



**WOMEN'S RIGHTS ADVANCEMENT
AND PROTECTION ALTERNATIVE
(WRAPA)**



Manual on **Enhancing Knowledge** **on Women's Rights, Legislation** **and Best Practices**

with the support of



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Introduction

This resource kit builds upon WRAPA support to women and girls over the years, which combines survivor-based approaches, intervention strategies and expertise. This tool constitutes a flexible tool that can be used in different contexts, locations and situations, and as part of a broader intervention to strengthen women's voice and agency. It is hoped that it will be helpful to promote women and girls' rights, through knowledge shift of relevant laws, legislations, and fundamental human rights as women in Nigeria.

Violations of women's and girls' rights are among the most widespread abuses of human rights worldwide, this havoc is carried out with so much impunity. There are several cases of perpetrators running free while survivors are subjected to shame, injustice and dishonor. Attaining equality between women and men and eliminating all forms of discrimination against women are fundamental human rights that WRAPA values and seeks to achieve. Women around the world, Nigeria inclusive nevertheless regularly suffer violations of their human rights throughout their lives, and realizing women's human rights has not always been a priority. Achieving equality between women and men requires a comprehensive understanding of the ways in which women experience discrimination and are denied equality so as to develop appropriate

strategies to eliminate such discrimination. WRAPA over the past twenty years has a history of addressing women's human rights and much progress has hit appreciative milestones in securing women's rights across its project states. However, important gaps remain and women's realities are constantly changing, with new manifestations of discrimination and violence against them regularly emerging. Some groups of women face additional forms of discrimination based on their age, ethnicity, religion, health status, marital status, education, disability and socioeconomic status, among other grounds. These intersecting forms of discrimination must be taken into account when developing measures and responses to combat discrimination against women

The Ford Foundation funded project seeks to strengthen the voice and agency of women and girls to demand for accountability from leaders of culture and faith on VAWG issues. One of the ways to achieve this is to equip the target beneficiaries with the requisite knowledge of existing laws, legislations and what constitutes women's and girls' human rights. The model is that an understanding of rights provides the confidence and assertiveness to pursue justice on any form of violation experienced within private and public spaces. The expected outcome on the utilization of this manual,

is that women, as individuals, collectives or groups, would be strengthened to us their voice and other contextual mechanisms to demand for accountability, with the aim to live a life free from violence or the threat of it, and attain aspired potentials in life.

About this Manual

This training manual has been designed to support the strengthening of the capacity of women and girls to understand their fundamental human rights, legislations and policies that are meant to protect their rights and address issues of VAWG. It also seeks to showcase best practices that may be contextualized for application in different settings. The approach to this training is primarily participatory, which supports learning by doing and thinking collectively, through discussions and interaction with each other and the facilitator. Each activity comes with a set of instructions for the trainer to conduct the exercise; they are not intended to limit the responses of participants. Although the content of each section is sequential and interlinked, most of the exercises and activities can be used independently.

Facilitators Guide/Instructions

1. In group exercises, the facilitator should support participation by all group members to avoid situations where only a few of participants dominate the whole group discussion.
2. The suggested time for activities is indicative and may vary depending on the group size or time constraints.
3. The cases and illustrations used in the modules

are merely exploratory and similar cases or examples may be incorporated by you, the facilitator, based on your assessment of what would be best suited.

4. Because much of the subject matter is sensitive, intimate and sometimes controversial, it is important to create a safe space.
5. Facilitators must be firm (but not domineering) in managing group dynamics.
6. Facilitation should also try to optimize cultural and religious diversity in the group to enhance learning. discussed during the training.

Equipment

The list below contains the basic equipment needed for the presentations and exercises. This list can be modified or expanded by the trainer depending on the availability of the equipment on the ground.

1. Training Manual (provided by the project management team).
2. Folders for participants (with agenda, paper, pen, manual).
3. Computer & projector.
4. Enough paper (A4, A2).
5. Pens and markers.
6. Post-its / (colored) cards.
7. Flip chart.
8. Scissors & tape (normal and double sided).
9. Stapler and paper clips.
10. Name tags (to be filled out by participants at the beginning of the training).



Section 1

Women's Rights

Section Objectives

At the end of this section, participants will understand the basic concepts related to gender and women's rights.

Learning Objectives

1. Participants situate themselves and fellow participants in the larger struggle for women's rights.
2. Participants make a link between what they learn and personal experiences.
3. Build understanding about how men and women are perceived in the society.
4. Participants understand what constitute women's rights.

Session 1 The Concept of Gender, Sex and Gender Roles

1.1 Session Objectives

Participants understand the intersection between gender, sex and gender roles.

1.2 Learning Objectives

Examine how masculine and feminine traits are socially constructed.

1.3 Key Messages

1. Sex: Identifies the biological differences between men and women; such as women can give birth, and men provide sperm. Sex roles are universal and largely remain unchanged.
2. Gender: Refers to the relationship between men and women, boys and girls, and how this is socially constructed. Gender roles are dynamic and change overtime.
3. Gender roles: Gender roles are learned behaviours in a given society/community.
4. Changes in gender roles often occur in response to changing economic, natural or political circumstances, including development efforts.
5. Both men and women play multiple roles in society. The gender roles of women can be identified as reproductive, productive and community managing roles, while men's are categorized as either productive or community politics.
6. Men are able to focus on a particular productive role, and play their multiple roles sequentially. Women, in contrast to men, must play their roles simultaneously, and balance competing claims on time for each of them.



1.4 Activity

Distribute green and yellow cards Write 'women' on green cards and 'men' on yellow cards: (10 minutes)

In 30 seconds write one trait or quality for each (in no more than two words).

Paste the green cards on the left of the wall/board and the yellow cards on the right.

Leave these cards up and move to the gender quiz exercise below.

Distribute the gender quiz to every participant: (10 minutes)

Ask participants to read the statements given in the right column.

If they think that the statement is sex-related (biologically determined and cannot be changed) request them to write "S" in the corresponding right side column.

If they think the statement is gender-related (socially constructed, it can change according to the situation, community etc.) they should write "G" in the corresponding right side column.

Request some of the participants to share their reasons for identifying a statement as being sex or gender related: (15 minutes).



Activity Table 1: Gender Quiz See Appendix

Session 2 Understanding Gender Roles, Goals and Values

2.1 Session Objectives

To appreciate the differential values attached to women's and men's roles, goals and behavior.

2.2 Learning Objectives

To explore how gender hierarchies intersect with other power and privilege hierarchies, placing some women at a greater risk of multiple discriminations.

2.3 Key Messages



2.4 Activity

1. Participants to be broken up in to groups of four. Discuss the following: (30 minutes)
2. What are the gender expectations in your own culture? Make a list of the differences for women and men, on the basis of: (i) Behavior; (ii) Goals to aspire to; (iii) Roles to perform.
3. Look at the list you made. For each (man/woman) attribute, compare the social value placed on each of them. Which is more highly valued - the goals, roles and behaviour of men, or that of women?



Facilitator's Note

Lead discussion on the implications of the roles, goals and behaviours and the ways in which differential values attributed to them reinforce inequalities between men and women. For instance, men's work is valued and work that is valued is assigned to men.

Also, women's work is undervalued and when women begin to do work that is not their work, it becomes undervalued, e.g. when women enter the work force (e.g. in garment factories) and this work is underpaid, informalized, undervalued.



Session 3

Introduction to GBV

3.1 Session Objectives

Participants understand the concept of GBV and tie it to the situation in their communities.

3.2 Learning Objectives

- i) Participants understand and describe the key basic factors underpinning all forms of GBV.
- (ii) To increase participants' abilities to discuss the key concepts in ways that can be well understood by the community.
- (iii) Establish scope of GBV familiar to participants.

3.3 Key Learning Points

- 1) Gender-based violence is violence that occurs based on gender roles, expectations, limitations, etc. GBV therefore largely affects females in most societies; males are also victims/survivors of GBV, but most gender discrimination occurs against females because they are disempowered in most societies as compared to their male counterparts.
- ii) GBV involves the abuse of power.
- iii) GBV involves some type of force, including threats and coercion.



3.4 Activity & Facilitators Note

- 1) Start the discussion by explaining:
 - (ai) What is Gender?
 - (a ii) Sex and gender
 - (a iii) Comparative analysis table on views of culture and the both religion on women and girls in Nigeria. Ask the group to give some examples of gender-based violence.Stop the discussion when you have 5-8 examples, including at least one from each of

the 5 types listed in Step 2 below Some examples might be: Rape, Domestic Violence, Sexual Exploitation, FGM

(aiv) Some participants may offer examples that are not GBV, such as child abuse (child beating that is unrelated to gender issues). If this occurs, take a moment to review the definition of GBV and clarify that there are many forms of violence, and the line between GBV and other types of violence is often difficult to determine. And, there are similarities in the types of assistance provided to survivors of any form of violence.

For our purposes here, however, we are focusing only on GBV.

ii) Write the following types of violence on the tree trunk and point out where the examples on the tree trunk: SEXUAL, PHYSICAL, EMOTIONAL, MENTAL, SOCIAL ECONOMIC, HARMFUL TRADITIONAL PRACTICES.

iii) Explain that this is the GBV tree and that it has roots, a trunk, and branches.

The trunk represents the types of GBV. Discuss the roots and branches of the tree.



Session 4

GBV as a Human Rights Violation.

4.1 Session Objectives

This session briefly explores human rights in the context of GBV, which is another basic concept or principle that will lead participants to a clear understanding of the meaning of “Gender-Based Violence.”

4.2 Learning Objectives

Participants understand the relationship between human rights and GBV.

4.3 Key Learning Points

- i) Human rights are universal, inalienable, indivisible, interconnected and interdependent.
- ii) Everyone is entitled to all the rights and freedoms, without distinction of any kind, such as sex, language, religion, political or other opinion, national or social origin, property, birth or other status.
- iii) Prevention of and response to gender-based violence is directly linked to the protection of human rights.
- iv) Acts of gender-based violence violate a number of human rights principles enshrined in international human rights instruments. These include, amongst others:
 - The right to life, liberty and security of person
 - The right to the highest attainable standard of physical and mental health
 - The right to freedom from torture or cruel, inhuman, or degrading treatment or punishment
 - The right to freedom of opinion and expression, to education, to social security and to personal development.



4.4 Activity & Facilitators Note

Write “Human Rights” on the flip chart. Ask participants who is entitled to human rights and write their responses on the paper. Discuss the concept that everyone has human rights. (ii) Ask the respondents who or what grants human rights. Discuss the concept that nobody has to give these rights to you because you have them automatically from birth.

- iii) Ask participants for examples of human rights and write their responses on the paper.
- (iv) Ask how these concepts apply to women & girls.
- (v) Discuss.

Session 5

Facts and Figures on VAWG in Nigeria.

5.1 Session Objectives

Laws, policies and legislations exist in Nigeria that are meant to address women rights. It is important that survivors/women groups and collectives are aware of it, and know how they may be used to seek redress on violations of their rights.

5.2 Learning Objectives

Participants are familiar and identify with evidence-based facts on VAWG in Nigeria.

5.3 Key Messages

- Nigeria has long been facing a gender-based violence crisis, with 30% of women and girls aged 15-49 having experienced sexual abuse. (The shadow pandemic: Gender based violence and COVID-19, 2020)

- Lack of coordination amongst key stakeholders and poor implementation of legal frameworks, combined with entrenched gender discriminatory norms, has hampered government and civil society efforts to address gender-based violence.
- Experiencing violence precludes women from contributing to or benefiting from development initiatives by limiting their choices and ability to act (UN General Assembly 2006)
- The Nigerian legal system is plural: there is statutory and sharia law in the northern zones coexisting with customary law in rural areas.
- The simultaneous application of this three-tier system creates varied degrees of protection for the rights of women and children.
- A state must pass (domesticate) a law for it to be legally binding in that state. Nigeria has ratified several international laws and conventions, like;
 - o The Child Rights Act of 2003, which provides for detailed protection of a girl child until age 18, seeks to end forced labor and child marriages, and is aimed at ensuring health services for pregnant women;
 - o The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), ratified in June 1985;
 - o The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), ratified December 16, 2004; and
 - o The Violence Against Persons Prohibition Act, which was finally passed in 2015, more than 10 years after it was first presented to the national assembly.
 - o Persons with Disabilities Bill (2017). This legislation establishes an office to safeguard people with disabilities against all forms of discrimination and equalize their opportunities in all aspects of living.
- o Sexual Harrassment Law in Tertiary Institutions (2019)
- o The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) 1979. Ratified in June 1985
- o The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol). Ratified December 16, 2004
- o African Union Charter on the Rights and Welfare of the Child 1990, 2000
- o Rome Statute of the International Criminal Court 1998, 2001
- o Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime 2000, 2001
- o Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol) 2003, 2004
- o The Childs Rights Act of 2003, which provides for detailed protection of a girl child until age 18. To end forced labor and child marriages and provide for health services for pregnant women
- o National Gender Policy (NGP) developed to replace National Policy on women
- o National Gender Strategic Framework (NGSF) developed for implementation, monitoring and evaluation guidelines for gender equality and women empowerment along NGP
- A report by the Nigeria CEDAW NGO Coalition (2008) notes that the penal code

, section 55(4), which is applicable in the northern zones, makes legal the “corrective” beating of a child, student, servant, or wife, as long it does not cause grievous harm.

- Marital rape is excluded from the legal definition of rape in penal legislation in the north and under the criminal code in the south.
- A report by Amnesty International (2006) notes that discrepancies in the definition of rape by federal, state, sharia, and customary legal systems create a plural justice system that may be undermining the rights of women to seek legal redress. Indeed, current law can penalize the victim rather than the perpetrator. Muslim women are particularly constrained when seeking justice and redress for rape under sharia law because it requires a witness, making it more difficult to secure a successful prosecution.

Participants are familiar and identify with evidence-based facts on VAWG in Nigeria.

5.4 Activity & Facilitators Note

Presentation of some facts & figures. Participants will talk about how what exist in their communities, prevalence and effectiveness of laws.

Session 6 Women's Rights and Legal Frameworks

6.1 Session Objectives

Participants understand the nexus between achieving the rights of women and legal frameworks that supports the attainment.

6.2 Learning Objectives

To enhance participants understanding of different layers of rights violations and legal framework that can help achieve the dignity of women.

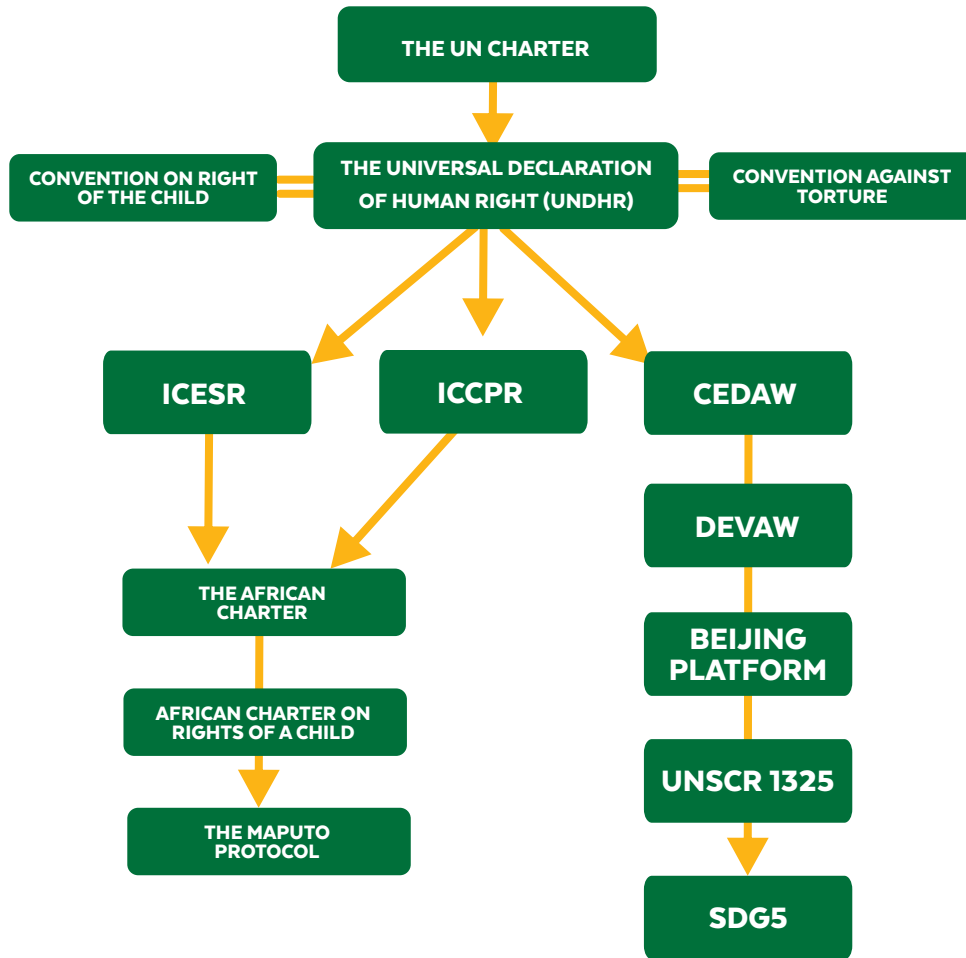
6.3 Key Learning Points

1. Despite the growing global concerns and the many conventions and laws for safeguarding women's rights, women still encounter challenges with respect to these rights in Nigeria. ii) Protecting women's rights in Nigeria is a fundamental step towards achieving the 5th Sustainable Development Goal of gender equality.
2. Effectively ensuring women's human rights requires a comprehensive understanding of the underlying societal structures and power relations that define and influence women's ability to enjoy their human rights.
3. To address the institutionalization of systemic VAWG, the international community has continuously put in efforts in mainstreaming gender equality and equity, as well as the eradication of sexual and gender-based violence, violence against women and girls, harmful practices.
4. The diagram below describes the international and national legal frameworks for
5. combating sexual and gender-based violence in globally and in Nigeria.

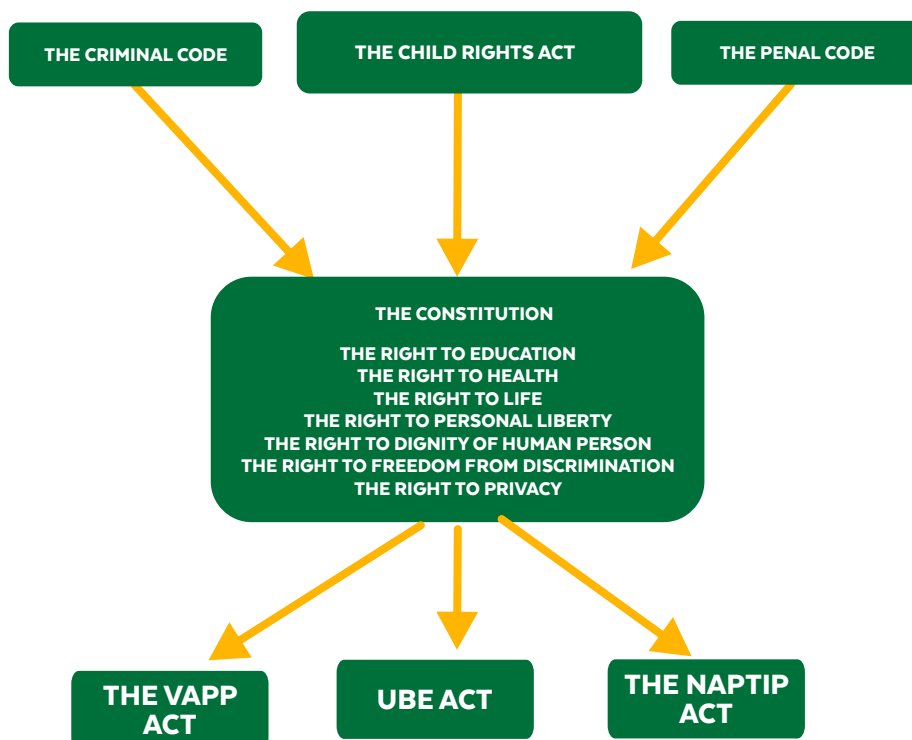


Diagram 1

International Human Rights



National Standards



UNDHR

- ◇ States that everyone has the right to life, liberty and security of person.
- ◇ Provides that no one should be held in slavery or servitude; and goes ahead to prohibit all forms of slavery and slave trade.
- ◇ Provides that no one should be subjected to torture or to cruel, inhuman or degrading treatment or punishment.
- ◇ Provides that no one shall be subjected to arbitrary arrest, detention or exile.
- ◇ Provides: (i) Everyone has the right to freedom of movement and residence within the borders of each state; and (ii) Everyone has the right to leave any country, including his own, and to return to his country.
- ◇ Provides that everyone has the right to freedom of thought, conscience and religion.
- ◇ Provides that everyone has the right to a standard of living adequate for the health and wellbeing of himself and his family, including food, clothing, housing, and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his/her control.

International Covenant on Civil and Political Rights

The International Covenant on Civil and Political Rights (ICCPR) came into effect in 1966. The Covenant contains a restatement of the civil and political rights already embodied in the UNDHR.

ICCPR provides:

1. No one shall be subjected to arbitrary or unlawful interference with her privacy, family, home or correspondence, nor to unlawful attacks on her honour and reputation.
2. Everyone has the right to the protection of the law against such interference or attacks. While Article 23 provides:
3. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.
4. The right of men and women of marriageable age to marry and found a family shall be recognized.
5. No marriage shall be entered into without the free and full consent of the intending spouses.
6. State Parties to the present Covenant shall take appropriate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution. In the case of dissolution, provision shall be made for the necessary protection of any children.



Convention on Elimination of all forms of Discrimination against Women (CEDAW)

1. The Convention on Elimination of All Forms of Discrimination against Women (CEDAW) was adopted in 1979 by the UN General Assembly as an international treaty for prohibition of all acts of discrimination against women. CEDAW stands on a tripod of principles: non-discrimination, substantive equality, and state obligation. CEDAW is the first convention that directly provides extensively for non-discrimination against women and girls.
2. Under the convention, discrimination against women means any distinction, exclusion or restriction made on the basis of sex¹ 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 political, social, cultural, civil or any other field². Accordingly, State Parties to the Convention undertake to embody the principle of equality of men and women in their national constitutions or other appropriate legislation and to ensure, through law and other appropriate means, the practical realization of this principle³.
3. Article 5 (a) of CEDAW is very instructive, it provides that States Parties shall take all appropriate measures “to 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 superiority of either of the sexes or on stereotyped roles for men and women.”

4. This provision puts the whole issue of discrimination against women in a sharper perspective. It focuses our attention on the social and cultural patterns of conduct which sustain discrimination against women. It also emphasizes that for any difference in treatment to amount to discrimination it must impair or nullify a woman's rights, by which it is meant that it adversely affects her rights. CEDAW seeks to achieve not only formal equality between men and women⁴, but also substantive equality and transformative equality. Republic of Nigeria, 1999. Nevertheless, there legislations that have sought to effect to the provisions of the Convention.

Declaration on the Elimination of Violence against Women

1. The Declaration on Elimination of Violence against Women (DEVAW) was proclaimed by the UN General Assembly in 1993, in recognition of the need for the universal application to women of the rights and principles with regard to equality, security, liberty, integrity and dignity of all human beings.
2. The UN General Assembly also recognized

¹Sex is different from gender. Sex has been defined as the biological differences between men and women; while gender means the socially constructed identities, attributes and roles for women and men and society's social and cultural meaning for these biological differences.

²Article 1 of CEDAW

³Article 2 (a) of CEDAW; see also section 39 of the Constitution of the Federal Republic of Nigeria, 1999.

⁴See Simone Cusack and Lisa Pusey, CEDAW and the Rights to Non-Discrimination and Equality, Melbourne Journal of International Law, law: unimeb.edu.au

that violence against women is a manifestation of historically unequal power relations between men and women, and that violence against women is one of the crucial social mechanisms by which women are forced into subordinate position compared with men.

3. DEVAW mandates States to condemn violence against women and to refrain from invoking any custom, tradition or religious consideration to avoid their obligations with respect to its elimination.
4. The Declaration requires States to pursue a policy of eliminating violence against women. States are under obligation to desist from engaging in violence against women, and at the same time exercise due diligence to prevent, investigate and punish acts of violence against women.

Beijing Declaration and Platform for Action

1. At the United Nations Fourth World Conference on Women held in September 1995 at Beijing, China, it was recognized that violence against women is an obstacle to the achievement of the objectives of equality, development and peace.
2. It was noted that violence against women violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms.
3. It was also observed that in all societies, women and girls are subjected to physical, sexual and psychological abuse that cuts across lines of income, class and culture; and that the low social and economic status of

women can be both a cause and a consequence of violence against women.

4. The consensus at the Conference was that violence against women is a manifestation of the historically unequal power relations between men and women, which led to the domination over and discrimination against women by men and to the prevention of women's full advancement.
5. Actions to be taken by the government to achieve the strategic objective of preventing and eliminating violence against women include:
 - i. Condemn violence against women and refrain from invoking any custom, tradition or religious consideration to avoid their obligation with respect to its elimination as set out in the Declaration on the Elimination of Violence against Women;
 - ii. Refrain from engaging in violence against women and exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons;
 - iii. Enact and/or reinforce penal, civil, labor and administrative sanctions in domestic legislation to punish and redress the wrongs done to women and girls, who are subjected to any form of violence, whether in the home, the workplace, the community or society. iv) Adopt and/or implement and periodically review and analyze legislation to ensure its effectiveness in

eliminating violence against women, emphasizing the prevention of violence and prosecution of offenders; take measures to ensure the protection of women subjected to violence, access to just and effective remedies, including compensation and indemnification and healing of victims, and rehabilitation of perpetrators.

United Nations Security Council Resolution 1325 on Women, Peace and Security

- 1) Resolution 1325 which acknowledges the peculiar effects of armed conflicts on women and girls was adopted by the UN Security Council in October 2000.
- 2) Through the Resolution, the UN called on governments to increase the participation of women and incorporate gender perspectives in all United Nations peace and security efforts.
- 3) In addition, it enjoins all parties to conflict to take special measures to protect women and girls from gender-based violence, particularly rape and other forms of sexual abuse, in situations of armed conflict.

SDG 5: Achieve Gender Equality and Empower all Women and Girls

Gender equality by 2030 is one of the 17 Sustainable Development Goals. The targets include:

1. End all forms of discrimination against all women and girls everywhere.
2. Eliminate all forms of violence against all

women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation.

3. Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation.
4. Recognize and value unpaid care and domestic work through the provision of public services, infrastructure and social protection policies and the promotion of share responsibility within the household and the family as nationally appropriate.
5. Ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life. vi) Ensure universal access to sexual and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform of Action and the outcome documents of their review conference,
6. Undertake reforms to give women equal rights to economic resources as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws.
7. Enhance the use of enabling technology, in particular information technology, to promote empowerment of women.
8. Adopt and strengthen sound policies and enforceable legislation for the promotion of gender equality and the empowerment of all women and girls at all levels.

African Charter on Human and Peoples Rights and its Protocol on the Rights of Women in Africa

The African Union⁵ (AU) (formerly known as Organisation of African Unity (OAU)) was formed in 1963. The objectives of the AU are inter alia to encourage international cooperation taking due account of the Charter of the United Nations and the Universal Declaration of Human Rights; and promote and protect human and peoples' rights in accordance with the African Charter on Human and Peoples' Rights and other relevant human rights instruments.

Article 5 provides:

“Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited.”

The Protocol to the African Charter

The Protocol elaborates on the provisions of the Charter. Article 1 of the Protocol defines violence against women to mean all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of armed conflicts or of war.

Article 3 of the Protocol specifically provides:

- 1) Every woman shall have the right to dignity inherent in a human being and to the recognition and protection of her human and legal rights.
- 2) Every woman shall have the right to respect as a person and to the free development of

her personality

- 3) States Parties shall adopt and implement appropriate measures to prohibit any exploitation or degradation of women.
- 4) States Parties shall adopt and implement appropriate measures to ensure the protection of every woman's right to respect for her dignity and protection of women from all forms of violence, particularly sexual and verbal violence.
- 5) Again, Article 4 provides:
 - i) Every woman shall be entitled to respect for her life and the integrity and security of her person. All forms of exploitation, cruel, inhuman or degrading punishment and treatment shall be prohibited. ii) States Parties shall take appropriate and effective measures to:
 - a) Enact and enforce laws to prohibit all forms of violence against women including unwanted or forced sex whether the violence takes place in private or public;

⁵The name was changed at the Durban Summit held in July 2001

- b) Adopt such other legislative, administrative, social and economic measures as may be necessary to ensure the prevention, punishment and eradication of all forms of violence against women;
- c) Identify the causes and consequences of violence against women and take appropriate measures to prevent and eliminate such violence;
- d) Actively promote peace education through curricula and social communication in order to eradicate elements in traditional and cultural beliefs, practices and stereotypes which legitimize and exacerbate the persistence and tolerance of violence against women;
- e) Punish the perpetrators of violence against women and implement programmes for the rehabilitation of women victims;
- f) Establish mechanisms and accessible services for effective information, rehabilitation and reparation for victims of violence against women;
- g) Prevent and condemn trafficking in women, prosecute the perpetrators of such trafficking and protect those women most at risk;
- h) Prohibit all medical or scientific experiments on women without informed consent;
- i) Provide adequate budgetary and other resources for the implementation and monitoring of actions aimed at preventing and eradicating violence against women;
- j) Ensure that, in those countries where the death penalty still exists, not to carry out death sentences on pregnant or nursing women;
- k) Ensure that women and men enjoy equal rights in terms of access to refugee status determination procedures and that women refugees are accorded the full protection and benefits guaranteed under international refugee law, including their own identity and other documents.
- l) On harmful practices, States Parties are mandated to prohibit and condemn all forms of harmful practices which negatively affect the human rights of women and which are contrary to recognized international standards.
- m) They are also required to take all necessary legislative and other measures to eliminate such practices, including creation of public awareness in all sectors of society regarding harmful practices through information, formal and informal education and outreach programmes; prohibition, through legislative measures backed by sanctions, of all forms of female genital mutilation, scarification, medicalization, and para-medication of female genital mutilation and all other practices in order to eradicate them; provision of necessary support to victims of harmful practices through basic services such as health services, legal and judicial support, emotional and psychological counselling as well as vocational training to make them self-supporting; and protection

of women who are at risk of being subjected to harmful practices or all other forms of violence, abuse and intolerance.⁶

The Protocol enjoins States Parties to ensure that women and men enjoy equal rights and are regarded as equal partners in marriage. They are also to enact appropriate national legislative measures to guarantee that:⁷

- a) No marriage shall take place without free and full consent of both parties;
- b) The minimum age of marriage for women shall be 18 years;
- c) Monogamy is encouraged as the preferred form of marriage and that the rights of women in marriage and family, including in polygamous marital relationships are promoted and protected;
- d) Every marriage shall be recorded in writing and registered in accordance with national laws, in order to be legally recognised;
- e) The husband and wife shall, by mutual agreement, choose their matrimonial regime and place of residence;
- f) A married woman shall have the right to retain her maiden name, to use it as she pleases, jointly or separately with her husband's surname;
- g) A woman shall have the right to retain her nationality or to acquire the nationality of her husband;
- h) A woman and a man shall have equal rights, with respect to the nationality of their children except where this is contrary a provision in national legislation or is

contrary to national security interests;

- i) A woman and a man shall jointly contribute to safeguarding the interests of the family, protecting and educating their children;
- j) During her marriage, a woman shall have the right to acquire her own property and to administer and manage it freely.

The Constitution

The Constitution is the grund norm and the touchstone for testing the validity of other laws and norms (including international obligations) jockeying for recognition within the legal system. Any other law or norm that is inconsistent with the Constitution is void to the extent of its inconsistency. It is an organic instrument which confers powers and also places limitations on their use; it creates rights and duties and defines their extent and dimensions.



⁶Article 5
⁷Article 6

⁸See *Attorney General of Ondo State v. Attorney General of the Federation & 35 others* [2002]9 NWLR (Pt. 772) 222 at 418 -419; and *Peoples Democratic*

Violence Against Persons (Prohibition) Act 2015

- i) The Violence Against Persons (Prohibition) Act (VAPPA) was passed in 2015. The Act sets for itself the ambitious objectives of eliminating violence in private and public life, prohibiting all forms of violence against persons, and providing maximum protection and effective remedies for victims and punishment for offenders.
- ii) The Act creates a number of related offences germane to eradication of sexual and gender-based violence:
 - ✓ The offence of rape has effectively been redefined . The scope of rape has been expanded to include oral sex and unlawful carnal knowledge inflicted on the male gender. Also it is no longer necessary to prove that penetration was with the penis.
 - ✓ Section 1 of the VAPP Act provides as follows:
 - a. To receive the necessary materials, comprehensive medical, psychological, social and legal assistance through governmental agencies or non-governmental agencies providing such assistance;
 - b. To be informed of the availability of legal, health and social services and other relevant assistance and be readily afforded access to them;
 - c. To rehabilitation and re-integration programme of the State to enable victims to acquire, where applicable and necessary, pre-requisite skill in any vocation of the victim's

choice and also in necessary formal education or access to micro-credit facilities.

- d. Any rules and/or regulations made by any institution or organization prohibiting or restraining the reporting of offences or complaint within the provisions of the Act, shall to the extent of the inconsistencies be null and void; and
- e. No complainant of any offence under the Act shall be expelled, disengaged, suspended or punished in any form whatsoever by virtue of the action of compliance with the provisions of the Act.
- f. The Act offers voluntary associations and non-governmental organizations working in the area of protection of rights of victims of violence to participate in the processes of delivering help and palliatives ¹¹ as well as justice to victims of violence in Nigeria.¹²

Some of the Laws and Customary Practices Discriminating Against Women in Nigeria

1. Section 55 of the Labour Act which bars women from being employed in night work except as nurses.
2. Section 360 of the Criminal Code which makes the indecent assault of women a misdemeanor punishable with a two-year prison term, as opposed to three years' prison term imposed for indecently assaulting a man, which is a felony in section 353.
3. By virtue of Section 127 of the Police Act, married women are prevented from seeking enlistment in the Nigerian Police

Party v. I.N.E.C [2001] FWLR (Pt.31)2735

¹¹Section 357 of the Criminal Code Act provides: "Any person has unlawful carnal knowledge of a woman or girl, without her consent, or with her consent, if the consent is obtained by force or by means of threats or intimidation of any kind, or by fear or harm, or by means of false or fraudulent representation as to the nature of the act, or, in the case of a married woman by personating her husband, is guilty of an offence which is called rape." However, section 6 of the Criminal Code Act provides that "unlawful carnal knowledge" means carnal connection which takes place otherwise between husband and wife.

¹⁰In *Natsaha v. State* [2017] All FWLR 127 at 159, the Supreme Court held that the most the court will deem that sexual intercourse is complete upon proof of penetration of the penis into the vagina.

¹¹Such intervention may take the form of legal, medical, financial assistance.

¹²Section 40 of the Act

Force. Under section 127, when an unmarried police woman for example, is pregnant, she would be discharged from the police force. She can only be re-instated on the approval of the Inspector General of police.

4. Under section 55 of the Penal Code, husbands are permitted to chastise their wives. Here, section 55(1)(d) states that nothing is an offence which does not amount to the infliction of grievous harm upon a person and which is done by a husband for the purpose of correcting his wife. Thus, under the Penal Code, a husband can beat his wife so far, it does not lead to serious injuries or grievous harm. In essence, the Penal Code condones domestic violence against women.
5. Marital or spousal rape is not a crime in Nigeria. Arguably, this has been addressed by the Violence against Persons Prohibition (VAPP) Act 2015.
6. Furthermore, in many communities in Nigeria, some customary practices/law discriminate against women, among which are:

Exercise for Participants- Discussion Table 6 See Appendix

Session 7

7.1 Session Objectives

To expose participants to historical struggles on achieving gender equality & equity

7.2 Learning Objectives

Participants reflect on the work accomplished so far in eradicating GBV and explore how they may lead or support social movement within and across their communities.

7.3 Key Messages

- i) The Law as an instrument of change is definitely an indispensable weapon in the hands of legislators, policy makers and the citizens in Nigeria.
- ii) There have been clamor for an extensive reform of the laws discriminating against women in Nigeria.
- iii) Nigerian government did introduce some reforms to improve the status of the Nigerian woman. Some of these legislative reforms has initiated the shift in some societal norms.

Key examples include:

- 1) The appointment of female Justices to the Supreme Court.
- 2) The enactment of laws, such as the Violence Against Persons Prohibition (VAPP) Act 2015.
- 3) The Sexual Offences Bill 2013
- 4) The Gender and Equal Opportunities (GOE) Bill 2016
- 5) Labour Amendment Bill 2016.



7.4 Activity & Facilitators Note

7.4.1

Explain successes recorded in similar context on seeking gender justice and how it was achieved. Facilitators to encourage participants to give local examples especially in project communities, participants can state examples and what was achieved using the known to unknown method.

Brief History of freedom fighters in Africa

1. Funmilayo Ransome Kuti - The Woman Activist.
2. Yaa Asantewa - The Commander in Chief. ...
3. Winnie Mandela - The President's Wife. ...
4. Margaret Ekpo - The Fashionable Feminist. ...
5. Miriam Makeba - The Mother of Africa. ...
6. Queen Nzinga - The reformist. ...
7. Ruth Williams, Lady Khama - The Motswanan
8. Gambo Sawaba - Nigerian Women's Rights Activist

7.4.2

Facilitator should further expound on different channels and practices in seeking redress and justice within and beyond communities. (Ask participants to describe how and where they seek justice/ complain issues of violence in their communities). Use of arbitration, conciliation, mediation as alternative dispute resolution (ADR) in community structures, locally determined structures in the community structures some of which are: Families, Family heads, Clans' heads, Community/Traditional leaders, Religious leaders, Local vigilante, Local police post if any, Local dispensary /clinics, Primary/secondary schools / teachers within communities, Traditional birth attendants, Women /market women leaders, Youth groups, CBOs, Customary courts.



7.4.3 Activity

- (i) What can the community do to ensure women and girls are safe to report incidences of Violence:
- (ii) To reduce the impunity to VAWG (Awareness creation, safe spaces, Establish referral path within community and outside where necessitated. Monitor & ensure complains are legitimate, Assign committee to investigate and report back to the established structure. Ensure full adherence to security and protocol to support survivals)



Appendix

Activity Table 1: Gender Quiz

| S/N | STATEMENT | MARK S (Sex) or G (Gender) |
|-----|---|-------------------------------|
| 01 | Women give birth to babies' men do not | |
| 02 | Women cry, Men do not cry | |
| 03 | Women do more agricultural work than men | |
| 04 | Women can breast feed babies, men cannot. | |
| 05 | Women are better at caring for children than men | |
| 06 | Men cannot control their sexual urges while women can. Men are sexually more aggressive than women. | |
| 07 | Men need more help in post disaster contexts because they are the main breadwinners. | |



Exercise for Participants- Discussion Table 6

| S/N | CULTURAL VIEWS ON WOMEN | ISLAMIC VIEWS | CHRISTIANITY VIEWS | RESOLUTION |
|-----|--|---------------|--------------------|------------|
| 01 | Women not been able to own land except through male relatives Discuss? | | | |
| 02 | More often, women are regarded as property and therefore cannot own property themselves; Discuss? | | | |
| 03 | In some communities in Nigeria, a woman is not allowed to inherit her husband's estate, instead she may be inherited along with the estate of her husband by another male relative in the family. Discuss? | | | |
| 04 | Some customs in Nigeria give preference to the male child against the female child in matters of inheritance. Discuss? | | | |
| 05 | Most often, Social, religious and cultural norms are the justification/basis that marital rape clings on that justifies it not been referred to as a crime in Nigeria. For example, a wife is the property of the man who paid the bride price | | | |



ANNEX 1

| TIME | ITEM |
|---------------|---|
| 8:45 - 9:00 | Registration |
| 9:00 - 10:30 | a) Welcome Address and Introduction b) Icebreaker c) Pre-evaluation d) Expectation and objectives e) Agree on house rules |
| 10:30 - 10:50 | Tea Break/Group photograph |
| 10:40 - 12:10 | Dialogue/Presentation/Consultative meeting/Focus Group Discussion |
| 12:10 - 13:10 | Break-Out Session |
| 13:10 - 13:40 | Plenary Session |
| 13:40 - 16:30 | Closing remark/House Keeping/ Lunch |



Table 1: Reaction Form (Participants tool)

| S/N | INQUIRY AREAS | STRONGLY DISAGREE | DISAGREE | AGREE | STRONGLY AGREE |
|-----|--|-------------------|----------|-------|----------------|
| 01 | During the introduction, I was given the opportunity to state my expectation for the training | | | | |
| 02 | The trainer told me what I will be able to do at the end of the session | | | | |
| 03 | At the end of the session, I was able to do what the trainer said I will be able to do | | | | |
| 04 | After the trainer introduced his/her session, I became interested in what he/she was about to teach because it was relevant to me in my home and community | | | | |
| 05 | The trainer told me how I will be involved in the training | | | | |



Table 2: Facilitators' Post Program Evaluation

| S/N | INQUIRY AREAS | MUCH BETTER | SOMEWHAT BETTER | NO CHANGE | SOMEWHAT CHANGE | MUCH WORSE | DON'T KNOW |
|-----|---|-------------|-----------------|-----------|-----------------|------------|------------|
| 01 | How would you rate the participants comfort level in the application of your knowledge area | | | | | | |
| 02 | How effective are they in the knowledge area | | | | | | |
| 03 | How close are participants to set learning objectives | | | | | | |



Table 3: Post-Program Evaluation for Trainee

Name:

Date:

This survey is designed to evaluate participants' experience regarding the application of the training knowledge areas since completing the training program

| S/N | INQUIRY AREAS | MUCH BETTER | SOMEWHAT BETTER | NO CHANGE | SOMEWHAT CHANGE | MUCH WORSE | DON'T KNOW |
|-----|--|-------------|-----------------|-----------|-----------------|------------|------------|
| 01 | How would you rate your current level of knowledge on laws and policies that seeks to protect women | | | | | | |
| 02 | How would you rate you current confidence in engaging with culture and religious leaders to demand for accountability on VAWG? | | | | | | |
| 03 | How would you describe your current level of interest, confidence and commitment in amplifying women's and girls' voices in your community? | | | | | | |
| 04 | How would you rate your anticipated ability to function as a group working on VAWG | | | | | | |
| 05 | Do you think that the priority issues raised in the course of the training would be well tackled by the groups in your community as a result of this training? | | | | | | |



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