraint hindering women's access to justice. The fear of been stigmatised with acts which are perceived to be evil by the societal norms also serve as a hindering factor to women's access to effective judicial system. High level of illiteracy among women resulting in lack of in-depth understanding of English which is the official language used in Nigeria is also another factor limiting women's access to effective justice systems. Inadequate number of women in the legal and judiciary system also serve as a major factor in limiting women's access to justice (Partners for Gender Justice Conference, 2008).

2.3 Common Norms and Practices: Hindrances to Women's Rights

Widowhood Rites

Widows are usually the first suspects in the case of the demise of the husband. As a result, widows in some parts of Nigeria are made to pass through harmful practices in the process of performing final rites for the husband and also to convince the in-laws that they are not involved in the death of the husband. Many widows have been forced into harmful and humiliating practices which have resulted in the loss of their human dignity and at times in diseases and even loss of lives. Most states in Nigeria have enacted laws to eliminate discrimination against women in regards to widowhood practices. However, the customary law



is still prevailing in most parts of the country in regards to widowhood rites. Women in South eastern part of Nigeria usually faced more difficulty and the case is even worse for women in the rural areas who are less educated and often ignorant of their rights than most of their colleagues in the cities.

The Shari'a law system accorded more rights to the widows. Under this law, widows are allowed to inherit their husband's properties along with their children. Another harmful practice in widowhood rites is what is described as 'leverites'. Leverite describes a situation in which a widow is inherited by a member of the husband's family like one of the properties of the husband. The act is gradually dwindling down in most urban areas but it is still prevalent in many rural communities in Nigeria.

Inheritance Rights

In Nigeria, a large percentage of registered land and properties are in men's names. Women are often unable to enforce property rights in a court of law due to ignorance of such rights, lack of financial security and the fear of antagonizing in-laws. Out of the six geopolitical zones on the country, the south-east and south-south zones traditionally do not allow women to own land and other properties. This practice was a cultural practice and it is more prevalent in the rural communities. In marriages conduct under the statutory law, the inheritance law is governed by the Marriage Act (1990) that provides that a woman can inherit part of her husband's property and estate including land (section 26). If the deceased has a will, the property is administered in accordance with the wishes of the deceased as contained in the will. However, the reality in most parts of Nigeria is different, most especially in the rural settings. The widow and her children usually have a lot of tussles to settle with the husband's family in regards to property inheritance (Customary Law Practices and Violence Against Women, 2011).

Marriage and Family

A lot of importance is attached to the institution of marriage and it is taken as an essential institution which every person in the society is expected to venture into. Marriage can be contracted under the three legal systems. Under Statutory Law, it is governed by the Marriage



Act (1990) and the Matrimonial Causes Act (1970). Under the Customary law, marriage is governed by the customs of the parties while Islamic marriage is governed by Islamic injunction. Most marriages in Nigeria are contracted under both Statutory and Customary law. This is because marriage is believed to be the union of the two families rather than of the two individuals involved and family consent are sought and required prior to marriage.

Early child marriage is another very prevalent form of discrimination against the girl child/woman because it robs her of her childhood, necessary for her to develop physically, emotionally and psychologically. She undergoes various types of humiliating ceremonies such as elders checking to see if she is a virgin before she marries her husband who is many years older than she is. The principle reasons for early marriage are the girls' virginity and the bride price. This form of discrimination is predominant in the Northern part of Nigeria, which is claimed to have taken its origins from Islamic shari'ah.

The Marriage Act explicitly stated the procedure for marriage ceremony without any discrimination. The practice of Bride Price/Bride Wealth/Dowry is another act that is causing sorrow, grief and frustration to some women in marriages in Nigeria. In some cultures, as is common in the South Eastern part of Nigeria, exorbitant amounts are collected as bride price which result in loss of dignity of women. The women are considered to be bought and as a result can be subjected to exploitation and humiliating activities by the husband and his family. The situation is even worse in the rural areas where most of the women are less educated and lack adequate information of their rights.

The practice of polygamy is also common among some people in Nigeria. This practice is supported by the customary and the shari'a law. Most of the times, the husband does not seek the consent of the first wife before entering into marriage with another woman. The effect of polygamy could be debilitating as it can cause unhealthy rivalry, marriage instability and spread of HIV/AIDS. However, with the new waves of modernization, the practice is gradually dwindling down especially in the urban areas however, the practice is still rampant in the rural settings (Customary Law Practices and Violence Against Women, 2011).



In most communities, a divorced or separated woman is despised regardless of the circumstances. The woman is stigmatized and becomes socially vulnerable, especially in the eastern part of the country. In northern Nigeria, separated or divorced women can marry after three months and usually do. While the marriage age in southern Nigeria is between the ages of 18 and 21, in the north it is between the ages of 12 and 15. In the Northern part of the country, girls as young as nine years, depending on the onset of puberty, are likely to be married off.

Violence against Women

In resolution 1994/45 of March 1994, the Commission on Human Rights recognized other forms of non traditional practices such as rape and domestic violence, as violence against women including its causes and consequences. ⁸ If the Nigerian government and legislature can read through and adopt the recommendations, it will really help prevent, curb and put a halt to some of the violations against women.

Gender-based violence remains prominent in different forms and in different areas of the Nigerian society. In spite of different laws and legislation put in place to curtail gender-based violence, Nigerian women and girls still face various discriminatory practices which result in loss of dignity, injury and at times, live. These acts which range from sexual abuse; rape including marital rape; battering; female genital mutilation; sexual slavery; leverite or wife inheritance; dowry-related violence; sexual harassment; and forced abortion; are serious demeaning acts which Nigerian women are still facing in every facet of their endeavour.

The Islamic practice of Purdah 'where women and girls are separated from men outside the family' is still common in some northern states in Nigeria. This practice is also common in some states in the south west especially in the rural areas. Many girls in the northern states are still deprived of their fundamental rights to basic education as most parents and guardians do not see any obligation to be involved in girl child education. These girls are usually given off for marriage immediately they attain puberty, as mentioned above. Although the Federal

0

⁸ ibid



Government of Nigeria enacted the Child Right Acts in 2003, many states in the northern parts are yet to pass it into law. The basis for this is their interpretation of the Islamic Law which according to them allows child marriage.

The origin of FGM has not yet been established, it has been proven that it precedes Christianity and Islam in practicing communities of today. It involves the surgical removal of parts of or all the most sensitive female genital organs. FGM forms an important part of the rites of passage ceremony of some communities, marking the coming of age of the female child. It is believed that by performing this atrocious act, it will curtail the females' sexuality. In fact, FGM imposes on the woman and the girl child a catalogue of health complications and untold psychological problems⁹.

Women trafficking are still prominent in spite all the legislation set to curtail the act. The culprits involved in the practice often go unpunished as they are rarely apprehended and prosecuted. Nigerian women especially those from the South-South region are trafficked to Europe for sex work. It is surprising to note that some families of the women and girls involved give their consent to such harmful and humiliating practice. Even law enforcement and immigration officers are bribed to allow the culprits gain freedom through the porous Nigeria's borders. The legislative arm of the government who are supposed to be promoting equal rights for both men and women are reinforcing their biasness and discrimination against equal rights for women. This is demonstrated in the indecent dressing Bill proposed by a female member of the House of Representatives in 2008.

⁹ Fact sheet number 23, Harmful Traditional Practices affecting the health of Women and Children-CEDAW(art. 5(a)), adopted by General Assembly resolution 34/180 of 18December 1979.



CHAPTER THREE

ORGANIZATIONS WORKING FOR THE PROMOTION AND DEFENSE OF WOMEN'S RIGHTS IN NIGERIA

3.1 Local Organizations that Promotes the Defense of Women's Rights in Nigeria

There are quite a number of local organizations that work for the promotion and defense of women's rights in Nigeria. Below are a few:

1 KUDIRAT INITIATIVE FOR DEMOCRACY (KIND).

The Kudirat Initiative for Democracy (KIND) was founded by Hafsat Abiola-Costello in 1997 to honour Kudirat Abiola, her mother and a leading democracy activist, who was killed by soldiers during the period of military rule. KIND was launched in USA in January 1998, where it joined other organizations in the Nigerian pro-democracy movement to campaign for an end military rule in Nigeria. Following the restoration of democracy in May 1999, KIND established a Nigeria office in Lagos from where it works to strengthen Nigeria's nascent democracy.

KIND accelerates the emergence of women who bring a service orientation to leadership in Nigeria by pursuing two objectives:

- Building and promoting a community of girls and women with a service orientation to leadership.
- Fostering a public environment that enables women's public participation.

The vision is an Africa where women are full participants in the continent's social, economic and political development; and the mission is to strengthen organizations and create initiatives dedicated to the advancement of women.

KIND launched a "30 by 11 Campaign" in the past in view of the then upcoming elections in 2011. It aimed at securing favourable roles for women's political participation. It coordinated a civil society coalition that sought to increase the participation of women in politics to 30% in the elections. To do this, KIND:

 Identified and engaged relevant stakeholders and political parties on introducing a quota.



2. Identified aspirants and provided capacity building training

3. Identified young women with political aspirations and paired them with established

women politicians in a mentorship relationship.

4. KIND raised public awareness and support by providing information on the states; and

parties' performance on women representation and by running PR campaigns for

women aspirants

5. KIND also established a legal fund to enable women politicians challenge electoral

malpractice.

6. Made recommendations for reform to the electoral commission to ensure free and fair

elections.

CONTACT:

AMY OYEKUNLE, Executive Director, Nigeria

42/56, Moshood Abiola Crescent,

Off Toyin Street, Ikeja, Nigeria

Telephone: +234-1-8179398

info@kind.org

2 Project Alert on Violence Against Women (PROJECT ALERT)

Project Alert is a non-governmental women's rights organization set up in January 1997 to

promote and protect the rights of women and young girls. The headquarters of Project Alert is

in Lagos while Abuja has a branch office. At Project Alert they seek to influence society by

actively advocating for zero tolerance for all forms of violence against women / young girls.

Project Alert has three programme areas that have improved women's lives in Lagos and

Abuja:

Research and Documentation (R & D): The R & D Unit is aimed at promoting the use of

empirical information in understanding the nature, prevalence and effect of violence against

women in the society. It serves as a complementary reliable source of information that will

- 24 -



enhance policy decision making in eliminating violence and facilitate effective redress and response in our security. Activities under this area include: annual print media monitoring and documenting of reported attacks on women and girls: conducting of legal research and general surveys on violence against women/young girls; and documenting of various organizational activities. Publications include Male Involvement in Eliminating Violence Against Women, Sophia's Place (Experiences in Running the First Battered Women's Shelter in Nigeria), and , a Tool Book in Responding to Gender-Based Violence, to mention a few.

Human Rights Education (HRE): This programme is the lead unit for all advocacy initiative and training activities. Its primary objective being to educate and sensitize the society on the prevalence, nature, causes and effects of violence against women and young girls, and the relevant steps required, to address this issue. Activities conducted include legislative (to promote legal reforms that will effectively protect the rights of women and young girls), social and media advocacy. Project Alert also conducts various sensitization programmes and training workshops.

and **Support Services Programme (SSP):** This programme area provides practical support services to female victims of violence which are: Counseling Services, Legal Aid and the Shelter, set up in 2001, Sophia's Place is the first Battered Women's Shelter in Nigeria.

Contact

Josephine Effah-Chukwuma, Executive Director 21,Akinsanya Street Off Isheri Road, Taiwo Bus stop (Behind FRSC) Ojodu – Berger, P.O.Box 15456, Ikeja

Lagos, Nigeria

info@projectalertnig.org

3 Women's Aid Collective (WACOL)

WACOL stands for Women's Aid Collective. It is an independent, non governmental, non-profit organization; dedicated and committed to helping women and young people in need. WACOL



was founded in November 1997 with its headquarters in Enugu and branch offices in Port Harcourt, and the Federal Capital Territory, Abuja.

WACOL exists to help women and young people whose rights are threatened and/or have been denied and who are subjected to physical, mental and/or sexual abuse. The aim of WACOL is to increase legal protection and fight for better choices for abused women and children, facilitate flow of information and experiences between organizations, and develop appropriate Information, Education and Communication materials that will be used in advocacy for human rights of women and young people. At the moment WACOL maintains a combined staff strength of forty-five spread across six offices. WACOL provides a range of services to women and girls and they include:

Shelter/safe homes at crisis moment; Legal advice/assistance; Counseling victims and their families;

Documentation of cases of abuse and the Drop-in centre

WACOL operates in an environment in which the disinheritance of girls and womenparticularly widows - is a common and widespread form of right abuse. WACOL, since inception has offered legal assistance to these victims of abuse wherever and whenever that has been possible. With the success recorded in several community projects, more cases are now reported to WACOL for legal and financial aids. Through the Legal department, WACOL has assisted women and young people through legal and financial aid and resolution of family conflicts. As part of this project, WACOL has made considerable effort to provide temporary shelter or safe haven for female victims of violence and violent abuse, particularly at the peak of crises.

CONTACT:

Joy Ngozi Ezeilo, Executive Director

NO.9 Umuezebi Street Upper Chime, New Haven, Enugu.

P.O.BOX 2718 Enugu State, Nigeria.

Tel: +234-0704-761-828, +234-0704-761-845

wacolenugu@wacolnigeria.org,



BAOBAB for Women's Human Rights

BAOBAB is an NGO devoted to the promotion of recognition and respect for human rights by

means of education through research and the initiation of projects.

Women's legal rights issues under the three (3) systems of law - customary, statutory and

religious laws in Nigeria. BAOBAB has an extended list of Activities and Programmes that have

impacted the lives of women across Nigeria. Here are a few:

BAOBAB has been involved in responding to a lot of cases on violation of women human rights

on cruel, inhuman and degrading treatment against them in terms of rape, divorce, child

custody and maintenance, sexual harassment and many more. Over the last years BAOBAB has

mediated a great number of different mediation cases especially on violence against women.

From 2005 to date over 100 cases have been recorded, It is sad that these violations are still

rampant in our society and it was in this line of thought that BAOBAB felt the staff needed to

be further equipped to handle such cases in a more dynamic and strategic perspective.

BAOBAB, in 2011 alone, has conducted three Political Education Programmes in Kogi, Kano and

Abia States of Nigeria. BAOBAB has also been at the forefront of Women's Rights in Nigeria

from inception. Examples include the Yerima case (A case where a Senator of the Federal

Republic married an under aged Egyptian girl in the Nation's Capital Territory where the Child's

Rights Act has been adopted; the cases of Stoning of 2 women in the North accused of adultery

and so many other cases.

Contact

Chibogu Obinwa

Senior Programme Officer

Tel: 07070155781

BAOBAB for Women's Human Rights

76, Ogudu Road, Ojota, Lagos, Nigeria

P. O. Box 73630, Victoria Island, Lagos

Tel: 234 1 4747931, 01-8980834

Mobile: 234 (0) 802 333 0981

Email: baobab@baobabwomen.org

- 27 -



Website: http://www.baobabwomen.org

5 Women's Technology Empowerment Centre - W.TEC

W.TEC is a Nigerian non-governmental organization working for the economic and social

empowerment of girls and women, using information and communication technologies (ICTs).

Statistical evidence has shown that in most African countries, women's use and knowledge of

ICTs (to store, share, organise and process information) is lower than men's, denying them of

income-generating opportunities and the chance to network with others. Hence why W.TEC

has chosen to work on this area.

One of the past programmes is Blogs for African Women (BAWo), in July 2008, W.TEC

collaborated with Oxford and Nairobi-based organization Fahamu in the implementing of a

blogging and mentoring initiative. This particular project focused on girls and women living in

Kenya, although W.TEC looks forward to replicating the project in other African countries. The

participants exhibited growing experience with blogging and using the internet-based tools,

which they were taught. They have also grown in their ability to express themselves in writing.

Contact

Oreoluwa Somolu, Executive Director

The Women's Technology Empowerment Centre - W.TEC

Suite 88, Block A-4 Sura Shopping Complex

Simpson Street, Lagos Island

Lagos, Nigeria

Tel: +234 1-850.9782, +234 8036211307

Website: http://www.w-teconline.org

6 **Girls Power Initiative (GPI) Nigeria**

Addresses the challenges facing girls in the Nigerian society and equip them with information,

skills and opportunities for action to grow into self actualised young women. GPI Activities For

Adolescent Girls include but are not limited to:

- 28 -



- Career Development Tours to industries for exposure to careers beyond the usual stereotypes for females Home visits, counselling and referrals
- School outreaches and GPI corners in schools
- 16 days of activism against gender based violence
- Economic Skills training workshops
- Writing and Editorial skills as members of editorial committee and contributors to the newsletter
- Exposure to local, national & international seminars and workshops
- Radio and Television programs managed by GPI girls
- Community intervention and social work by graduating girls
- Gender Development Institute (GDI)
- Media programmes on the girl child
- Public Education / Enlightenment programs
- Reading and writing skills through literacy / remedial classes

•

As part of the Federal Government's policy on Family Life and HIV/AIDS Education implementation in schools, Girls' Power Initiative (GPI) Calabar Centre held a three day training for secondary school teachers in Calabar to equip them with the needed skills for the implementation of the E-FLHE programme in the state.

GPI was recently commended by the Cross Rivers State Commissioner for Education for their active role in terms of disseminating information on Family Life and HIV/AIDS Education and curriculum development in the state.

Contact

Nigeria.

44 Ekpo Abasi Street,
P. O. Box 3663
UNICAL Post Office, Calabar,

_ . _____

Tel: +234 803357895

E-mail: gpicalabar@gpinigeria.org



7 Gender development initiative (GENDI)

Gendi is a NGO committed to the advancement of disadvantaged girls by

Creating an enabling environment for men and women benefit on equal basis from social opportunities and strengthening institution capacity for girls and women. GENDI's achievements include:

- Vocational empowerment aimed at achieving economic sustainability for women and their families on regular basis since 2006
- Set up of co-operative society known as 'Divine Economic Assistance Programme (DEAP)" which has its base at Owotutu House, Abeokuta. The venture is interest free – its membership is growing daily.
- Motivational talk (personal development, economic, political, health etc)
- Training and capacity building for women and sponsorship for training programmes etc.
- Projecting up-coming youths, actors and actresses.
- Financial donations to the indigents in the society.

Contact

Dr(Mrs)Olubunmi Ashimolowo (Chairperson)

Department of extension

PMB2240

University of agriculture Abeokuta

Ogun state, Nigeria +2348033469577

www.gendiwomen.org ,genderdevelomentinitiative@yahoo.com

8 Women's Health and Action Research Centre (WHARC)

Promotes the health and social wellbeing of African women through systematic research, documentation, advocacy and training in reproductive health

Contact



Professor Friday Okonofua, Executive Director

4 Alofoje Street, Off Uwasota Street, P.O.Box 10231, Benin City, Nigeria

Tel: +234 52 600151, 602334

wharc@warri.rcl.nig.com or wharc@hyperia.com

Website: http://wharc.freehosting.net

9 Guidance Community Development Foundation,

HIV/AIDS prevention through awareness campaigning, pre counseling, testing, and post counseling.

Contact

Opposite Polytechnic Ibadan Main Gate, Prost Building, Besides Mr Biggs, Eleyele Road, Sango, Ibadan, Oyo State, Nigeria.

Tel: +2348034978700, 2348057783260, +23401-6637856

E-mail: info@guildance.org,

Website- www.guildance.org

10 Gender Training and Development Network (GTDN)

Gender Training and Development Network aims to educate, connect and empower Nigerian women through active engagement with information and communication technology.

Contact

Rachael Okegbola,

Executive Director.

Office Plot 5, Ariyo Estate, Opposite Orogun Grammar School, Orogun,

Ibadan Oyo State

Email: Gtdn48@yahoo.co.uk

Website: http://www.genderdevelopment.org



11 Development Information Network (Devnet)

DevNet invests in people, projects and programmes by building resources for Gender development, training and research.

Contact

Bankole Olubamise

7, Adesoye Street, Mende, Maryland

Lagos, Nigeria

Tel: 234-01-7938327

E-mail: devnet@devnetnigeria.org

12 Widening scope for Rights and Development (WISCORD)

WISCORD works on promoting women's human rights through advocacy, training, research and documentation

Contact

Prof. Oladipo Salami: Executive Director

LR Suite, Oduduwa Hall

Obafemi Awolowo University (OAU)

Ile-Ife, Nigeria

Tel: +234 8165522772, +234 37782792

E-mail: wiscord@yahoo.com

Postal Address: PMB 039, Obafemi Awolowo University (OAU)

Ile-Ife, Nigeria

13 Center for Women Reproductive and Child's Right. (CEWRAC)

Committed to the cause of girl child education, the plight of single mothers, victimization of widows and all form of sexual harassment of the female gender



Contact

DR BVA Bello

Suite 12, Sunny Plaza Ring Road, Ibadan, Oyo State Nigeria

Tel: +234 8032383872

P.O. Box 29536 Secretariat, Ibadan

E-Mail: Cewrac@yahoo.com

14 Women and Children's Rights and Empowerment Foundation

Gender Based Violence (of all forms), Trafficking/street hawking in women and children, and legal/ religious interpretation of laws and customs that are derogatory to women.

Contact:

Barr. Mariam M. Abdu

Number 7 Dan Marna rd, Ungwar Rimini, Kaduna, Kaduna State

15 Community Empowerment and Development Initiative

- a) Economic Empowerment for women
 - Micro Credit schemes
 - Sustainable Integrated Agricultural projects; fish ponds, poultry, cassava mills, oil mill, rice mill, crop production and animal husbandry.
- b) Sensitization Campaign and Advocacy for Women in areas of;
 - Reproductive Health Education among Secondary Schools in rural communities.
- c) Capacity Building
 - Train and develop women leaders in communities and provide support for their entrepreneurship
 - Peace building and conflict management

Contact

Onose Martha



Plot 670 Westend Hospital Road, Off Airport Road, Warri, Delta State

3.2 Regional Organizations that Promote the Defense of Women's Rights in Nigeria

At the Regional Level, the following institutions are responsible for the defense of women's rights in Nigeria.

Human Rights Watch

Human Rights Watch is a nonprofit, nongovernmental human rights organization made up of more than 280 staff members around the globe. Its staff consists of human rights professionals including country experts, lawyers, journalists, and academics of diverse backgrounds and nationalities. Africa Watch (established in 1988), is one of the world's leading independent organizations dedicated to defending and protecting human rights. By focusing international attention where human rights are violated, they give voice to the oppressed and hold oppressors accountable for their crimes. Their rigorous, objective investigations and strategic, targeted advocacy build intense pressure for action and raise the cost of human rights abuse. For more than 30 years, Human Rights Watch has worked tenaciously to lay the legal and moral groundwork for deep-rooted change and has fought to bring greater justice and security to people around the world.¹

Open Society Institute for West Africa (OSIWA)

Established in 2000, the Open Society Initiative for West Africa (OSIWA) was the third Foundation in Africa founded by the investor and philanthropist George Soros, who in 1993, created the Open Society Institute (OSI) as a private operating and grant-making Foundation. Since inauguration 2000, OSIWA has supported and advocated for the promotion of open society values in West Africa. OSIWA's goal is to promote open societies in West Africa, societies where democracy, good governance, the rule of law, basic freedoms, and widespread civic participation prevail. OSIWA has supported programme work to achieve this mission in 18 countries, comprising the fifteen members of the Economic Community for West African States (ECOWAS), and three additional countries (Cameroon, Chad and Mauritania).ⁱⁱ



As part of the Open Society Initiative's programme, there is an **International Women's Programme**. The International Women's Program promotes the advancement of women's human rights, gender equality, and empowerment as an integral part of the process of democratization. The program uses grantmaking and programs to promote and protect the rights of women and girls around the globe, particularly in places where good governance and respect for the rule of law have been weakened or destroyed by conflict. The program aims to strengthen institutions that are responsive to and inclusive of women and to create conditions that allow women to control their own political, economic, and social development.

Activities focus around three primary objectives: reducing discrimination and violence against women, strengthening women's access to justice, and increasing women's role as decision-makers and leaders. The program pursues these objectives through a combination of strategies including grantmaking, advocacy, capacity building, organizing meetings and exchanges, and building coalitions.ⁱⁱⁱ

African Feminist Forum (AFF):

A group of feminist activists decided that the time had come, for the development of an autonomous space for feminists from the continent to deliberate on these issues internally reflecting on the current architecture for the advancement of the rights of women, as well as assessing and developing strategies to address the external challenges on the movement. The first such convening took place in November 2006 in Accra, Ghana. The African Feminist Forum is a biennial conference that brings together African feminist activists to deliberate on issues of key concern to the movement. It was developed out of the growing concern amongst feminists on the continent, that the efforts to advance the rights of women on the continent were under serious threat from a number of sources. The women's movement seemed to have lost its focus and direction. Growing religious, ethnic and cultural fundamentalisms had also developed within the movement. iv

3.3 Governmental Organizations that Promotes the Defense of Women's Rights in Nigeria

The Federal Ministry of Women Affairs and Social Development (FMWASD)



FMWASD is a ministry of the Nigerian government that promotes the development of women with equal rights and corresponding responsibilities. Objectives include stimulating action to promote civic, political, social and economic participation of women; coordinating and monitoring women's programmes; providing technical and financial support to women Nongovernmental organizations, especially the National Council of Women Societies. The Ministry of Women Affairs is required to review substantive and procedural laws that affect women.



CHAPTER FOUR

FOREIGN FUNDING AGENCIES THAT WORK FOR THE PROMOTION AND DEFENCE OF WOMEN'S RIGHTS

4.1: Foreign Funding Agencies for the defence of women's rights in Nigeria

Nigeria enjoys a large number of foreign organizations which work towards ensuring women's rights issues within the private sphere of the family and in the public arena, in such areas as, sexual and reproductive health; poverty; economic empowerment; violence against women; property ownership; peace and security; leadership development and political participation, among others. The recent years have witnessed a steadily increasing awareness of the need to empower women through measures to increase social, economic, technological, political equity, and broader access to fundamental Women rights, improvements in nutrition, basic health and education (Augusto, 2005)

Some international organization has funded the promotion and defense of women's right, some of these includes:

- 1. African Women's Development Fund (AWDF) The organization have grant-making fund which aims to support the work of the African women's movement. The beneficiaries of the funds are local, national and regional African women's organizations. The AWDF raises money and provide grants for the support of non-profit African women's organizations working for social justice, equity and peace they also work in the area of women's human rights; economic empowerment; political empowerment; feminist leadership development and elimination of violence against women.
- 2. **United States African Development Foundation**: The United States African Development Foundation provides grants of up to \$250,000 in grants to community groups and small enterprises that benefit under served and marginalized groups in



Africa. Marginalized groups are people that have significant needs that are not being currently addressed by existing governments programs, NGOs, or other international development efforts.

3. Bill and Melinda Gates Foundation

The primary aims of the foundation are, globally, to enhance healthcare and reduce extreme poverty, and in America, to expand educational opportunities and access to information technology. Founded in 1994 as William H. Gates Foundation, it was renamed Bill and Melinda Gates Foundation in 1999 after a merger with the Gates Learning Foundation. The global Health Programme of the Foundation supports this mission by harnessing advances in science and technology to save lives in poor countries. In carrying out this mandate, the Foundation which is based in Seattle, Washington, launched several projects for improving reproductive health for the poor and vulnerable in developing countries. In Nigeria, it supports several initiatives such as providing grants for local NGOs to carry out projects of improving critical Maternal and Neonatal Health (MNH) practices in the home. It also in 2011 gave grants to microfinance institutions and commercial banks in 22 countries in West Africa (including Nigeria) and India in order to improve access for low-income people who are mainly rural women.

4. United States Agency for International Development (USAID)

The United States Agency for International Development was established by executed order in 1961 by President John F. Kennedy when he signed the Foreign Assistance Act into law. Since that time, USAID has been the principal U.S. agency to extend assistance to countries recovering from disaster, trying to escape poverty, and engaging in democratic reforms. USAID works in over 100 countries to: promote broadly shared economic prosperity; strengthen democracy and good governance; improve global health, food security, environmental sustainability and education; help societies prevent and recover from conflicts; and provide humanitarian assistance in the wake of natural and man-made disasters. In Nigeria, the agency is involved in funding several projects having direct or indirect impact on women. These include the



Malaria Action Program for States (MAPS) pioneered in seven states. It aims to fight malaria scourge in Nigeria, disease which affects mostly women and children. Others are the Global HIV/AIDS Initiative Nigeria- Reproductive Health (GHAIN-RH), and the Fistula Care Centre. The GHAIN-RP is an important component of the larger umbrella project that focuses on integrating reproductive health, family planning and HIV services to provide better client care. GHAIN-RH's primary focus areas include integrating counseling, testing, and family planning services; strengthening the family planning component of PMTCT; and meeting the family planning needs of HIV positive clients including those on antiretroviral therapy. Also of direct relevance to the needs of women is the Fistula Care Center in Cross River State established by USAID to address the challenge of women battling the fistula disease.

- 5. Mama Cash: Mama Cash is the oldest international women's fund established in the Netherlands in 1983. She supports pioneering and innovative women's initiatives around the world, because she believes that social change starts with women and girls. Our grantees fight for the right to decide about their bodies and to live in safety. They work to gain economic justice and independence. They stand up to be seen and heard in their families, towns, cities, regions and nations. They are a growing number of women's funds around the world that give to women's and girls' human rights organizations and initiatives in their regions.
- 6. Global Fund for Women: The Global Fund for Women plays a leading role in advancing women's rights by making grants that support and strengthen women's groups around the world. We mobilize and redistribute resources that enable women to develop creative solutions to local, regional, and transnational challenges. We bring grantees and donors together in an international network that promotes women's action for social change, equality, peace, and justice worldwide.
- 7. **IPAS:** Founded in 1973, IPAS is a global nongovernmental organization dedicated to ending preventable deaths and disabilities from unsafe abortion. Through local, national and global partnerships, IPAS works to ensure that women can obtain safe,



respectful and comprehensive abortion care, including counseling and contraception to prevent future unintended pregnancies.

8. Department for International Development (DFID)

The DFID was set up in 1997, as a British government response of fighting world poverty. This marked a turning point for Britain's aid programme, which until then had mainly involved economic development. In Nigeria, DFID is involved in several projects with aims among others: providing more family planning and better health services to stop women dying in childbirth and immunising more children, helping eradicate polio and distributing anti-malarial bed nets and helping millions of people mostly women to get a bank account and use financial services to build their savings and small businesses.

4.2 Organizations that Work Against the Promotion of Women's Rights in Nigeria

A brief look at the instances or organizations that impede women's human rights in Nigeria becomes a very dicey issue at this stage of our political development. However, it remains relatively safe to contend that there exist some groups working against the human rights protection and promotion of women's human rights in Nigeria. From a gender angle, the trends in the country have indicated some pointers that the promotion of women's human rights will be compromised.

Religious Sects

In the Northern parts of the country, the misrepresentation of religious text was a major problem that faced women's human rights due to the discriminatory interpretation of the religious text. The case of Amina Lawal was a case study of women's human rights that occurred in Nigeria. The southern part of Nigeria is also not excluded in the misinterpretation of religious text as women and children are murdered based on the suspicion of witchcraft. In addition to this, most women lose their rights to property due to the customary practice of inheritance.



Threat of "Boko Haram": (meaning Western Education is Evil)

The present political unrest in the country caused by the insecurity challenges and the lack of political will on the part of the government to ensure human security. Women presently bore the brunt of these attacks which have left so many widows, in poverty and with more burdens to cater for the ailing community and sick among them.

All these instances amount to the breach of women's human rights and the government has failed in its obligation to uphold the spirit and letters of women's human rights instruments Nigeria has acceded to.

4.2 CONCLUSION

What can be deduced from the Nigerian legal system is that, the laws that are repugnant to natural justice, equity and good conscience and that are barbaric and out of date should be repealed if not amended, and the Nigerian government should try to fulfil its promise to ratify and domesticate the treaties that are set in place to promote and protect the rights of women in Nigeria.

Lagos State, a very progressive state in Nigeria, has in fact domesticated and implemented CEDAW in its legal system so much so that there is a domestic violence law that has been enacted operative in that state- being the only state in Nigeria to have a domestic violence bill/law. If the other states and legal systems can continue in this fashion, in no time, women's human rights violations and discriminations will be a thing of the past.



BIBLIOGRAPHY

Customary Law Practices and Violence Against Women: The Position Under The Nigerian Legal System Available Online at:

http://www.vanuatu.usp.ac.fj/sol_adobe_documents/usp%20only/customary%20law/Oluyemisi%20Bamgbose.htm Accessed on Nov 12 2011

Fact sheet number 23, Harmful Traditional Practices affecting the health of Women and Children- CEDAW(art. 5(a), adopted by General Assembly resolution 34/180 of 18December 1979.

Federal Ministry of Women Affairs and Social Development, Nigeria (2007). The Nigerian National Gender Policy, ISBN – 978-978-080-639-2. Pg 15-25

Partners for Gender Justice Conference (2008). Report on the 'The Role of the Judiciary in Promoting Gender Justice in Africa' hosted by the Judicial Service of Ghana. Available Online at: www.undp.org/cpr/documents/jssr/ghana conference report.pdf Accessed on: Nov 17 2011

The Nigeria CEDAW NGO Coalition Shadow Report (2008) – The United Nations Committee on the Elimination of all forms of discrimination against women, Holding at the United Nations Plaza New York, June 30-July 18, 2008.

United Nation Economic Commission for Africa (UNECA) (2009); African Centre for Gender and Social Development (ACGSD) 2009. Gender Based Violence: Situation Analysis, 'Nigeria'.

WOM/1427 (2004) Tripartite Legal System Hinders Progress Towards Gender Equality in Nigeria. Committee on Elimination of Discrimination Against Women 637th and 638 Meetings Available Online at: http://www.un.org/News/Press/docs/2004/wom1427.doc.htm Accessed on Nov 13 2011

ii www.osiwa.org

i www.hrw.org

iii http://www.soros.org/initiatives/women/about

iv http://www.africanfeministforum.com/