

THE **NIGERIAN LEGISLATURE'S** ROLE IN ADVANCING **WOMEN, PEACE AND SECURITY**

AN ABRIDGED GUIDE



ABRIDGED GUIDE

THE NIGERIAN LEGISLATURE'S ROLE IN ADVANCING WOMEN, PEACE AND SECURITY



NIGERIA COUNTRY OFFICE

UN WOMEN

Abuja, May 2020



WITH SUPPORT FROM



Norwegian Embassy

CONTENTS

OVERVIEW OF THE WOMEN, PEACE AND SECURITY AGENDA	1
WOMEN'S PARTICIPATION IN DECISION MAKING	2
UN SECURITY COUNCIL RESOLUTION 1325	3
WOMEN, PEACE AND SECURITY - WHY THIS MATTERS	5
OPPORTUNITIES FOR LEGISLATIVE ACTION ON WOMEN, PEACE AND SECURITY	6
ALIGNING THE WOMEN, PEACE AND SECURITY AGENDA WITH INTERNATIONAL AND REGIONAL DEVELOPMENT FRAMEWORKS	7
DOMESTICATION OF THE WOMEN, PEACE AND SECURITY AGENDA IN NIGERIA	8
THE LEGISLATURE IN NIGERIA AND THE WOMEN, PEACE AND SECURITY AGENDA	10
THE ROLE OF LEGISLATIVE CAUCUSES AND GROUPS	14
HARNESSING LEGISLATIVE STAFF	14
REFERENCES, SOURCES AND MORE INFORMATION	14

OVERVIEW OF THE WOMEN, PEACE AND SECURITY AGENDA

Women and girls are impacted differently and disproportionately in conflict situations. These vulnerabilities include increased exposure and susceptibility to various forms of sexual and gender-based violence. A study on the wars and armed conflicts in Africa between 1989 and 2009 showed that 236 armed forces and groups have participated in 48 wars. Of these, 64 per cent of the armed forces and groups used sexual violence. The dimensions of violence against women and girls during conflict are reflected in their increased vulnerability to loss, violence and harm. Specifically, women and girls experience 'reduced access to resources, livelihood inputs and basic services; increased family and social responsibilities; restricted mobility; unequal access to protective services and legal mechanisms; and inadequate political power at local and national levels' (Cohn, 2013).

In Nigeria, there has been an unprecedented rise in violent conflicts. A report of the National Bureau of Statistics showed an increase in armed conflict between 2010 and 2016 in three geo-political zones: North East, North Central and South South. In general, however, households in the North East were the most exposed to the fallouts from conflict in this period due to the rise and proliferation of Boko Haram, a violent extremist organization that has been responsible for numerous human rights abuses in the region. It is estimated that more than 2.2 million people have been internally displaced as a result of the insurgency. Over 50 per cent are women and children.

The nature and rate of violent conflicts in the North Central zone (Benue, Kwara, Nasarawa, Niger and Plateau States) have also metamorphosed and worsened in recent years. Women and girls (especially widows) have been the worst affected given that they are predominantly farmers and have been forced to abandon their farms. In addition, many women and girls have been killed, raped or rendered homeless. The survivors are facing increased poverty and food insecurity. In the North West, there has also been a surge in violence in the last ten years, particularly between 2014 and 2019. Banditry has escalated in the past five years and significantly undermined security, peace and development in the region. The oil-rich South South geo-political zone (Niger Delta) has seen a rise in militancy. In addition, the rate of unemployment in the region, especially among the youth, has been steadily increasing. The region continues to experience high levels of crime and violence perpetrated by militants who target oil companies, pipelines and specific individuals.

The pervasiveness of violence against women in Nigeria has been attributed to a variety of factors: patriarchal and cultural norms, low levels of literacy, weak legal frameworks, non-inclusion of women in formal peacebuilding and conflict resolution processes, and weak capacity of existing government institutions, particularly in the justice sector.

WOMEN'S PARTICIPATION IN DECISION MAKING

Women are integral to the very essence of society via the family, and they play a central role in the informal economy as well. Additionally, over the years there has been an increase in the number of women participating in elections (campaigning, voting and mobilizing support for candidates). But very few women are involved in decision making at any level, whether in elective or appointive positions.

The representation of women in the executive arm of government (at the ministerial level and throughout the senior levels of public administration) has equally been very low. Though it is higher, women's participation in the judiciary does not meet the 35 per cent minimum set out in the National Gender Policy.

Women have also been very poorly represented in peace and security processes and mechanisms, including in security sector institutions. This picture is replicated at the state and local level. Accordingly, this structural inequality and exclusion of women from decision-making, peacebuilding and conflict resolution processes has severely undermined efforts at conflict prevention.

Many reasons have been advanced for women's low level of participation in politics and public life, including an unfavourable, corrupt and patronage-based political system that makes it difficult for women to fully participate. Women do face a number of other barriers: cultural and socio-economic hurdles, lower levels of education and employment, electoral violence, etc.

TABLE 1

Gender Representation in the Senate and House of Representatives since 1999

<i>Election Year</i>	Senate					House of Representatives				
	<i>No. of Seats</i>	<i>Men</i>	<i>%</i>	<i>Women</i>	<i>%</i>	<i>Seats</i>	<i>Men</i>	<i>%</i>	<i>Women</i>	<i>%</i>
1999	109	106	97.2	3	2.8	360	347	96.4	13	3.6
2003	109	105	96.3	4	3.7	360	339	94.2	21	5.8
2007	109	100	91.7	9	8.3	360	333	92.5	27	7.5
2011	109	102	93.5	7	6.5	360	335	93.1	25	6.9
2015	109	102	93.5	7	6.5	360	338	94	22	6
2019	109	102	93.5	8	7.3	360	350	97.2	15	4.1

UN SECURITY COUNCIL RESOLUTION 1325

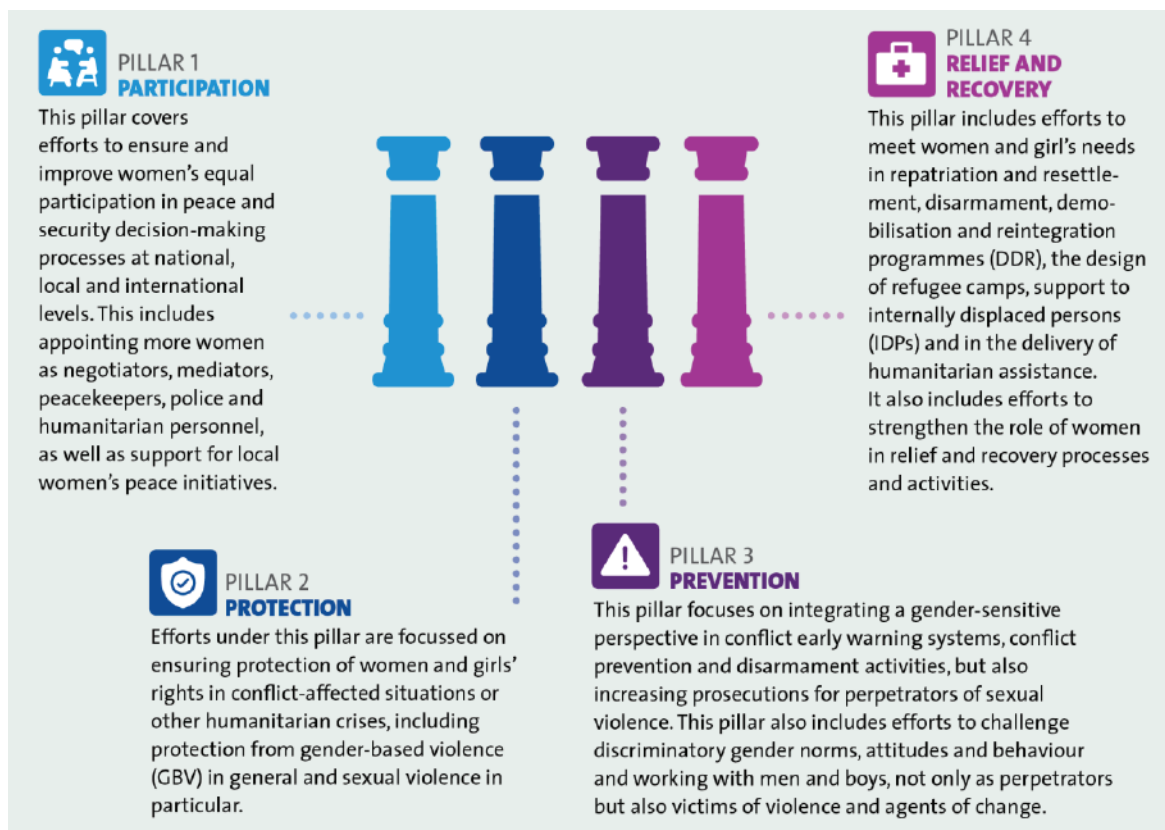
There has been a steady strengthening of international normative and policy frameworks on issues related to women in the context of armed conflicts since the 1979 **Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)** and the 1995 **Beijing Declaration and Platform for Action**. CEDAW is an international treaty adopted by the United Nations General Assembly that reaffirms faith in fundamental human rights, in the dignity and worth of the human person, and in the equal rights of men and women. It has been termed the international bill of rights for women.

However, several emerging issues that had not been addressed in CEDAW or the Beijing Declaration needed to be addressed through a broader agenda

on women, peace and security. In recognition of these emerging issues, various important instruments have been developed by the international community. One such instrument is **United Nations Security Council Resolution 1325** on Women, Peace and Security, which was adopted by the UN Security Council on 31 October 2000. The resolution establishes four pillars of gender-sensitive conflict prevention and peacebuilding: **Prevention, Participation, Protection, and Relief and Recovery**. It also includes a method for tracking and accounting for implementation (UN Women, 2015). The goal of the resolution is to ensure that human rights and human dignity are protected and sustainable peace is promoted.

FIGURE

Pillars of UN Security Council Resolution 1325



Source: Sophie Desmidt and Laura Davis (2019), 'Rhetoric and Real Progress on the Women, Peace and Security Agenda in Africa', The European Centre for Development Policy, Discussion Paper No. 245

WOMEN, PEACE AND SECURITY – WHY THIS MATTERS

The role that women can play in promoting peace and fostering security has often been ignored; historically, women have been marginally (or never) included in peace processes. This means that women are excluded, their voices stifled, their particular needs ignored, and their skills and experiences disregarded. The inability of women to influence processes in which decisions are made and implemented means that the peace secured is often unbalanced and unsustainable.

It is therefore important that the rights of women are strengthened through formal structures and regulatory/legal frameworks. Additionally, it is important that resources are made available to women, particularly in post-conflict situations, and that their capacities are built. Networking opportunities must be created and market opportunities expanded to enable meaningful participation.

OPPORTUNITIES FOR LEGISLATIVE ACTION ON WOMEN, PEACE AND SECURITY

Several opportunities exist for legislators to raise awareness about the women, peace and security (WPS) agenda and ensure successful implementation. Legislators are in fact uniquely positioned to promote peace and pluralism in their role as elected representatives of the people. They can also ensure that the needs of women, especially those at the grass-roots, are properly assessed.

Furthermore, through their law-making and oversight functions, legislators can ensure that government institutions promote peace, security and gender equality by guaranteeing that all laws – in their intent and in their application – promote and protect human rights, inclusive governance and accountability. This is of particular importance in the law and justice sectors. Moreover, legislators can use several oversight tools at their disposal to understand what actions government officials and heads of ministries, departments and agencies are taking to address rural women's needs.

In legislative committees, particularly the committees that deal with WPS issues (Women Affairs, Security, Finance and Appropriation, Sustainable Development Goals, etc.), legislators can propose the initiation of specific legislative inquiries into critical issues, including whether the WPS agenda is being implemented to address rural women's specific needs. They can encourage targeted budgeting to ensure that women are included in peacebuilding and economic development efforts, and they can support the funding of WPS National Action Plans. For legislators to effectively advance the WPS agenda, they need to understand the agenda and take the necessary steps to advance it in Nigeria.

ALIGNING THE WOMEN, PEACE AND SECURITY AGENDA WITH INTERNATIONAL AND REGIONAL DEVELOPMENT FRAMEWORKS

The WPS agenda is linked to several international and regional development frameworks, including the Sustainable Development Goals (SDGs), which are designed to be fundamentally interconnected. In order to realize the SDG targets, legislatures need to make progress on women, peace and security. In fact, there are 45 targets and 54 indicators that are directly related to gender equality, and 3 of the 17 Sustainable Development Goals are directly linked to United Nations Security Council Resolution (UNSCR) 1325: Goal 5, Goal 8 and Goal 16. In general, the SDGs reinforce the WPS agenda, as both frameworks maintain that peace, conflict and inclusion are inextricably linked.

WPS is also aligned to international human rights frameworks and processes, including the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted on 18 December 1979. CEDAW was instrumental in shining the light on women and their human rights concerns. At the regional level, the African Union was the first regional organization to appoint a Special Envoy on Women, Peace and Security, with the responsibility for facilitating the implementation of UNSCR 1325 in member states. At the moment, 25 member states have developed a National Action Plan towards the implementation of the WPS agenda.

A detailed 2015 global study on the implementation of UNSCR 1325 reported limited progress at the local level. Similarly, the 2017 *Report of the*

Secretary-General on Women and Peace and Security claimed that, despite the global visibility that WPS has provided for women's experiences of conflict, the implementation of the agenda at the country level continues to fall short. In 2016, only half of the peace agreements signed contained gender-specific provisions, compared to 70 per cent in 2015. The 2019 *Report of the Secretary-General on Women and Peace and Security* stated that women still face exclusion from peace and political processes and are victims of violence and conflict (UN Security Council, 2019).

Nonetheless, according to UN Women, since the adoption of Resolution 1325, 27 per cent of peace agreements have included references to women, compared with only 11 per cent between 1990 and 2000. In addition, several approaches and tools have been developed to aid its implementation across different countries. These have helped to deepen the understanding of gender mainstreaming, improve women's participation in peacebuilding processes, and ensure protection of the rights of women in conflict situations. As a result of the resolution, there has been a significant change in the way peace and security policies are understood and addressed. The push for gender equity has also highlighted the importance of understanding underlying structures and causes.

DOMESTICATION OF THE WOMEN, PEACE AND SECURITY AGENDA IN NIGERIA

The localization of the WPS agenda in Nigeria aligns with governments' commitments to domesticate the 2030 Agenda, with the overarching recognition that there can be no sustainable development without peace. Nigeria is a signatory to many of the international frameworks discussed above, including CEDAW and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol).

At the national level, the government has equally developed policies and frameworks to promote gender equality and inclusive development in Nigeria. In 2006, the National Gender Policy was adopted. It spells out the government's commitment to eliminating violence and discrimination against women; promotes equal access to political, social and economic wealth creation opportunities for both men and women; and ensures protection for all, including children.

Nigeria developed the first National Action Plan (NAP) on UNSCR 1325 in 2013, and its implementation at national, state and local government levels was supported largely by UN Women and the Nigeria Stability and Reconciliation Programme, among others. It had five pillars: **Prevention, Protection, Participation, Prosecution and Promotion.**

The achievements recorded under the first NAP include the following: the establishment of a national coordination mechanism for implementation and monitoring/reporting; the development of a gender policy for the

Nigeria Police, as well as the setting up of gender desks at police stations across the country; advocacy for and passage of the Violence Against Persons (Prohibition) Act, 2015; and the localization of the NAP through State and Local Action Plans and the establishment of youth and women networks.

Despite these achievements, some noticeable gaps in the NAP were identified: the non-inclusion of violent extremism and conflict issues; limited consideration of post-conflict and reintegration issues; and the absence of crisis management and recovery strategies. It has also been criticized for its ambiguous language, several policy and operation gaps, and an inadequate monitoring and evaluation architecture.

In light of these observable deficits, the second National Action Plan for the Implementation of UNSCR 1325 and Related Resolutions was adopted by the government and launched in May 2017. The policy framework has five pillars that centre on the women, peace and security agenda: **i) Prevention and Disaster Preparedness; ii) Participation and Representation; iii) Protection and Prosecution; iv) Crisis Management, Early Recovery and Post-Conflict Reconstruction; and v) Partnership, Coordination and Management.**

At the subnational level currently, 11 states now have State Action Plans and a number of Local Government Areas have Local Action Plans. A multi-agency steering committee representing all levels has also been established to drive the implementation and monitoring of the NAP. The NAP has therefore

become a useful tool to articulate priorities on the women, peace and security agenda, raise awareness, and coordinate across government at all levels of governance and decision making in Nigeria. Importantly, it will also provide a basis for monitoring and evaluation as well as promoting accountability on policy commitments.

Despite the progress made on the implementation of UNSCR 1325 in Nigeria, several challenges have been identified which should be recognized and addressed by the legislatures at national and state levels. These include limited legislative engagement in the process of developing the WPS National Action Plan, and the legislatures' poor monitoring of the provisions of the National, State and Local Action Plans. The legislatures have a vital role to play in this regard.



Nigeria National Assembly by Kabusa16

THE LEGISLATURE IN NIGERIA AND THE WOMEN, PEACE AND SECURITY AGENDA

The National Assembly and State Houses of Assembly are uniquely positioned to promote peace, gender equality and women's empowerment by virtue of their tripartite functions of law-making, oversight and representation, as contained in Section 4(2) and Section 4(7) of the 1999 Constitution of Nigeria.

By virtue of these powers, legislators can create the conditions for greater public participation in decision-making and political processes that are responsive to the needs of women and girls. More so, through their policy- and law-making functions, the legislature can bring about public sector reforms and stronger social protection for women and girls in Nigeria.

Through its appropriation and budget-approving powers, the legislature can also ensure that sufficient resources are committed to WPS issues, and that monies so appropriated are not only disbursed in a timely fashion, but also spent according to the wishes of parliament as defined in the National Budget.

The role of the Nigerian legislature in the successful implementation of the women, peace and security agenda is therefore tied to its constitutional mandate, and as such should be given adequate attention. The legislature is uniquely placed not only to drive the process, but also to champion greater collaboration with other stakeholders, including gender advocates and civil society.

Table 2 summarizes some of the entry points for the legislature to support the WPS agenda.

TABLE 2

How the Legislature Can Support the Five Pillars of the National Action Plan for the Implementation of UNSCR 1325 through Its Core Functions

Pillar		Law-making	Appropriation	Oversight	Representation
Pillar 1: Prevention and Disaster Preparedness	<i>To ensure prevention of conflict and all forms of violence against women and girls, institute coping mechanisms and systems for averting and mitigating disasters.</i>	<p>Assess the adequacy of and level of implementation of existing laws (e.g. the Violence Against Persons Prohibition Act 2015).</p> <p>Pass new laws that protect women and girls in conflict situations and enhance conflict prevention systems for women (e.g. the Gender and Equal Opportunities Bill).</p>	<p>Make adequate budgetary provision to institutions that implement such laws (e.g. the National Agency for the Prohibition of Trafficking in Persons, National Human Rights Commission, Nigeria Police Force, judiciary).</p> <p>Provide funding for special programmes on peacebuilding and preventing violent extremism.</p>	<p>Relevant committees (Women Affairs and Foreign Affairs) should undertake regular review of UPR, CEDAW and other recommendations from all treaty bodies related to women's rights and gender-based violence, including WPS reporting.</p> <p>Undertake regular post-legislative scrutiny of laws made (e.g. the Violence Against Persons Prohibition Act) to determine efficacy and identify areas that need further legislative intervention.</p>	Legislators should utilize their constituency offices and outreach activities to address local tensions and potential conflict triggers and their gendered impact, in collaboration with civil society.
	<p><i>i. To increase participation and engagement of women and inclusion of women in decision-making processes related to conflict prevention and peacebuilding.</i></p> <p><i>ii. To ensure the full and equal participation and representation of women at all levels of decision making.</i></p>	<p>Introduce quotas and other measures for increasing women in the legislature and other public bodies.</p> <p>Legislate on the National Gender Policy's recommended representation of women, which is at least 35 per cent of both elective political and appointive public service positions.</p> <p>Initiate other legal reforms to enhance women's participation and representation in the peace and security architecture.</p>	<p>Provide resources for increasing political participation of women at both the national and subnational levels.</p> <p>Build capacity of security personnel on gender and peace.</p> <p>Develop capacity for women candidates.</p>	<p>Review the level of women's participation in peace and security decision making.</p> <p>Review peacekeeping efforts and security operations in various parts of Nigeria (e.g. the North East) in respect of WPS.</p>	<p>Strengthen women's legislative caucuses to work on WPS issues.</p> <p>Introduce a mentoring programme for women leaders and/or women candidates at the constituency level.</p>

Pillar		Law-making	Appropriation	Oversight	Representation
Pillar 3: Protection and Prosecution	<i>To ensure women's and girls' rights and security are protected and promoted in conflict and peace, and also to prosecute such rights violators.</i>	<p>Review existing laws (Child Rights Act 2003; Trafficking in Persons Prohibition Act, 2003; and Violence Against Persons Prohibition Act 2015).</p> <p>Ensure states adopt and domesticate existing laws.</p> <p>Pass new laws on sexual and gender-based violence (e.g. the sexual harassment law).</p> <p>Criminalize sexual exploitation of women and girls by security forces and operatives in conflict settings.</p>	<p>Make budgetary provision for the implementation of legislation that tackles sexual and gender-based violence, including actions such as women's shelters, counselling services, police services and court processes.</p> <p>Provide resources for training of security forces and personnel on their WPS and gender obligations.</p>	<p>Review the effectiveness of existing criminal and sexual and gender-based violence laws and their implementation.</p> <p>Oversee the use of resources allocated for the implementation of sexual and gender-based violence legislation.</p>	<p>Utilize constituency visits and outreach activities to discuss local sexual and gender-based violence issues and challenges and their impact on the rights of women and girls.</p>
Pillar 4: Crisis Management, Early Recovery and Post-Conflict Reconstruction	<i>To ensure women's and girls' specific relief and recovery needs are met and women's capacities to act as agents in crisis, recovery and post-conflict situations are reinforced.</i>	<p>Enact laws to support government relief programmes in conflict areas (e.g. the Nigeria Delta Development Commission and North East Development Commission).</p> <p>Enact laws that promote reconciliation and reparations for women in post-conflict situations.</p> <p>Enact laws that promote women's economic empowerment.</p> <p>Put in a place a legal framework to regulate disarmament, demobilization and reintegration programmes such as the rehabilitation of Boko Haram members and the amnesty programme for militants in the Niger Delta.</p> <p>Initiate laws to ensure support for war widows, women ex-combatants, women-headed households, and spouses of dead servicemen.</p>	<p>Provide resources to implement government intervention and relief programmes, including for women and girls affected by conflict.</p>	<p>Review the relevance and effectiveness of the various disarmament, demobilization and reintegration programmes.</p> <p>Review legislation and government programmes on women's economic empowerment.</p> <p>Conduct oversight of government relief programmes and use of allocated resources.</p>	<p>Utilize constituency visits and outreach activities to support peacebuilding and discuss issues related to women and girls.</p>

Pillar		Law-making	Appropriation	Oversight	Representation
Pillar 5: Partnerships and Coordination and Management	<i>This is a cross-cutting pillar to ensure an increase in the capacity and resources to coordinate, implement, monitor and report on women, peace and security plans and programmes.</i>	<p>Ensure that Nigeria's commitments to WPS are made into laws.</p> <p>Ensure that all relevant bills introduced on the floor satisfy government WPS commitments.</p>	<p>Allocate adequate resources to the Ministry of Women Affairs to enable it to better coordinate and implement the WPS agenda and the NAP, SAPs and LAPs.</p> <p>Allocate adequate resources to the various agencies implementing the various action plans: security agencies (Nigeria Police Force, Nigeria Security and Civil Defence Corps, Customs, Nigeria Immigration Service), Nigerian Armed Forces, National Security Adviser, Judiciary (Law Reform Commission, Legal Aid Council), National and State Emergency Management Agencies, Ministry of Defence, Ministry of Foreign Affairs, Ministry of Budget and National Planning, Federal Ministry of Finance, Federal Ministry of Information and Culture, National Orientation Agency, National Human Rights Commission, Institute for Peace and Conflict Resolution, Federal Ministry of Interior, Independent National Electoral Commission, Federal Road Safety Corps, National Agency for the Prohibition of Trafficking in Persons, National Centre for Women Development, Ministry of Justice, etc.</p>	<p>Request for an annual review of the NAP by the Ministry of Women Affairs.</p> <p>Standing committees overseeing relevant MDAs should ensure that resources allocated for WPS are provided and effectively utilized.</p>	<p>Include legislators in WPS Inter-Government Coordination Groups.</p> <p>Launch community forums on the WPS agenda at the constituency level to include civil society organizations.</p>

Source: Author's adaptation of United Nations Development Programme (2019), *Parliaments as Partners Supporting the Women, Peace and Security Agenda: A Global Handbook*, Oslo, Norway

THE ROLE OF LEGISLATIVE CAUCUSES AND GROUPS

Women's caucuses bring together women legislators across party lines to encourage the consideration of issues important to women. This can also be an effective vehicle for the development of women's leadership in the legislature and for enhancing women's political participation in general. The caucuses and similar groups can be useful vehicles for driving the WPS agenda within the legislature.

HARNESSING LEGISLATIVE STAFF

Legislative staff have a strong understanding of legislative practices and procedures, and many have worked over long periods of time either in the chamber or as clerks/staff of committees. They are competent bureaucrats who have technical, research and analytical skills. At the national level, the bureaucracy is well staffed. However, in the State Houses of Assembly the capacity of staff is relatively weak, and many subnational legislatures are not well staffed. With regard to the WPS agenda, the capacities of both legislative staff and legislative aides need to be strengthened to enable them to undertake gender analyses of budgets, legislative proposals and policies.

REFERENCES, SOURCES AND MORE INFORMATION

This abridged guide is a condensed version of the comprehensive document *The Nigerian Legislature's Role in Advancing Women, Peace and Security: A Guide*. Refer to the comprehensive guide for more information, a full list of useful resources, and references.

With support from



Norwegian Embassy



UN House
Wing A, Second Floor
Plot 617/618 Diplomatic Drive
Central Business District
FCT–Abuja, NIGERIA
Tel: +234 9461 6314
www.nigeria.unwomen.org

www.unwomen.org
www.facebook.com/unwomen
www.twitter.com/un_women
www.youtube.com/unwomen
www.flickr.com/unwomen
www.instagram.com/unwomen