



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

Distr.: General  
17 February 2004

Original: English

---

**Committee on the Elimination of Discrimination  
against Women**  
**Thirtieth session**

**Summary record of the 637th meeting**

Held at Headquarters, New York, on Tuesday, 20 January 2004, at 10 a.m.

*Chairperson:* Ms. Açar

**Contents**

Consideration of reports submitted by States parties under article 18 of the  
Convention (*continued*)

*Combined fourth and fifth periodic reports of Nigeria*

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

04-21307 (E)

**\*0421307\***

*The meeting was called to order at 10.10 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** *(continued)*

*Combined fourth and fifth periodic reports of Nigeria (CEDAW/C/NGA/4-5, CEDAW/PSWG/2004/I/CRP.1/Add.6 and CEDAW/PSWG/2004/I/CRP.2/Add.4)*

1. *At the invitation of the Chairperson, the delegation of Nigeria took places at the Committee table.*

2. **Ms. Akpan** (Nigeria), introducing the combined fourth and fifth periodic reports of Nigeria (CEDAW/C/NGA/4-5), said that the Government and people of the Federal Republic of Nigeria had noted the Committee's positive comments on the second and third periodic reports of Nigeria. She also recognized the challenges identified by the Committee that her Government must meet to implement the Convention, particularly overcoming cultural stereotypes, strengthening legal and constitutional mechanisms, providing adequate data and promoting the health, education and protection of women and girls.

3. Despite the difficulties that her Government was facing owing to a complex past and varying degrees of development in her country, it had made tangible progress towards fulfilling its commitments under the Convention. Nigeria's newly established democratic system, and lobbying by many women's organizations to incorporate the Convention in domestic legislation, had helped to bring the Convention to the attention of the National Assembly. Legislative measures to protect the rights of women and girls included the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act of 2003 and the Child Rights Act of 2003. The National Assembly was also considering a bill on violence against women. Furthermore, the Ministry of Women Affairs and the cooperative relations that had developed between the Government and civil society were helping to gradually erode the negative perceptions arising from the adoption and implementation of the Shariah criminal law system.

4. She cited the cases of Safiya Hussein and Amina Lawal, who had been sentenced to death by stoning by the Shariah courts for adultery, and subsequently acquitted, as examples of the legal assistance afforded women, particularly poor women, by civil society

organizations, in close collaboration with relevant Government agencies. Several instruments provided for the promotion and protection of women's civil, political, social, economic, cultural and developmental rights in Nigeria, including the Universal Declaration of Human Rights and the International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights, ratified by Nigeria in 1993; the African Charter on Human and Peoples Rights, ratified by Nigeria in 1983 and incorporated in federal law in 1990; and the 1999 Nigerian Constitution, particularly section 42, which guaranteed freedom from discrimination. Furthermore, the Constitution guaranteed equality of rights, obligations and opportunities before the law and the opportunity for all citizens to secure adequate means of livelihood and suitable employment without any form of discrimination.

5. The national policy on women, adopted by the Federal Government in July 2000, which sought to increase the total representation of women in the legislative and executive branches of government and political parties to 30 per cent, was a significant step towards the promotion of gender equality and enhancement of the complementary roles that women and men should play in national development. The overall goals of the policy included ensuring the elimination of all forms of discrimination against women; guaranteeing that the principles and provisions in the Nigerian Constitution were effectively enforced; and mainstreaming gender perspectives in all policies and programmes based on systematic gender analysis at all levels of government. She drew attention to the increase in the number of women appointed to decision-making positions, which demonstrated her Government's firm resolve to achieve those goals. Legislation had also been enacted by most states in Nigeria on the rights of widows, female genital mutilation, prohibition of early marriage, education for girls and trafficking in women and children.

6. To stem the tide of the scandalous trade in women and sexual exploitation, which had done great harm to Nigeria's image abroad, much had been done during the previous four years to expose the nefarious trafficking in women and children. Considerable efforts towards raising awareness among parents and other major stakeholders in society on the dangers involved in succumbing to the enticements offered by traffickers had resulted in the passage of legislation on trafficking

by the National Assembly. The President of the Federal Republic of Nigeria had recently appointed a Special Assistant on Human Trafficking and Child Labour. In addition, Nigeria had signed agreements with various institutions, organizations and Governments to combat human trafficking and child labour.

7. Significant positive changes in the status and quality of women's employment had been recorded since the previous report, including the increase in the number of women who had entered the labour market; a review of employment legislation, which gave due consideration to gender; advocacy for the implementation of affirmative action through sensitization and awareness programmes initiated by the Ministry of Women Affairs and Youth Development, in conjunction with non-governmental organizations and development partners; the national poverty-eradication programme, which provided training for skills acquisition for both men and women; and other measures outlined in the report.

8. Measures had also been adopted by national and state institutions, development partners and women's non-governmental organizations to ensure women's economic and social empowerment, including the provision of micro-credits; the establishment of women's cooperative societies targeted at health, education, literacy and income-generating activities for women in the rural areas; and the extension of loans at low interest rates and waiver of collateral for women who sought credit. This Ministry of Women Affairs and Youth Development, the Ministry of Health and development partners were cooperating to implement the programme, which had been replicated in 22 states of the Federation. In conclusion, she affirmed her Government's commitment to implementing measures to eliminate all forms of discrimination and violence against women and to ensuring women's involvement in and access to the media as well as information and communication technologies that served as instruments for the advancement and empowerment of women.

9. **The Chairperson** said that the Committee welcomed Nigeria's efforts to speed up implementation of the Convention, enact the National Bill on Violence against Women, eradicate the negative impact of harmful traditional practices, and repeal penal laws that were contrary to the provisions of the Convention. It also welcomed Nigeria's commitment to the promotion of human rights and its intention to abolish discriminatory laws. However, the Committee expected

to see changes sooner rather than later and looked forward to a demonstration of the Government's political will to transform its intentions into concrete actions. She urged Nigeria to ratify the Optional Protocol to the Convention in order to guarantee effective implementation of the Convention in the country and ensure that its provisions had a real impact on women's lives.

#### *Articles 1-6*

10. **Ms. Šimonović** noted that, although Nigeria had ratified the Convention in 1985, it remained the case that only certain provisions of the Convention were enforceable. It was therefore important that the Convention become fully enforceable throughout the country. Moreover, although Nigeria's report stated that the Constitution guaranteed equal rights for men and women, certain laws appeared to indicate the contrary.

11. **Ms. Gnancadja** asked how the Nigerian Government planned to harmonize its tripartite legislative system and to ensure respect for the Convention. The Government had stated in its responses that there was no immediate plan to enact uniform legislation on marriage and the family in accordance with article 16 of the Convention. She asked for clarification and reassurances as to the Government's intentions in that regard and would also appreciate more information concerning the procedure for introducing draft legislation at the federal and state levels.

12. **Ms. Shin** said that, although she wanted to believe that there was a genuine political will in Nigeria to improve the situation of women, she wondered why the process was so slow. Nigeria needed to make rapid, radical changes in its laws, policies and programmes. The representative had referred, in her introductory remarks, to the acquittals of Safiya Hussein and Amina Lawal, who had been sentenced to death by stoning, on the grounds of adultery. Far from a cause for celebration, those cases were a reminder of States' obligation under the Convention to ensure that no such discriminatory laws existed. The Committee wished to be informed of the precise timetable for repealing such discriminatory legislation. Furthermore, the representative had noted that the National Bill on Violence against Women was currently before Parliament, but she wondered whether temporary measures had been introduced to protect women

against violence, pending the Government's adoption of the Bill.

13. **Ms. Gabr**, noting that Shariah law had, in general, made major progress in the advancement of women's economic and financial rights, wondered how the Nigerian Government intended to apply it domestically with a view to enabling women in Nigeria to acquire their full rights.

14. **Mr. Melander** noted, with reference to Nigeria's combined fourth and fifth periodic report, that a number of development projects were under way in collaboration either with United Nations agencies or with bilateral agencies. In that regard, he asked whether Nigeria needed more support, whether those agencies could be more active, and whether some programmes might be made more gender-sensitive. He also noted that the Convention had been before Nigeria's National Assembly for a long time, and wondered when it would be adopted.

15. **Ms. Akpan** (Nigeria), responding to Committee members' comments with respect to the length of time taken to introduce the Convention into domestic law, noted that the political realities of her country since its ratification of the Convention in 1985 had not been favourable to its full domestication. Since its independence in 1960, Nigerians had spent a longer period under military rule than under civilian governments. Respect for the Convention had meant nothing to the country's former military leaders, and the country had not begun the process of domesticating the Convention until the advent of democratic government. Civil society was now cooperating with the Government, and it would not be long before the Convention became part of domestic legislation.

16. **Mr. Ladan** (Nigeria), referring to the procedure for introducing draft legislation, said that the procedure required two levels of consultation. With respect to the Convention, the Government must consult the states and local governments, which were the Government's partners in promoting and protecting women's rights. The Government had made a commitment to make the Convention part of national law, and it was now before the National Assembly.

17. **Mr. Azimazi** (Nigeria) said that the Government had acknowledged that certain provisions of the Constitution discriminated against women and that it was making efforts to repeal those provisions. The Nigerian legal system regarded the Convention as the

standard with respect to the consideration of discriminatory laws. The process of constitutional amendment was now under way, and that process now involved not just ministries, but also the National Human Rights Commission and certain non-governmental organizations active in women's issues.

18. **Ms. Arinze-Umobi** (Nigeria) said that the Government had noted the discrepancies between various laws related to marriage, and was working together with the National Human Rights Commission and non-governmental organizations to harmonize legislation on marriage in an effort to find a lasting solution that would ensure that married couples were subject to a single law that exposed no one to disadvantage.

19. **Ms. Jipreze** (Nigeria) said that the process of domesticating the Convention was slow, in part because, although Section 12 of the Constitution did empower the Government to enact legislation to implement ratified international treaties, it also provided for an "exclusive legislation list", which did not include the issue of women. Thus, in the case of the Convention, the process was rather cumbersome, and involved not just the Government, but also the states.

20. **Ms. Toyo** (Nigeria), speaking with regard to the country's tripartite legal system, said that the country was presently in the process of harmonizing its various laws and determining which aspects of Shariah law could be regarded as discriminatory. However, it was unlikely that Nigeria would move away from the legislative diversity that had characterized its history. Although the Government would continue to seek ways to harmonize legislation, different sectors of Nigerian society would retain their legislative traditions, and the Government would also continue to protect those values. It was not easy to give a timetable for the repeal of discriminatory legislation. The process required commitment, and efforts to promote acceptance of the Convention were ongoing.

21. **Ms. Wigwe** (Nigeria) said that the issue of the marriage age was fundamental to the provisions of the Convention, and noted that Nigeria's National Assembly had adopted the Child Rights Act of 2003, which set the age of marriage for women at 18. The issue of equality in marriage was addressed in the Bill on Violence against Women, which was currently before the Assembly. Under the current constitutional reforms, the question of the transfer of citizenship from

a married woman to a spouse who was not a Nigerian national had been positively received by the National Assembly, but remained unresolved. Lastly, with respect to the overall process of harmonizing laws, the procedure was indeed slow, but there clearly was a need for standard provisions, and the process of sensitization had begun.

22. **Mr. Ladan** (Nigeria) said that Nigeria was considering the relationship between the Federal Government and state governments with respect to certain issues, including that of the implementation of Shariah law. He noted that a state law could not be declared unconstitutional unless one of its provisions was in conflict with a constitutional law. Therefore Shariah law could not be declared unconstitutional unless that was found to be the case. Moreover, with respect to Shariah law, it was for the courts to decide regarding unconstitutionality.

23. **Ms. Wigwe** (Nigeria) said that, since the Government had made no statement concerning how best to incorporate Shariah law, women must submit to the due process of the law and also try to rely on the strict application of the principles of Islamic law. Since those principles did not discriminate against women, due process was one of the ways in which the issue was being handled by Nigeria. Furthermore, the codification of Islamic personal law would provide protection for women during the process of legislative harmonization. There was also a need for continued sensitization among the population concerning the need for the strict application of Islamic law, which was highly compatible with the principles of the Convention.

24. **Ms. Ferrer Gómez** said that in the information provided she had seen no specific programme devoted to changing men's and women's attitudes in order to eliminate prejudice and traditional practices based on women's inferiority and subordination. She asked whether, in addition to the training programmes on women's rights for magistrates and law enforcers, there were guidelines for the crucial education sector and whether similar work was in progress with the media, while parliamentarians needed to be made more aware of their potential contribution. Given the great resistance to change, attested to by the fact that legislative measures had been taken in only 33 per cent of states, she would like further information on the Government's plans in that regard.

25. **Ms. Khan** asked the delegation for further information concerning the National Policy on Women, which, after three years, had apparently achieved little in the way of implementation or impact and whether the National Centre for Women Development, working in similar areas, was independent or a part of the Federal Ministry of Women Affairs and Youth Development. She inquired whether the attempts under the National Policy on Women to codify customary laws meant that they had been harmonized with a view to eliminating prevailing discriminatory practices, how the Policy was coordinated and, with the adoption of the gender-mainstreaming policy, what role other ministries played in its implementation.

26. She enquired whether gender budgeting was done only at the federal level, whether women's education and health came under the federal or a state budget, what federal mechanism existed under the National Policy on Women for ensuring that states allocated funds for girls' education and health, and how the National Policy on Women was coordinated in the 36 states. Lastly, she recommended that the gender desk of the National Human Rights Commission and the National Centre for Women Development might jointly undertake a study for eliminating the all too numerous discriminatory practices remaining under Shariah law.

27. **Ms. Patten**, seeking information on the composition and terms of reference of the constitutional review committee, stressed that its task should entail a thorough review of all constitutional provisions rather than a piecemeal exercise limited to incorporation of the Convention. Attention having been drawn to a large number of discriminatory provisions still impeding implementation of the Convention, she asked whether a time frame had been set for the review committee's completion of its work, since the gaps and discriminatory provisions in the Constitution had already been identified not only by non-governmental organizations, but also by governmental bodies such as the National Consultative and Coordinating Committee. Despite the emphasis on policies and the enactment of laws to reduce discrimination and policies in crucial areas, she would like to know how the Government was addressing the difficulty — caused by the coexistence of three legal systems: civil, religious and customary — of protecting women's rights.

28. **Mr. Flinterman** welcomed the determination to ensure that the Convention would soon be

domesticated, and hoped that the National Assembly would act speedily. He enquired whether domestication of the Convention, which would make it federal law in Nigeria, meant that it would override all other laws and permit the judiciary to annul any federal law, including any provision of the federal Constitution or any state laws, that contravened the Convention. Nigeria having been one of the first signatories of the Optional Protocol to the Convention in 1999, he asked when it would be ratified and whether the Constitution also required that it be domesticated before it could be applied.

29. **Ms. Gaspard** asked whether the current report had been submitted to Parliament and, if not, whether the Ministry intended to involve Parliament in the preparation of the next report. It would also be useful to apprise it of the Committee's findings at the end of the current deliberations, it being the parliamentarians' task to abolish laws that discriminated against women. Some of them might not be fully aware of the provisions of the Convention, which Nigeria had signed without any reservations, making it binding on the country. Democracy and development were closely linked to women's legal status in society. Since women were victims of violence in all societies, the Government must be mobilized to combat *de jure* and *de facto* violence. Lastly, the delegation should indicate what the Government was doing to stamp out the specific sex-related violence to which women were subjected.

30. **Ms. Morvai**, referring to the statement in the report (para. 147.1) that under customary law, wives remained as slaves to their husbands and in-laws, asked whether the Federal Government was committed to regulating the codification of customary law, whether it was a federal, state or local procedure and how it would be monitored by the Federal Government. Since only 15 per cent of the beneficiaries of the National Poverty Eradication Programme (NAPEP) were women, she asked whether distribution and access to such programmes were regulated by law, whether the procedure was transparent and whether it was viewed as a rights-based issue. Referring to prostitution and the trafficking of Nigerian women to the industrialized countries, where they were used and abused by Western men, she asked whether there was a holistic programme to prevent women from becoming prostitutes or to rehabilitate those who did. Prostitution should not be a crime, since it was not the fault of

women involved; it would be fairer to prosecute those who used their services.

31. **Ms. Schöpp-Schilling** said that the process of domesticating the Convention appeared to have been made more complicated by the exclusion of women's issues from the so-called legislative list and asked why it had been omitted. Although discriminatory provisions of statutory, religious and customary law could be appealed through due process in the courts, she wondered whether there were other legal or institutional mechanisms for ensuring the uniformity of human-rights protection nationwide. She asked whether the term "domestication of the Convention" meant that all 16 substantive articles of the Convention would become Nigerian law or whether a new bill, selecting elements of the Convention, had been formulated. In the latter case, she would like to know whether it contained the definition of discrimination and a legal basis for the application of temporary special measures. The Committee would be issuing a new general recommendation on temporary special measures at the end of the current session, which she encouraged the authorities to consider carefully.

32. **Ms. Saiga** said that, since the gender issue had not been included in the legislative list, whose precise content was unclear, she would like to know exactly what was meant by the statement that the Bill on Violence against Women was receiving the attention of the National Assembly and whether the list contained human-rights issues. If not, she would be interested to know what would occur if a new bill needed to be adopted by Parliament.

33. **Ms. Tavares da Silva** asked whether the state governments' measures to abolish existing discriminatory laws constituted a parallel procedure to similar measures by the Federal Ministry of Justice and how the two were linked or coordinated. The delegation should indicate what time frame and targets had been set for the various programmes, including those for the elimination of harmful practices, in particular, female genital mutilation, and for reproductive health. She inquired whether the legislative amendments banning female genital mutilation were exclusive to Edo and Enugu States, as implied in the written responses, and whether similar action was foreseen nationwide.

34. Concerning the role of the judiciary in applying laws relating to women's inheritance rights under

customary law and the fact that some judges already invoked the Convention in the courts, she asked what specific sensitization measures existed for judges and what the Government was doing to support the non-governmental organizations' awareness-raising activities for lawyers and judges. A clearer definition of the Women's Political Agenda submitted by non-governmental organizations to the Government in 2002 giving its main areas and focus was also needed since it was unclear whether it had been specific to women's issues and participation in the 2003 elections.

35. **Mr. Ladan** (Nigeria) said that the procedure for domesticating the Convention had been clearly spelled out in pages 3-4 of the written responses. Having been ratified, the Convention had become a legally binding international instrument for Nigeria. However, since Nigeria applied the dualist doctrine of international law, it was still necessary for the Convention to be incorporated as part of Nigerian law in a manner consistent with Section 12 of the 1999 Constitution. That exercise would give the Convention dual legal status: as an international legal instrument and a Nigerian domestic law. Although the Convention had not yet been domesticated, the courts were free to apply the provisions of the Convention regarding non-discrimination and equality.

36. Treaties signed and ratified by Nigeria and domesticated by the enactment of enabling legislation could automatically be invoked in the municipal courts, and the provisions of the Convention would prevail when they conflicted with Islamic, customary, statutory or civil law. However, as stated in paragraph 3.3 of the written responses, in default of domestication, there was no current law that provided that the Convention could be directly invoked by any Nigerian court at any level, although the courts were not precluded from taking the Convention into consideration in arriving at decisions involving questions of equality and non-discrimination in favour of Nigerian women.

37. The fact that women's issues did not appear on an exclusive legislative list meant that it was not in the exclusive domain of the Federal Government. However, such issues were taken into account, enabling the Federal Government and the state to participate in legislation on such matters. Until domestication, in any issue before them Nigerian courts could examine the constitutionality of a particular law that conflicted with the Nigerian

Constitution. Regarding the Optional Protocol, once ratified it would be subject to the same domestication procedure as that of the Convention under Section 12 of the Constitution.

38. **Ms. Akpan** (Nigeria) said that the Women's Political Agenda had been established by a group of women's non-governmental organizations prior to the 2003 elections. It was not an ad hoc document, since it had led to the Government-sponsored National Action Committee on Women in Politics, which had the task of monitoring women's progress in achieving equality in politics. That programme had resulted in the decision that all political parties must henceforth waive women's registration fees in order to afford them a level playing field in the political arena — an act that carried a wide range of implications — and would again be applied to the 2007 elections. Enhancement of women's political activity was coordinated, with Government funding and support, by the zonal coordinators in each of the country's six zones.

39. **Ms. Hassan** (Nigeria) said that the National Policy on Women had been developed with inputs from the public and private sectors and civil society. It clearly established and defined the responsibilities of each sector and had set targets for them. Although the document had been signed into law in 2000, certain gaps had been identified in the course of its implementation, and the Ministry of Women Affairs was currently engaged in filling those gaps in time for its the next review. The Ministry was also developing an implementation framework in which sectoral responsibilities would be more clearly defined and targets set in order to assist certain sectors where it had been unclear as to what was expected of them. The next step was to identify sectors whose collaboration would be useful for a particular programme. The National Centre for Women Development did not itself amend laws discriminatory to women, but collated them and submitted them to the Federal Ministry of Justice, which advised the Government on their repeal or amendment.

40. **Mr. Azimazi** (Nigeria) said that there was no set timetable for the repeal of discriminatory laws; which was subject to legislative considerations, in terms of scheduling, political will on the part of the Government, and support from civil society and the Federal Ministry of Women Affairs and Youth Development. The Bill on Violence against Women, formulated by a coalition of 55 Nigerian non-

governmental organizations, had been drafted with the active participation of the Federal Ministry of Women Affairs and Youth Development. The provisions of the bill were in line with those of the Convention and sought to offer women protection that they did not currently enjoy. For instance, police officers who witnessed outright violations against women were encouraged to take more than the normal action that they would take in a criminal case. The Bill also set the age of marriage at 18 and included other measures for protecting women from abuse.

41. Human rights training was provided for judges and law-enforcement officers from the perspective of violations of women's fundamental human rights. Efforts were also under way to establish policewomen desks in stations where most abused women made their initial reports. Sustained sensitization focused on the need to give cases of violence against women the highest priority in the country's reorientation of power relations between the sexes. An aggrieved woman was entitled to take her case to the highest level in her quest for the protection afforded by the provisions of the Constitution, which were in line with those of the Convention. A vast array of measures were available to women, pending the repeal of discriminatory laws or the enactment of special laws for their protection.

42. **Ms. Sako John** (Nigeria), speaking on action taken in the area of behavioural change with regard to discriminatory practices against women, said that the National Council of Education had approved the inclusion of sex education in the national school curriculum. A prototype curriculum endorsed by the Council in August 2001 was at the implementation stage. Shortly after the return to civilian rule in 1999, the President had set up a task force to review the 1999 Constitution. Subsequently, the National Assembly had set up a committee with a similar remit. Both bodies had toured the entire federation, and their subsequent reports had included inputs from civil society and other stakeholders, including women's rights organizations, on aspects that they wanted included in the constitutional review. Currently, the National Assembly had set up yet another committee with very wide terms of reference. However, there was no time frame for its work.

43. **Ms. Arinze-Umobi** (Nigeria), clarifying the point that when women married under the customary law system they became slaves of their husbands and brothers-in-law, said that a woman who was married

under customary law was subjected to several constraints. For example, she could be divorced just for being disrespectful to her brother-in-law or for bearing just female children. It was impossible for them to express their views on certain issues, particularly ownership of land and inheritance. The Government had therefore decided to look into the whole range of customary laws with a view to codifying them and removing all the discriminatory practices against women.

44. **Ms. Ngozi Jipreze** (Nigeria), speaking on efforts to eliminate discriminatory practices and remove obstacles that impeded a review of the law, said that at the inception of democratic governance in 1999, the Government, conscious of its obligations under the Convention, had directed that a study should be carried out to compile all the harmful traditional practices in different areas of Nigeria with a view to legislating against them. It had further directed that, in the areas where customary law or religion did not provide for inheritance by a woman, a law should be enacted to give the woman the right to inheritance. Those efforts were ongoing as part of the domestication of the Convention.

45. **Ms. Akpan** (Nigeria) said that the Committee's report was before the Parliament. All senators and members of the House of Representatives knew about the report. Indeed, the Senate committee chairman in charge of women's affairs and the House committee chairman in charge of women's affairs were both women.

46. **Mr. Azimazi** (Nigeria) said that the Nigerian Government, by an act of Parliament in 1995, had established the National Human Rights Commission, part of the mandate of which was to ensure implementation of Nigeria's international human rights obligations. The Commission implemented its mandate without recourse to gender division and ensured that any complaint or allegation of violation of human rights against men or women was taken up on an equal basis. There was also a National Legal Aid Council, which provided legal aid to indigent persons. It gave preference to women who had suffered violence or were in jail for any criminal offence. In that regard, it ensured that nursing mothers who were in prison were granted bail. There was also a Public Complaints Commission which ensured equitable treatment in the workplace.



*Articles 7 to 9*

47. **Ms. Coker-Appiah** said that there was an urgent need for research on the factors that inhibited women's full participation in politics and public life before any measure could be adopted to redress the gender imbalance. In its response to a question raised on that issue, the Government had stated that, as a corrective measure, the National Action Committee on Women in Politics zonal coordinators had been put in place in order to achieve the 30 per cent affirmative action. Who were the zonal coordinators and how, in terms of strategies, did they hope to achieve the 30 per cent affirmative action? Regarding recruitment into the foreign service, the Government's response had been that, at any time a recruiting exercise took place, efforts were made to ensure that a certain percentage of available vacancies was reserved exclusively for women. She wondered whether the delegation could indicate what that percentage was.

48. **Ms. Kapalata** said there was ample evidence that the Government was seriously trying to implement the Convention. Indeed, it was gratifying to note that special attention had been paid to the concluding comments of the Committee at its nineteenth session. However, she was seriously concerned at the unequal treatment of women foreign-service officers. There did not appear to be any tangible reason why spouses of foreign service officers should be denied the opportunity to serve abroad; indeed, such a ban curtailed their career advancement. She would appreciate information on that provision and wished to know whether there was a quota system for recruitment of women into the foreign service.

49. **Ms. Belmihoub-Zerdani** said that, in countries with federated systems of government, progress for women had been much slower than in countries where there was a single constitution and system of justice. She welcomed the Nigerian Government's achievements following the renaissance of democracy in that country. If, as stated by one of the representatives of Nigeria, it was true that laws were regulated by the courts, which were therefore a source of law, then the solution would surely be to appoint an appropriate number of women to the judiciary.

50. **Ms. Gaspard** wondered how many women there were in the House of Representatives and in the Senate. A goal of 30 per cent had been set for the representation of women in the electoral process, but that was not a requirement which entailed sanctions, if not met. Much progress had been achieved with respect

to the representation of women in elected assemblies in Africa and, in fact, one of them was ahead of Sweden in terms of the number of women in parliament. Thanks to binding measures, affirmative action programmes and quotas, the percentage of women in parliament in some countries was as high as 48 per cent. In that regard, she wondered whether Nigeria had any plans to considerably change the target of 30 per cent before the 2007 elections.

51. **Ms. Shehu** (Nigeria) said that, while the courts could be a source of law in terms of case precedents, the issue of international law was the exclusive preserve of the National Assembly. There were large numbers of women in the judiciary at the state and federal levels, but not at the Supreme Court level.

52. **Ms. Aiyedun** (Nigeria), responding to the question about the percentage of women in the foreign service, said that the Government was aiming at 50 per cent representation. Currently, the level was at 30 per cent. There was a quota system for recruiting two officers per state on the basis of qualifications, and any qualified woman could apply. There had been definite progress in the recruitment of women into the foreign service. In the recruitment exercise organized 21 years previously, 15 of the 205 foreign service officers recruited had been women; in 1993, 15 out of 72 officers had been women; and in the latest exercise in 2001, 20 out of 72 officers recruited had been women. The Federal Government was making every effort to encourage women to join the foreign service.

53. **Mr. Ladan** (Nigeria), responding to the comment on the prohibition of work by spouses of foreign-service officers, said that a married foreign-service officer was paid at a married rate to take care of his or her spouse, who did not work while they were abroad. However, the provision on working abroad depended on the laws of the receiving State and any reform of that section of the foreign-service regulations had to be done on a bilateral basis. That provision did not necessarily work against women, as it did men. Most men were reluctant to accompany their wives on postings abroad. Many women also shied away from the foreign service for fear that their husbands would not be able to accompany them. In 2001, the Ministry of Foreign Affairs had set up a committee to look into some of those regulations and how they affected the morale of officers and their families. Its recommendation was to approach countries bilaterally regarding work for spouses of foreign-service officers in their territories. Canada had come up with a concrete

proposal in that regard, which was currently being considered by his Government.

54. **Ms. Toyo** (Nigeria), responding to the question about the low level of women's participation in politics, said that 24 out of 360 representatives in the lower house of the National Assembly and 3 out of 109 representatives in the Senate were women. During the 2003 elections, several strategies had been put in place to address the question of representation. Action by civil society over the last 10 years in particular and the Government had led to the increased awareness and involvement of women. With the registration of 30 political parties, there had been intensive engagement across the country by more and more women. She agreed that there was need for urgent research into the factors that inhibited women's access. The results of the research carried out thus far showed that, apart from the factors that worked against women, there were also systemic factors that worked against men, depending on their class in the social structure; there were also factors relating to the economic status of women and men.

55. A committee had been set up by the Ministry of Women's Affairs to mobilize awareness within State institutions in order to apply the 30 per cent affirmative-action policy. However, the 30 per cent representation was a policy, not a binding requirement. There was a strong lobby by non-governmental organizations to ensure that the 30 per cent requirement was included in the constitutional reform process, thus making it binding right across the whole spectrum of public life. The delegation hoped that that would happen before the 2007 election.

56. **Ms. Akpan** (Nigeria) said that the current administration strongly encouraged women to take part in politics and promoted their employment. As of 2002, only 11 countries had implemented the 30 per cent quota. Countries worked towards that goal, which could not be met overnight. With all the good will in the world, women might still find it difficult to enter politics, so strategies would have to be devised to persuade them to do so. Even though the 30 per cent target had not been attained, Nigeria had quality women. Indeed, the most important ministry in Nigeria, the Ministry of Finance, was headed by two women. Nigeria was working towards the 30 per cent benchmark and had the necessary political will and commitment to attain it.

*The meeting rose at 1 p.m.*