

**ADVOCACY CAMPAIGN AND RESEARCH SUPPORT
ON THE PASSING OF THE LAW ON THE ELIMINATION OF
ALL FORMS OF DISCRIMINATION AGAINST WOMEN**

**FROM THE
NETWORK FOR JUSTICE AND DEMOCRACY
(A NON-GOVERNMENTAL ORGANIZATION)**

**TO:
THE HONOURABLE SPEAKER
EDO STATE HOUSE OF ASSEMBLY
BENIN CITY
18TH JULY 2007**

ETWORK FOR JUSTICE AND DEMOCRACY

(A NON-GOVERNMENTAL ORGANIZATION)

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2nd July 2007

The Honourable Speaker,
Edo State House of Assembly
Benin city

The Chairman,
Committee on Judiciary and Human Rights,
Edo State House of Assembly,
Benin City

Cc.The Chairman,
Committee on Women Affairs and Social Development,
Edo State House of Assembly,
Benin City

Cc.The Chairman,
Committee on Judiciary and Human Rights,
Edo State House of Assembly,
Benin City

**RE: ADVOCACY CAMPAIGN AND BRIEFING PAPER ON THE LEGISLATION
OF THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST
WOMEN IN EDO STATE OF NIGERIA**

The Network for Justice and Democracy is a duly registered and internationally recognized non-governmental organization dedicated to the promotion of women's rights, human dignity, gender equality and the advancement of democracy through education, advocacy and research.

Our NGO felicitates with you on your unanimous election as the honourable speaker of the Edo State House of Assembly. The election is an eloquent testimony of your impeccable integrity and competence as a distinguished and experienced legislator. We also extend our congratulations to the other distinguished legislators on their well-deserved elections. We are hopeful that this Assembly will leave behind a legacy of legislative vibrancy by rolling out in an unprecedented manner, laws that will promote the peace, order, progress, development and good governance of Edo State.

Our NGO commends the sensitivity of the Parliament to the plight of women and its preparedness to deliver the dividends of democracy. We are confident that Edo State legislature must truly justify its billing as a pace setter and heart beat of Nigeria by being among the first three States to enact a law on the elimination of all forms of discrimination against women.

As our modest and selfless contributions to the advancement of the cause of democracy and promotion of women's rights, our NGO respectfully presents this advocacy campaign and briefing paper to advocate and assist in the passing of the law on the elimination of all forms of discrimination against women.

If obliged the opportunity, we can make the necessary presentation while the full house is session.

Our NGO can assist in the following ways:

- (1) Free consultancy services in the Drafting of the law on the elimination of all forms of discrimination against women.
- (2) Vibrant advocacy to promote, defend and protect women's rights
- (3) Systematic monitoring of the implementation of the law.
- (4) Assess progress achieved and challenges encountered in the implementation of the law.
- (5) Raise awareness on harmful traditional practices that discriminate against women through sensitization and mobilization activities e.g. seminars, workshops, conferences, advocacy campaigns, enlightenment sessions etc.
- (6) Free legal aid and counseling to victims of gender violence, abuse, and discrimination and other contemporary forms of slavery.

(8) Monitor Women rights abuses against women and strive to end them.

(9) Use legal actions and policy initiatives to create lasting impressions in the promotion and protection of women's Rights.

(10) Partner and collaborate with governments and other stakeholders to ensure the enactment and successful implementation of the Law.

We have an implicit confidence and trust in the Assembly's ability to pass the Law on the elimination of all forms of discrimination against women timeously.

Please kindly acknowledge receipt and circulate this briefing paper and advocacy campaign to the other members of the Parliament to sensitize them sufficiently.

Please keep us posted of subsequent developments as we indicate our readiness to make our services freely available.

Accept our best wishes.

Yours faithfully,

Olaide Gbadamosi Esq

Executive Director

Introduction

Discrimination against women is fundamentally unjust and constitutes an offence against humanity. Millions of women throughout the world live in conditions of abject deprivation of, and attacks against, their fundamental human rights for no other reason than that they are women. The realization of women's rights is a global struggle justifiably based on universal human rights and the rule of law. It requires all of us to unite in solidarity to end traditions, practices, and laws that harm women. Ultimately, the struggle for women's human rights must be about making women's lives matter everywhere all the time.

This demands taking practical actions to stop discrimination and violence against women. Discriminations against women are relentless, systematic, and widely tolerated, if not explicitly condoned. Discrimination against women are global social epidemics, which must be tackled through legislations geared towards identifying, raising awareness about, and challenging impunity for women's human rights violations.

The Charter of the United Nations reaffirms faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women,

The Universal Declaration of Human Rights affirms the principle of the inadmissibility of discrimination and proclaims that all human beings are born free and equal in dignity and rights and that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, including distinction based on sex,

We live in a world in which women do not have basic control over what happens to their bodies. Millions of women and girls are forced to marry and have sex with men they do not desire. Women are unable to depend on the government to protect them from physical violence in the home, with sometimes fatal consequences, including increased risks of HIV/AIDS infection.

Women in police or prison custody sometimes face sexual assault by the law enforcement agents. Husbands and other male family members obstruct or dictate women's access to reproductive health care which deny them their rights to reproductive health care..

The Convention on the Elimination of All Forms of Discrimination Against Women (1981) defines “discrimination against women” means any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, 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. Since the Convention was ratified in 1985, Nigeria was yet to domesticate it.

Discrimination against women is incompatible with human dignity and with the welfare of the family and of society, prevents their participation, on equal terms with men, in the political, social, economic and cultural life of their countries and is an obstacle to the full development of the potentialities of women in the service of their countries and of humanity. Women have made great contributions in social, political, economic and cultural spheres. Women play indispensable roles in the family and particularly in the upbringing of children. The recognition of their inherent dignity and of their equal and inalienable rights is the foundation of freedom, justice and peace in the society.

The full and complete development of a country, the welfare of the world and the cause of peace require the maximum participation of women as well as men in all fields.

Edo State of Nigeria has the obligation to ensure the equal rights of men and women to enjoy all economic, social, cultural, civil and political rights.

Despite the various international treaties on women's rights, extensive discrimination against women continues to exist.

Discrimination against women violates the principles of equality of rights and respect for human dignity and constitutes an obstacle to the participation of women, on equal terms with men, in the political, social, economic and cultural life of their countries, hampers the growth of the prosperity of society and the family and makes more difficult, the full development of the potentialities of women in the service of their countries and of humanity.

The great contributions of women to the welfare of the family and to the development of society cannot be fully recognized in the absence of an enabling law.

Discrimination against women is an obstacle to the achievement of equality, development and the Millennium Development Goals.

Discrimination against women, denying or limiting as it does their equality of rights with men, is fundamentally unjust and constitutes an offence against human dignity.

Discrimination against women is a manifestation of historically unequal power relations between men and women, which have led to domination over and discrimination against women by men and to the prevention of the full advancement of women.

Salient provisions that the law must focus on

We advocate that the law on the elimination of all forms of discrimination against women should be targeted at the following:

- Principle of the equality of men and women and the practical realization of this principle;
- Appropriate, legal, legislative and other measures, including sanctions where appropriate to prohibit all forms of discrimination against women, protect women and end impunity of crimes against them..
- Legal protection of the rights of women and effective protection of women against any act of discrimination
- Legislation, to modify or abolish existing laws, regulations, customs and practices which constitute discrimination against women e.g. obnoxious widowhood rites, female genital mutilation, child marriages, women trafficking, exploitation of prostitution of women, exploitative dowry price, domestic violence etc.
- Full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms.
- Modify the social and cultural patterns of conduct of men and women, with a view to achieving the elimination of 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 on stereotyped roles for men and women.
- Appropriate measures to abolish existing laws, customs, regulations and practices which are discriminatory against women
- Appropriate measures to eliminate discrimination against women in order to ensure their full participation in the fields of politics, governance, education etc.

- Install mechanisms to ensure the reduction of female student drop-out rates and the organization of programmes for girls and women who have left school prematurely.
- Recognize the rights of women to the same employment opportunities, promotions, job security, including the application of the same criteria for selection in matters of employment, the right to protection of health and to safety in working conditions, including the safeguarding of the function of reproduction and maternity leave with pay or with comparable social benefits without loss of former employment, seniority or social allowances.
- Prevent discrimination against women on the grounds of marriage or maternity and to ensure their effective right to work.
- Prohibit, subject to the imposition of sanctions, dismissal on the grounds of pregnancy or of maternity leave and discrimination in dismissals on the basis of marital status.
- Appropriate measures to eliminate discrimination against women in all matters relating to marriage and family relations.
- Establish women's rights and responsibilities with regard to guardianship, wardship, trusteeship and adoption of children.
- Establish specialized agencies e.g. Gender and Equal Opportunities Commission for the monitoring and implementation of the Law and courts to adjudicate on the violations of the law.
- Establish suitable public institutions to ensure the effective protection of women against discrimination; and ensure elimination of all acts of discrimination against women by persons, organizations or enterprises etc.
- Outlaw all harmful practices, stereotypes, attitudes and prejudices against women.

- Incorporate relevant provisions of the National Policy on Women Act

-Recognize the right to vote and be eligible for election to all publicly elected bodies.

Violation of women's rights arise from harmful traditional practices, domestic violence, sexual abuses (e.g. assaults rape defilement, prostitution) uncivilized widowhood rites and disinheritance on grounds of gender bias are rampant.

Justification for Passing the law on the Elimination of All Forms of Discrimination

Against Women

An enabling law on the elimination of all forms of discrimination against women will address and contribute to changing the inferior status usually accorded to women; challenge the subordinate status quo and seek social change.

Without an enabling law on the elimination of all forms of discrimination against women, women will continue to experience denials of their rights to land and property, financial resources, employment and education.

Both women and men play important roles in productive works. Even when women and men perform the same roles for pay, women are often paid less and receive lower benefits

Men hold the majority of positions of power and decision making in the public spheres with the result that decisions and policies tend to reflect the needs of men in most cases.

Benefits of the Law

The benefits of passing the law include the following:

- (1) Guarantee the Edo woman the fundamental human rights and due recognition.
- (2) Eliminate all forms of discrimination against Women and girls.
- (3) Address the basic necessities and other yearning needs of the Edo women.

- (4) Set minimum entitlements and freedoms that should be respected by governments.
- (5) Creation of the legal framework through which the governments satisfy the needs of women.
- (6) Outline government's responsibility in enforcing laws and protecting rights of women.
- (7) Prompt and effective remedies for infringement of women's rights. It is trite law that nobody can be punished for an offence that is not incorporated into a written law.
- (8) Remove the severe limitations on opportunities for women to achieve legal, social, political and economic equality in society.
- (9) Create economic order based on equity and justice will contribute significantly towards the promotion of equality between men and women,

The effective implementation of the law on the Elimination of All Forms of Discrimination against Women would contribute to the elimination of violence against women and will strengthen and complement the enforcement of women's rights. The law is necessary to ensure the universal recognition in law and in fact of the principle of equality of men and women,

CONCLUSION

Women remain marginalized, oppressed and exploited despite the pivotal roles they play in the life of the nation. Women form the bedrock of societal development.

No efforts should be spared to eliminate all forms of discrimination against them. There is a compelling need for the enactment of a clear and comprehensive law against discrimination against women, a clear statement of the rights to be applied to ensure the elimination of discrimination against women in all its forms and a commitment by States in respect of their responsibilities to enact and implement the law.

The Edo State government cannot be said to recognize the rights of women until it is incorporated in a written law. The protection and promotion of women's rights is one of the hallmarks of democracy . The passing of the Law in Edo State is long and overdue in view of its overwhelming importance.

The overwhelming importance of the law in Edo State renders it imperative for our dear Edo state House of Assembly to be gender sensitive and exhibit courage to pass this bill. Edo State should emulate the good example of Imo state which appears to be the only State in the Federation to have passed a Law on the Elimination of All Forms of Discrimination Against Women

The International Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1981) can be adapted to suit our local, social and cultural peculiarities and political expediency in Edo State.

PASS THE LAW TO ELIMINATE ALL FORMS OF DISCRIMINATION AGAINST WOMEN NOW.

LONG LIVE THE NETWORK FOR JUSTICE AND DEMOCRACY

DEMOCRACY FOR EVER. . LONG LIVE EDO STATE.

LONG LIVE THE FEDERAL REPUBLIC OF NIGERIA.

Signed

Olaide Gbadamosi Esq
Executive Director
For: Network for Justice and Democracy