

Sexual and Gender Based Violence and the Budget (A Review of Adamawa State: 2016-2019)



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**Spotlight
Initiative**

*To eliminate violence
against women and girls*



Centre for Social Justice

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By

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Acronyms

ADSHA	Adamawa State House of Assembly
ADS Law	Adamawa State Law
ADSACA	Adamawa State Agency for the Control of HIV/AIDS
AIDS	Acquired Immune Deficiency Syndrome
AU	African Union
CBOs	Community Based Organizations
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
Constitution	Constitution of the Federal Republic of Nigeria, 1999
CRA	The Child Rights Act
CSOs	Civil Society Organisations
DEVAW	Declaration on the Elimination of Violence against Women
DHS	Demographic Health Survey
DMPA-SC	Subcutaneous depot medroxyprogesterone acetate
FCT	Federal Capital Territory
FGM	Female Genital Mutilation
FGM/C	Female Genital Mutilation and Cutting
FHI	Family Health International
FMOH	Federal Ministry of Health
GBV	Gender-Based Violence
GCCC	Government Counterpart Cash Contribution
GDSS	Government Day Secondary School
GSS	Government Secondary School
GSTC	Government Science Technical College
HP	Harmful Practices
HCT	HIV Counseling and Testing
HIV	Human Immune-Deficiency Virus
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICMA	Institution of Cost and Management Accounting
INGOs	International Non-Governmental Organizations
INL	International Narcotics and Law Enforcement Affairs
IOM	International Organization for Migration
MCH	Maternal Child Health
MCPR	Modern Contraceptive Prevalence Rate

MDAs	Ministries, Departments and Agencies of Government
MICS	Multiple Indicator Cluster Survey
MTEF	Medium Term Expenditure Framework
MTSS	Medium Term Sector Strategy
MWASD	Ministry of Women Affairs and Social Development
NAIS	National Aids Indicator Impact Survey
NAP	National Action Plan
NAPTIP	National Agency for the Prohibition of Trafficking in Persons
NBS	National Bureau of Statistics
NDHS	Nigeria Demographic and Health Survey
NNHS	National Nutrition Health Survey
NOA	National Orientation Agency
NPC	National Population Commission
PHC	Primary Health Care
PMTCT	Prevention of Mother to Child Transmission
PPSMB	Post Primary Schools Management Board
SAPs	State Action Plans
SDGs	Sustainable Development Goals
SGBV	Sexual and Gender-Based Violence
SOP	Standard of Practice
SRHR	Sexual and Reproductive Health/Rights
SSG	Secretary to the State Government
TWG	Technical Working Group
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children Education Fund
USAID	United States Agency for International Development
VAPP	Violence Against Person Prohibition
VAC	Violence Against Children
VAWG	Violence Against Women and Girls
WAEC	West African Examination Council
WASCE	West African School Certificate Examination
WYEAHI	Women and Youth Empowerment for Advancement and Health Initiative
WPS	Women Peace and Security

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Executive Summary

Section One is the introduction. It delineates the focus of the research which is on budgeting for the eradication of sexual and gender-based violence (SGBV), violence against women and girls (VAWG), harmful practices (HP) and the promotion of sexual and reproductive health and rights (SRHR) of women and girls in Adamawa State. It is a desk study of relevant laws and policies, statistics, data and budgets. The draft report was validated by stakeholders including representatives of Ministries, Departments and Agencies of Government (MDAs), relevant women's rights and civil society organisations and the media. The research is part of the Spotlight Initiative which has an overall vision of *a Nigeria where all women and girls, particularly the most vulnerable, live a life free from violence and harmful practices*.

The review of budgeting is for the period 2016-2019 and it is focused on relevant key MDAs dealing with the subject matter. It was done with a view to identify the baseline, gaps and challenges in the funding of the agencies involved in the campaign against VAWG, SGBV, HP and the struggle for improved SRHR for women and girls. It also reviewed issues of variance between appropriated and actual releases, compliance with extant laws and policies on the respect, protection and fulfilment of the rights of women and girls to freedom from violence. This was done against the background of the minimum core obligation of the State, established in national policies and international standards, to guarantee freedom from violence for women and girls in Nigeria.

Section Two reviewed the legal and policy framework and this includes national and international standards. International standards include the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, Declaration on the Elimination of Violence against Women (DEVAW), Beijing Platform and Programme of Action, Sustainable Development Goals (SDGs) and the duties of State as espoused in the International Covenant on Economic, Social and Cultural Rights (ICESCR), etc. The national standards reviewed include the Constitution of the Federal Republic of Nigeria 1999 as amended (Constitution), Free, Compulsory Universal Basic Education Act, the Penal Code Law, etc. It is noted that the State is yet to enact laws on Child Rights and Violence against Persons from a gender perspective.

Section Three is on situation report which is about statistics and data. The State still has challenges in female school enrolment and completion rates. Only 63.6 percent of girls completed primary school, compared to 64.82 percent at the national level. For junior secondary, the figure is much less with 32.8 percent completion rate as compared to the national average of 38.87 percent and much lower for senior secondary, with only 24.4 percent of enrolled students completing, much lower than the national average of 28.71 percent.

VAWG, including domestic violence and sexual violence is still prevalent in the State. As at 2018, up to 44 percent of women and girls, aged 15-49, had experienced one form of violence or the other and 18.8 percent experienced it in the last 12 months preceding the

2018 survey. 4.7 percent of the women and 29.6 percent of the men still justify VAWG. This state of affairs engages the State's responsibility to take all appropriate measures to modify the social and cultural patterns of conduct of men and women with a view to eliminating prejudices and customary and all other practices that are based on the idea of the inferiority or superiority of either of the sexes. Furthermore, the insurgency has accelerated SGBV/VAWG in the State.

Early marriage and teenage motherhood, which is about marriage and childbearing before the age of majority - 18 years when free, full and informed consent can be given to a marriage, is still a challenge in the State. 44 percent of the girls were married before they turned 18 and 19.5 percent got married before they turned 15. Also, 26.7 percent had given birth to a live child before they turned 18. However, FGM/C is virtually at a zero point in the State.

82.1 percent of women in the State received ante-natal care from skilled healthcare providers while the proportion of women who were delivered by skilled birth attendants and at health facilities in the State was 33.4 percent and 40.5 percent respectively. The proportion of women in Adamawa State who were using traditional contraceptives increased from 0.8 percent in 2013 to 6.9 percent in 2018. Similarly, the use of modern contraceptives also increased significantly from 3.5 percent in 2013 to 18.2 percent in 2018. The unmet need for contraceptives in Adamawa State stands at 53 percent. HIV prevalence is reduced to 1.2 percent while maternal mortality is at the rate of 848 per 100,000 live births which is above the national average of 576 per 100,000 live births.

Section Four is on the budgetary provisions to engage the challenges considering that the budget is an indispensable instrument for the protection of the rights of women and girls to freedom from violence. At a time when the State did not fully implement Education votes and the excuse was lack of resources, the State had an outstanding N2.08bn at the Universal Basic Education Commission which it had not accessed. The Education Budget had a credibility problem in terms of budgeted votes not being fully released while some line items that were not found in the budget surfaced in the actual expenditure. If the outlier year of 2016 when more funds were spent than appropriated is removed, the average release and expenditure was 37.9 percent of appropriation. The budget did not provide opportunities for second chance education for girls. Against the background of the poor performance in education, the budget did not contain a good dose of specific line items to encourage girl child enrolment, retention and completion rates from primary to secondary schools. Also, the budget did not consistently and empirically target the elimination of violence against women and girls or the promotion of the SRHR of girls.

For the Ministry of Health, the budget lacks credibility as the votes were poorly implemented due to sub-optimal releases. A calculation of the average spending per year, if the outlier year of 2016 when spending was more than appropriated is removed shows that average expenditure against appropriation was 13.5 percent. Even if donors and the federal government were funding maternal and child health, this does not justify the absence of a vote, no matter how small to augment the external funds. There is no vote for family planning, enlightenment, and sensitization for behavioural change related to

SGBV/HP and SRHR of women and girls. Also, there were few direct and targeted votes meant to eliminate SGBV/HP and to promote the SRHR of women and girls.

The budget of the Ministry of Justice for the years 2016-2019 had nothing that could impact on the fulfilment of the state obligation to guarantee that women and girls are free from violence or to improve their SRHR. This could have been done through provision of legal aid and other relevant assistance to facilitate the claim of rights, the prosecution of offenders, etc.

For the years 2016-2019, the main provisions of the budget of the Ministry of Youth and Sports were the redesign and construction of the state's sport complex, purchase of sports equipment, renovation of dilapidated orientation camp of the National Youth Service Corps, construction of Zonal Youth Development Centres at Mubi, Girei and Numan. There were no budgetary provisions on the campaign to eliminate SGBV, VAWG, HP and improve SRHR of women and girls. Incidentally, the state government did not release a kobo to the Ministry for the four years. This seriously calls into question the credibility of the budget and the budgeting process.

The Ministry of Women Affairs and Social Development did not receive a kobo in budgetary funding in the study period. For a Ministry not to receive an allocation on these vital issues for four years shows that the government did not take steps, even to the minimum (as against the maximum) of available resources for the protection of women and girls from SGBV/HP and to promote their SRHR.

Against the background of the foregoing, the study makes the following recommendations:

Executive

- Ensure the credibility of the budgeting process through revenue forecasts based on empirical evidence and realistic budgets that are based on attainable revenue.
- Release all appropriated sums as a matter of course and routine and when there is paucity of funds, send a budget amendment bill to the legislature to amend the budget to reflect the fiscal realities.
- All relevant MDAs led by the Ministry of Women Affairs and Social Development to prepare costed action plans for successful elimination of SGBV, VAWG, HP and improvement of SRHR.
- Capacity building for Ministry of Women Affairs and Social Development and other MDAs on gender sensitive budgeting especially as it relates to SGBV/VAWG.
- Collaboration between MWASD, state Planning Commission and Statistics Agency for gathering, collation, processing and reporting on data (Data Bank) on

SGBV/VAWG/HP and improvement of SRHR. This will improve planning and response to the associated challenges.

- Provide referral services to survivors of SGBV/VAWG and to provide and monitor the provision of quality forensic, medical, legal and psycho-social support to the survivors. This should include the establishment and funding of shelters run by the State. This would involve a collaboration of several MDAs including Women Affairs, Education, Health, Justice, etc.
- Engage in sensitisation and enlightenment campaigns to change cultural attitudes based on stereotypes on the inferiority or superiority of women and men. This will involve collaboration between MDAs such as Women Affairs, Information, Youths and Sports, civil society, religious and traditional leaders.
- Capacity building and training for practitioners in the field, including investigators, prosecutors, law enforcement agents, judges, health/social workers, media practitioners etc. to fully understand the dynamics of SGBV/VAWG.
- NAPTIP should establish an office in the State aside the Desk office under the (NSCDC and Police) considering that Adamawa State is a border State with neighbouring countries.

Legislature

- Take steps to ensure that the duty to appropriate funds on a yearly basis is done in accordance with best practices that ties expenditure with availability of resources.
- Exercise oversight over the management and expenditure of public resources to guarantee the credibility of the budget.
- The State should take steps to enact laws on Child Rights; Violence Against Persons Prohibition; Protection against Domestic Violence including the Domestic and Sexual Violence Response Team; Equal Opportunities and; Establishment of the Office of the Public Defender.

Civil Society

- Engage the executive and legislature for the implementation of the above recommendations.
- Organize sensitization and capacity building programmes to improve knowledge and skills on the subject matter.

Section One

Introduction

1.1 Focus and Methodology

The focus of this research is on budgeting for the eradication of sexual and gender-based violence (SGBV), violence against women and girls (VAWG), harmful practices (HP) and the promotion of sexual and reproductive health and rights (SRHR) of women and girls in Adamawa State. It is a desk study of relevant laws and policies, statistics and data and budgets. The draft report was validated by stakeholders including representatives of ministries, departments and agencies of government (MDAs), relevant women's rights and civil society organisations and the media. The research is part of the Spotlight Initiative which has an overall vision of *a Nigeria where all women and girls, particularly the most vulnerable, live a life free from violence and harmful practices*.

The review of budgeting is for the period 2016-2019 and it is focused on relevant key MDAs dealing with the subject matter. It was done with a view to identify the baseline, gaps and challenges in the funding of the agencies involved in the campaign against VAWG, SGBV, HP and the struggle for improved SRHR for women and girls. It also reviewed issues of variance between appropriated and actual releases, compliance with extant laws and policies on the respect, protection and fulfilment of the rights of women and girls to freedom from violence.¹ This was done against the background of the minimum core obligation of the State, established in national policies and international standards, to guarantee freedom from violence for women and girls in Nigeria.

The details of the key issues reviewed include the following:

The research reviewed key state level policies and laws (or domestication of national policies, laws and programmes) and this includes laws and policies on women and gender, violence against persons, child rights, maternal and child health, reproductive health and rights, female genital mutilation, rape, child marriage, intimate partner violence, and prevention of trafficking in women. It reviewed laws, policies and programmes for access to family planning services, harmful widowhood practices, HIV prevention and treatment, second chance opportunity for girls, one stop centres for victims of sexual assault, domestic violence; medical, psychosocial, forensic and counselling services for females, survivors of SGBV. Also, it reviewed laws, policies and programmes related to law enforcement - special or gender desks in police and other enforcement agencies; judicial interventions including special courts and procedures to guarantee justice to victims of SGBV and VAWG. Furthermore, it reviewed policies/laws and programmes on girl child enrolment in schools.

¹ See General Comment No. 3 of the United Nations Committee on Economic, Social and Cultural Rights (Fifth Session, 1990) on the nature of State Parties obligations under the International Covenant on Economic, Social and Cultural Rights. See also the Maastricht Guidelines on Violations of Economic, Social and Cultural Rights adopted on the occasion of the 10th anniversary of the Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights.

Using relevant statistics and data, the research did a situation analysis of the state in terms of the different aspects of SGBV, VAWG, HP, SRHR as well as all the issues captured above under the laws, policies and programme framework. It employed gender disaggregated statistics to draw analysis. For the purpose of standardization, statistics were mainly drawn from the most recent Multiple Indicator Cluster Survey (MICS) and Nigeria Demographic and Health Survey (NDHS), Nigeria Education Indicators 2016, Adamawa State/National Aids Indicator Impact Survey (NAIIS) 2019, reports from the Police, etc.

The research reviewed provisions in the state budget which are geared towards eliminating SGBV, VAWG and HP while improving the SRHR of women and girls. Health, education, youths and sports, justice sector, women affairs, etc. allocations were reviewed. Issues flagged in the law and policy, data and statistics sections guided the budget review.

The draft report was presented to a validation meeting which was organized to ensure that the results and findings of the research are evidence based, factual and in conformity with specifications issued at the beginning of the exercise. It was an opportunity for quality control and validation. Participation at the validation meeting was drawn from representatives of MDAs and they include the Ministries of Women Affairs, Justice, Finance, Budgeting and Development, Education, Health, Agriculture, Statistics Bureau, the Police and other Law Enforcement Agencies, Anti-Trafficking agencies, etc. The stakeholders also include representatives of civil society organizations working on gender and prevention of violence against women, the media and human rights organizations. The validation meeting was preceded by the distribution of the draft report to stakeholders who studied same before the meeting.

1.2 Context

SGBV and VAWG are twin vices that are witnessed in public and private life in Nigeria. Similarly, there are many societal and traditional practices that are harmful to the wellbeing of women and girls in Nigeria. In addition, there are laws, policies and actions of different tiers of government that restrict or limit women and girls' access to the realisation of sexual and reproductive health and rights in several Nigerian societies.

The Constitution of the Federal Republic of Nigeria 1999 (Constitution) classifies legislative powers which underlies the functions of government into Exclusive and Concurrent Legislative Lists.² The Residual List is the residue that is not outlined in the Constitution while the Fourth Schedule to the Constitution outlines the functions of a Local Government Council. The Exclusive List is made up of items that are left for only the Federal Government of Nigeria while the Concurrent List is made up of items that both the Federal Government of Nigeria and State Governments can legislate. Economic, legal and social services of governments that can facilitate the reduction or elimination of SGBV are shared between the federal, state and local governments.

² Second Schedule to the Constitution, Parts 1 and 2.

Adamawa, the focus of this study, is one of the States from the North East geo-political zone of Nigeria created in 1991 from the defunct Gongola State. It is made up of 21 local government areas and covers a land area of about 36,917 square kilometers with a current projected population of 3.8 million people. Adamawa State is one of the thirty-six states in Nigeria. Within the provisions of the Constitution, the State is autonomous and can take appropriate steps on its own to ensure the speedy reduction or elimination of SGBV/HP as well as promote the SRHR of women. Adamawa State, being a part of the Nigerian Federation is indirectly a signatory to any treaty or international standard binding on Nigeria. The State is therefore under obligation to make laws and policies that guide its activities in the light of all the agreements and conventions that Nigeria is signatory to. In some cases, the State domesticates or adapts laws and policies enacted by the Federal Government of Nigeria in order to suit the prevailing circumstances within its territory. As an autonomous entity, the State Government enacts annual budgets that show its fiscal policy direction for the year and guides the execution of government functions within the fiscal year.

Essentially, a critical review of Adamawa State's annual budgets will show the extent of alignment between the government's verbal pronouncements, policy papers and expenditures. This is because the reduction or eradication of SGBV/HP or the promotion of SRHR is impossible without adequate funding. As a result, this study seeks to investigate or critically assess the extent to which Adamawa State Government has made budgetary provisions for activities and services that combat SGBV/VAWG/HP and eliminates limitations to women and girls' enjoyment of SRHR.

Section Two

Legal and Policy Framework on SGBV, VAWG, HP and SRHR

2.1 Introduction - International Standards

The rights of women, girls and indeed all members of the human family, to freedom from any form of violence imposes peremptory and continuing State obligations under international standards ratified by and applicable in Nigeria³. Some aspects of the proscription of VAWG, especially SGBV, could be stated to have attained the status of *jus cogens*, being peremptory norms of customary international law recognized and binding on all civilised nations and from which no derogations are permissible. In articulating violence against women, the definition in article 2 of the United Nations Declaration on the Elimination of Violence against Women⁴ (“DEVAW”) is adopted vis;

Article 1

“For the purpose of this Declaration, the term “violence against women” means any act of gender-based violence that results in, or is likely to result in physical, sexual and psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty whether occurring in public or in private life”

Article 2

“Violence against women shall be understood to encompass, but not limited to the following:

(a) Physical, sexual and psychological violence occurring in the family including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation.

(b) Physical, sexual and psychological violence occurring within the general community including rape, sexual abuse, sexual harassment and intimidation at work, in educational institutions and elsewhere, trafficking in women and forced prostitution;

(c) Physical, sexual and psychological violence perpetrated or condoned by the state, wherever it occurs.

These manifestations of VAWG/SGBV do not stand on their own but are products of discrimination outlawed in international standards, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) - being products of patriarchy and unequal power relations. In article 1, CEDAW defines discrimination:

“For the purposes of the present Convention, the term “discrimination against women” shall mean any distinction, exclusion or restriction made on the basis of sex which has

³ See article 5 of the standard setting Universal Declaration of Human Rights - *No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment* and article 7 of the International Covenant on Civil and Political Rights.

⁴ General Assembly Resolution 48/104 of 20 December 1993.

the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”.

Nigeria is a State party to the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa. The Protocol provides for the elimination of discrimination against women, harmful practices, violence against women while emphasizing the right to dignity, integrity, education, health, etc. of women and the girl child. The prevalent patriarchal practices in different Nigerian cultures continue to predispose women and girls to violence, resulting in poor reproductive and sexual health outcomes, poor access to and control over resources, higher vulnerability to poverty at certain ages in life, poor access to education, lack of inheritance rights, lack of voice and minimal participation in decision making processes at different levels, etc⁵. It has been stated that the definition of discrimination includes gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately⁶. SGBV/VAWG has serious negative effects on the right to health and the right to life because the easiest way of depriving a woman or girl of her right to life is to accentuate violence to her person to the point of abrogation.

The Beijing Declaration and Platform for Action states that⁷:

“Violence against women is an obstacle to the achievement of the objectives of equality, development and peace. Violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms”.

Therefore, a proper understanding of VAWG/SGBV will include an analysis of its causes and consequences; how intersectionality impacts vulnerability to violence and an elaboration of the role of the State in combatting violence in the public and private domains⁸. This is however beyond the remit of this rights, duties, and resources conceptual framework.

Furthermore, the Sustainable Development Goals in Goal 5 mandates States to achieve gender equality and empower all women and girls through inter alia the following:

“End all forms of discrimination against all women and girls everywhere. Eliminate all forms of violence against all women and girls in the public and private spheres,

⁵ Banke Akinrimisi - *Discussions on SGBV and the Nigerian Federal Budget 2020*.

⁶ General Recommendation No.19 (11th Session, 1992), Paragraph 6 - Committee on the Elimination of Discrimination against Women.

⁷ See Paragraph 112. See also the product of the 1993 World Conference on Human Rights - Vienna Declaration and Programme of Action which highlights the need to eliminate all forms of violence against women in public and private life. The Declaration equally enjoins member states to use all available instruments to ensure the elimination of all forms of sexual harassment, exploitation and trafficking in women.

⁸ See page 7 of “15 Years of the UN Special Rapporteur on Violence against Women its Causes and Consequences”- initiated and guided by Yakin Erturk.

including trafficking and sexual and other types of exploitation. Eliminate all harmful practices such as child, early and forced marriage and female genital mutilation. Ensure universal access to sexual and reproductive health and reproductive rights as agreed in accordance with the Programme of Action of the International Conference on Population and Development and the Beijing Platform for Action and the outcome documents of their review conferences”

There is a multi-layered duty of State in human rights and in SGBV/VAWG/HP/SRHR; they are the obligations to respect protect and fulfill. There are also obligations of conduct and obligations of result. Running in the middle of all these obligations is the duty to ensure that freedoms are enjoyed on a non-discriminatory basis.

The *obligation to respect* demands that Federal, State and Local Governments refrain from directly or indirectly taking action that promotes violation of freedom from VAWG/SGBV or obstructing action taken by women and girls in pursuit of their freedom. However, the deliberate withholding of information by the state - information necessary to protect women and girls from violence is a violation of the obligation to respect⁹. Criminalising access to goods, facilities and services that facilitate the enjoyment of the right to decide freely and responsibly on the number and spacing of children will also be a violation of the obligation to respect.¹⁰

The *obligation to protect* demands that agents and officials of government take action to prevent violations of freedom from VAWG by third parties - whether private individuals or organisations and to impose adequate sanctions for violations. This is aptly captured in article 4 (c) of DEVAW. The State should:

“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”¹¹

The exercise of due diligence will include special rules and orders for law enforcement agencies to mainstream issues of VAWG/SGBV in their day to day work by advancing an effective response system. It may also include educational measures on radio, television and social media to remind citizens that VAWG/SGBV/HP is an offence and unacceptable - advertising special hotlines, emails, WhatsApp contacts to help survivors get justice, etc.

The *obligation to fulfil* requires governments to take appropriate legislative, judicial, administrative, budgetary, economic and other measures, to the maximum of available resources, to ensure freedom from violence to women and girls. This is a positive obligation that involves the appropriation of government’s expenditure towards its priorities and these priorities should and must include freedom from VAWG/SGBV. The act of

⁹ Article 16 (1) (e) of CEDAW.

¹⁰ Article 16 (1) (e) of CEDAW.

¹¹ This is also the position of prevalent international jurisprudence in the decision of the Inter-American Court of Human Rights in the *Velasquez Rodriguez e v Honduras* of July 29 1988, Series C, Decisions and Judgement, No.04.

appropriation must also be seen to be done in way and manner devoid of discrimination on any of the prohibited grounds. The provision of state resources must be seen to be concrete and targeted as a step towards the realization of freedom from violence - not just tokenistic. Even in periods of resource constraints, like a fiscal crisis, vulnerable members of society must be protected by the adoption of relatively low-cost but targeted measures and programmes which satisfies the minimum core obligation to freedom from violence.¹²

Essentially, such provisions must satisfy the minimum core obligation of the State to ensure that women and girls are free from violence through the implementation of the minimum core content of the bundle of rights encapsulated in freedom from SGBV/VAWG/HP. In any State where women and girls are constantly battered, trafficked, deprived of access to SRHR, etc., and the State fails to respond, such a State will *prima facie* be failing to discharge its obligations under national and international standards¹³. Thus, the minimum core obligation of the State is to ensure that the intersections between freedom from violence and the rights to life, health, human dignity, freedom from torture, inhuman and degrading treatment, etc. are not breached and the personhood and dignity of women and girls is held sacrosanct. Further, no deliberately retrogressive measures that reduces the extent of enjoyment of this right is permitted unless it can be justified by reference to more pressing and relevant higher norms provided by law¹⁴. Such a retrogression must be accompanied by compensatory mechanisms.

State legislative obligations include the enactment of laws that prescribe a minimum age of marriage - not less than 18; marriage to be with the free, full and informed consent of the spouses; prohibition of forced marriages and guaranteeing equal rights and responsibilities during marriage and its dissolution¹⁵. CEDAW enjoins States Parties to enact legislations that modify the existing prejudices and customary practices which are based on the idea of the inferiority or the superiority of either of the sexes or on stereotyped roles for men and women, boys and girls.¹⁶

The obligation to respect, protect and fulfill contains elements of the obligation of conduct and obligation of result. The obligation of conduct may require action reasonably calculated for the realisation of the enjoyment of freedom from violence. This would include the adoption of legal and policy standards. Obligation of result requires government to achieve specific targets to satisfy detailed substantive standards for instance, the complete elimination of female genital mutilation or a drastic reduction in the incidence of domestic violence.¹⁷

¹² Women and girls are not born with vulnerability or inherently vulnerable by their nature but have been made vulnerable by patriarchy and unequal power relations.

¹³ See General Comment No. 3 of the UN Committee on Economic, Social and Cultural rights on the nature of States Parties obligations under the ICESCR.

¹⁴ This would be almost impossible to justify considering that freedom from violence is emerging as a non derogable right.

¹⁵ Article 16 of CEDAW.

¹⁶ Article 5 (1) of CEDAW.

¹⁷ Adapted from paragraph 7 of the Maastricht Guidelines on Violations of Economic, Social and Cultural Rights adopted on the occasion of the 10th anniversary of the Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights.

2.2 National and Subnational Standards

In S.42 of the Constitution, it is provided:

“(1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person:-

(a) be subjected either expressly by, or in the practical application of any law in force in Nigeria or any executive or administrative action of the government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions are not made subject; or

(b) be accorded either expressly by, or in the practical application of, any law in force in Nigeria or any such executive or administrative action, any privilege or advantage that is not accorded to citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions.”

Discrimination has been earlier articulated as a component of VAWG and any law, policy or administrative action that discriminates against women and girls on any of the prohibited grounds will be facilitating VAWG.

Also, S.34 (1) (a) of the Constitution is on the right to the dignity of the human person and provides that “*no person shall be subjected to torture or to inhuman or degrading treatment*”. Practices such as female genital mutilation (FGM) amounts to torture; wife battering amounts to inhuman and degrading treatment¹⁸. The Constitution is the supreme law of the land and any legal or policy provision, customary, traditional or religious norms inconsistent with it is void to the extent of its inconsistency.¹⁹

To degrade is to make another to be less moral and less deserving of respect whilst inhuman treatment refers to lacking moral, human qualities of kindness, pity, etc., to be extremely cruel or brutal. Degrading is defined to mean reviling, holding one up to public obloquy and odium, lowering a person in the estimation of the public, exposing to disgrace, dishonour and contempt²⁰. Human dignity is the foundation of all human rights and the pursuit of life in larger freedom is essentially the pursuit of a dignified existence. Human rights derive from the inherent dignity of the human person. Without dignity, the human being loses his personhood and stays on the same level as animals with low mental development. It is about the integrity of the human person.

¹⁸ See *Ncube v State* (2 Afr. J. Int'l & Comp. L. 131 [1990]) where judicial corporal punishment was declared unconstitutional by the Supreme Court of Zimbabwe. See also the statement by Juan E. Méndez; UN Special Rapporteur on Torture and other Cruel, Inhuman or Degrading Treatment or Punishment on *Female Genital Mutilation: Progress-Realities-Challenges* at the event sponsored by Women's UN Report Network, Inter-African Committee, Worldwide Organization for Women and NGO Committee on the Status of Women-Geneva 1 June 2011.

¹⁹ S.1 (1) (3) of the Constitution.

²⁰ *Isenalumhe v Amadin* (2001); Cases on Human Rights, 458.

The Compulsory, Free Universal Basic Education Act of 2004 makes basic education compulsory and free for all Nigerian children including girls and a special fund is set aside by the Federal Government which is shared by the thirty-six states of the Federation to augment their investments in basic education. There is a National Policy on Gender in Basic Education with objectives to promote equal access and participation in the basic enrolment of girls and boys; achieve high level of retention, completion and performance rate; advocate for the support of key stakeholders; and enabling environment for planning, implementation and achievement of the goals. To support this policy, the Federal Ministry of Education further designed the National Framework on Girls and Women in Education which was aimed at increasing the quality of education accessible to girls through amongst other techniques, a rights-based approach.²¹

Adamawa State is yet to enact a Child Rights Law and Violence against Persons Prohibition (VAPP) Law or domesticate the Federal Child Rights or VAPP Act. It lacks specific laws on domestic violence and harmful practices. The State does not have a policy framework on human trafficking, but trafficking cases are handled by NAPTIP.²² Further, the State Police Command has a Gender Unit which is, inter alia charged with, taking up cases on SGBV/VAWG. The Police is a federal agency funded by the Federal Government. However, the State from time to time provides financial support to the Police.

The provisions of the Penal Code applicable in Adamawa State has been reviewed in the Penal Code Law of 2018 upgrading the definitions of offences, including emerging offences in the law, and review of penalties.²³ In the interpretative S.2, it defines child as any person under the age of 18 years. The review affected offences such as: -

- Rape (S.261) - imprisonment for life or for a term of not less than 21 Years.
- Sexual assault (S.262) - a term of not less than 3 years but may extend to 10 years.
- Trans-sexual offences (S.267) - liable to be punished with imprisonment for life.
- Incest (S.376) - a term of not less than 14 years and shall be liable to payment of fine of not less than one hundred thousand naira.
- Sexual harassment (S.266) - a term of not less than 3 years or liable to payment of fine of not less than one hundred thousand naira or with both.

²¹ Adamawa State has no laws and policies on this theme and as part of the Nigerian Federation, the policy applies in the State.

²² On trafficking in persons and forced labour, it is worth mentioning that Nigeria has ratified the following: (a) United Nations Convention Against Transnational Organized Crime; (b) Protocol to Prevent, Suppress and Punish Trafficking in Persons Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime; (c) Economic Community of West African States' (ECOWAS) Declaration on the Fight against Trafficking in Persons and ECOWAS Initial Plan of Action Against Trafficking in Persons; (d) Forced Labour Convention, 1930 (C029); (d) Minimum Age Convention, 1973 (C138); and (e) Worst Forms of Child Labour Convention, 1999 (C182).

²³ A Law to Establish Penal Code of Adamawa State to Penalize Crimes Established Under the Law and Other Matters Connected Thereto. It has a commencement date of 10th December 2018.

- Desertion of pregnant woman or girl child (S.214) - a term of not less than 1 year and not exceeding 5 years and shall be liable to payment of fine of not less than two hundred thousand naira without prejudice to the recovery of cost that is reasonably incurred in relation to the upkeep of the woman or girl child.
- Defilement of a child (S.211) - shall be liable to be punished with imprisonment for life.

It is interesting to note that S.55 of the Penal Code of Old Northern Nigeria which allowed wife battery as chastisement, for the correction of a wife, as long as grievous harm is not inflicted was not reproduced in the Adamawa Law. Hitherto, this provision had treated husband-wife relationship as being similar to parent-child relationship in an age where corporal punishment has been virtually outlawed.

With the challenge of insurgency, Adamawa State has developed Standard Operating Procedures for Prevention of and Response to Gender-Based Violence for Humanitarian Operations. This was developed under the leadership of Ministry of Women Affairs and Social Development in collaboration with other stakeholders.²⁴ The Standard Operating Procedures cover guiding principles, reporting mechanism, responsibilities, documentation, data and monitoring as well as coordination. Adamawa State has an Action Plan for the Implementation of the United Nations Security Council Resolution 1325 and Related Resolutions on Women, Peace and Security in Nigeria 2017-2020.²⁵ Its Pillar Four priorities include strengthening existing laws and establishment of new laws specific to prevention of violence against women and girls leading to reduction in VAWG.

In order to re-position the State for more effective control of HIV/AIDS, the Agency for the Control of HIV/AIDS (ADSACA) was established to reduce the incidence and prevalence of HIV among people in the State and improve the quality of life of the populace.²⁶ The Agency's strategies for the achievement of the goals include promotion of multi-sectoral and multi-agency mobilization for HIV/AIDS prevention; demand creation through increased awareness and sensitization among the general population and strategically targeted stakeholders; promotion of behavioural change among low and high risk populations; promote the elimination of human resource, financial, cultural and information barriers to HIV/AIDS Prevention; support the development of standards and guidelines leading to the institutionalization of best practices in care giving and support to people infected with HIV/AIDS; empower people infected and affected by HIV/AIDS to form networks and contribute to HIV/AIDS planning and programming at the National, State, Local Government and the community levels.

²⁴ These stakeholders are Ministry of Health, Ministry of Justice, UNFPA, IOM, FHI360, UNICEF, IRC, DRC, FIDA, OXFAM, UNWOMEN, NEMA, ADSEMA, GZDI, UNHCR, MERCY CORPS, Clear View Integrity Foundation, Adamawa States Planning Commission, CHEDA, CRUDAN, WYEAHI, Actionaid, NPF, NHRC, FOMWAN, CAN. This was produced in 2015 and revised in 2016.

²⁵ It was developed by the Adamawa State Government in partnership with Federal Ministry of Women Affairs and Social Development, UNICEF, UN Women and European Union.

²⁶ See Adamawa State Law No 5 of 2004.

Section Three

Situation Analysis

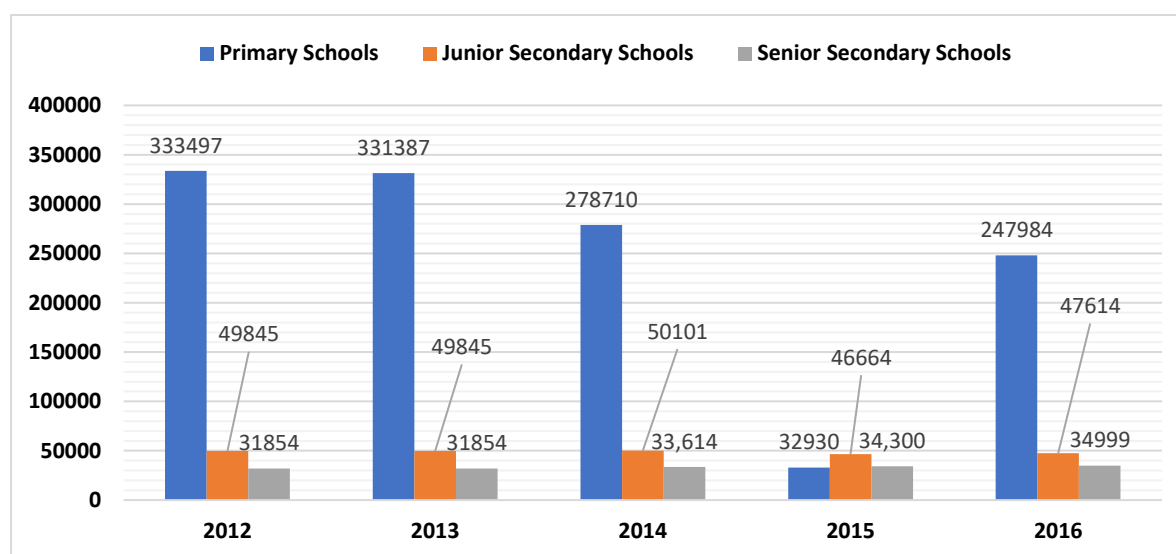
3.1 Introduction-Statistics and Data

This section reviews statistics and data on the key areas of SGBV/VAWG, HP and SRHR as well as access to basic education which is an empowering right. The Nigeria Demographic and Health Survey 2013 and 2018, the Multiple Indicator Cluster Survey 2011 and 2016 and the Nigeria Education Indicators 2016, Adamawa State and National Aids Indicator Impact Survey (NAIIS) 2019, reports from the Police, etc. are the sources of the data used in this section. The discussion is presented in sub-groups - education, SGBV/VAWG, HP and SRHR.

3.2 Girl Child Education

The education of the girl child is imperative for life skills, knowledge and capacity needed to live a dignified life free from violence and the ability to claim and seek remedies for rights when they are violated. Figure 1 presents the picture of Female School Enrolment in Adamawa State.

Figure 1: Female School Enrolment Figures in Adamawa State



Source: Nigeria Education Indicators (2016)

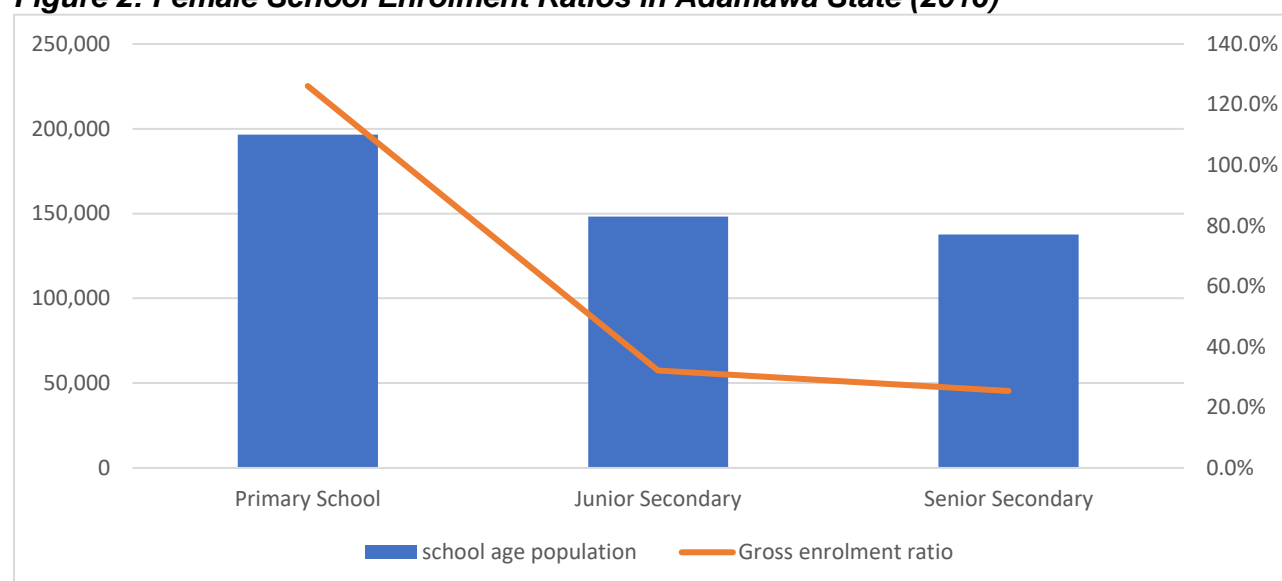
From Figure 1, the number of girls who enrolled in primary schools within Adamawa State declined by 0.63% from 333,497 girls in 2012 to 331,387 in 2013. There was a further decline by 15.90% from 331,387 girls in 2013 to 278,710 girls in 2014, followed again by a drastic decline of 88.18% to 32,930 girls in 2015. This was followed by an equally drastic increase of 653% to 247,984 girls enrolled in 2016. On the other hand, the number of girls who enrolled in junior secondary schools within the State remained constant between 2012 and 2013 at 49,845. In 2014, the enrolment figure increased slightly by 0.51 percent

from 49,845 to 50,101. There was a decline of 6.86 percent from 50,101 girls in 2014 to 46,664 girls in 2015 before improving slightly again by 2.04 percent to 47,614 girls in 2016.

In terms of senior secondary school enrolment, Figure 1 shows that the number of girls who enrolled in senior secondary schools within Adamawa State remained constant between 2012 and 2013 at 31,854 girls. This was followed by an increase of 5.53 percent from 31,854 girls in 2013 to 33,614 girls in 2014, followed by a further increase of 2.04 percent from 33,614 girls in 2014 to 34,300 girls in 2015. Again, there was a further increase of 2.04 percent from 34,300 girls in 2015 to 34,999 girls in 2016.

Figure 2 shows the female enrolment ratios

Figure 2: Female School Enrolment Ratios in Adamawa State (2016)



Source: Nigeria Education Indicators 2016.

Figure 2 shows the proportion of children who actually enrolled in the various educational levels (primary, junior secondary and senior secondary) relative to the total population of girls in the corresponding school age bracket in Adamawa State. This is a better measure than the gross enrolment figures in Figure 1 because this shows the extent to which the need for girl child education is being met. For primary school, out of a total population of 196,606 females between the ages of 6 to 11, 247,984 were enrolled into primary schools giving a gross enrollment ratio of 126.1 percent.²⁷ This is considerably higher compared to a national average of 80.40 percent.²⁸ For junior secondary, out of a total of 148,294 girls, only 47,614 were enrolled, giving a percentage of 32.1 percent; this is lower than the national average of 41.19 percent as reported by the Nigeria Education Indicators, 2016²⁹. For senior secondary, out of a total 137,711 girls in the age bracket, only 34,999 were enrolled giving a gross enrollment ratio of 25.41 percent. This is lower than the national average of 32.67 percent.³⁰

²⁷ This is accounted for by the insurgency and the influx of non-residents from neighbouring states.

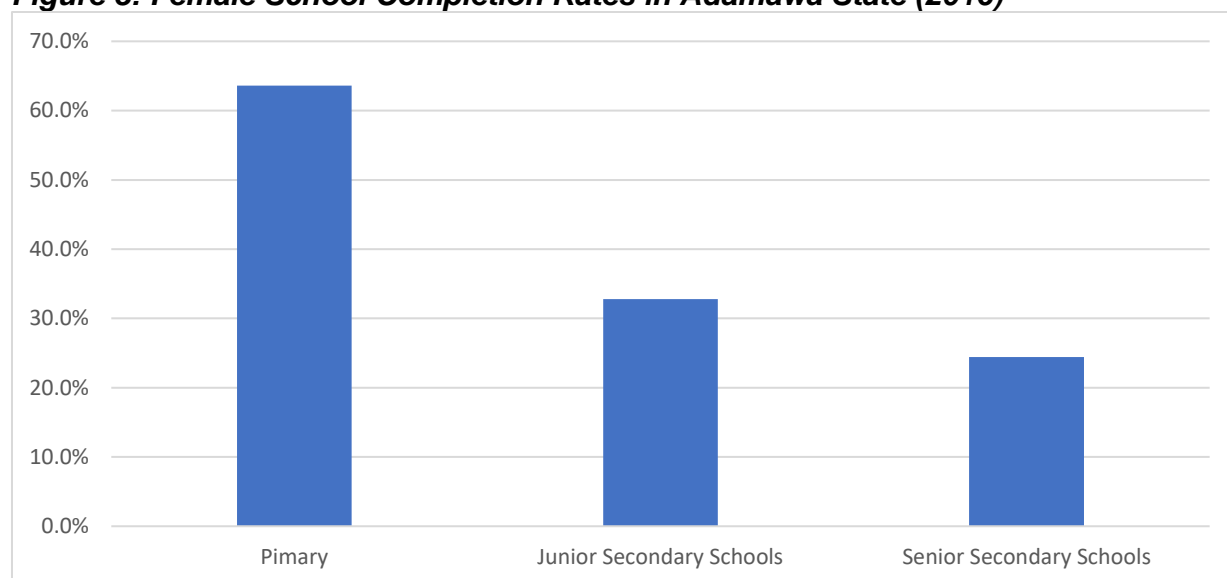
²⁸ Nigeria Education Indicators, page 7.

²⁹ Nigeria Education Indicators 2016, page 7.

³⁰ Nigeria Education Indicators 2016, page 7.

Figure 3 is beyond enrolment as it examines the completion rates for girls.

Figure 3: Female School Completion Rates in Adamawa State (2016)



Source: Nigeria Education Indicators 2016

From Figure 3, it is clear that only 63.6 percent of girls completed primary school, compared to 64.82 percent at the national level³¹. For junior secondary, the figure is much less with 32.8 percent completion rate as compared to the national average of 38.87 percent³² and much lower for senior secondary, with only 24.4 percent of enrolled students completing, much lower than the national average of 28.71 percent.³³

Further, in Adamawa State, the percentage of children age 36-59 months attending early childhood education is 15.3% as compared to the national average of 35.6%. In many parts of the North East geopolitical zone (including Adamawa), there is a disparity between the education that boys and girls receive. Many girls do not have access to basic education after a certain age. The girl-child faces significant obstacles in accessing education because of inherent traditional societal values placed on the boy-child over the girl-child. As a result, as at 2015, the female adult literacy rate (ages 15 and above) for the country was 49.7% in comparison to that of male which was at 69.2% with a gender difference of 19.5%. In Adamawa State, the percentage of out of school children in the primary school cadre was 41.8% as compared to the national average of 27.2% while the percentage of out of school children in the secondary school cadre was 34.7% in the State as compared to the national average of 25.8%.³⁴

³¹ Nigeria Education Indicators 2016, page 7

³² Nigeria Education Indicators 2016, page 7.

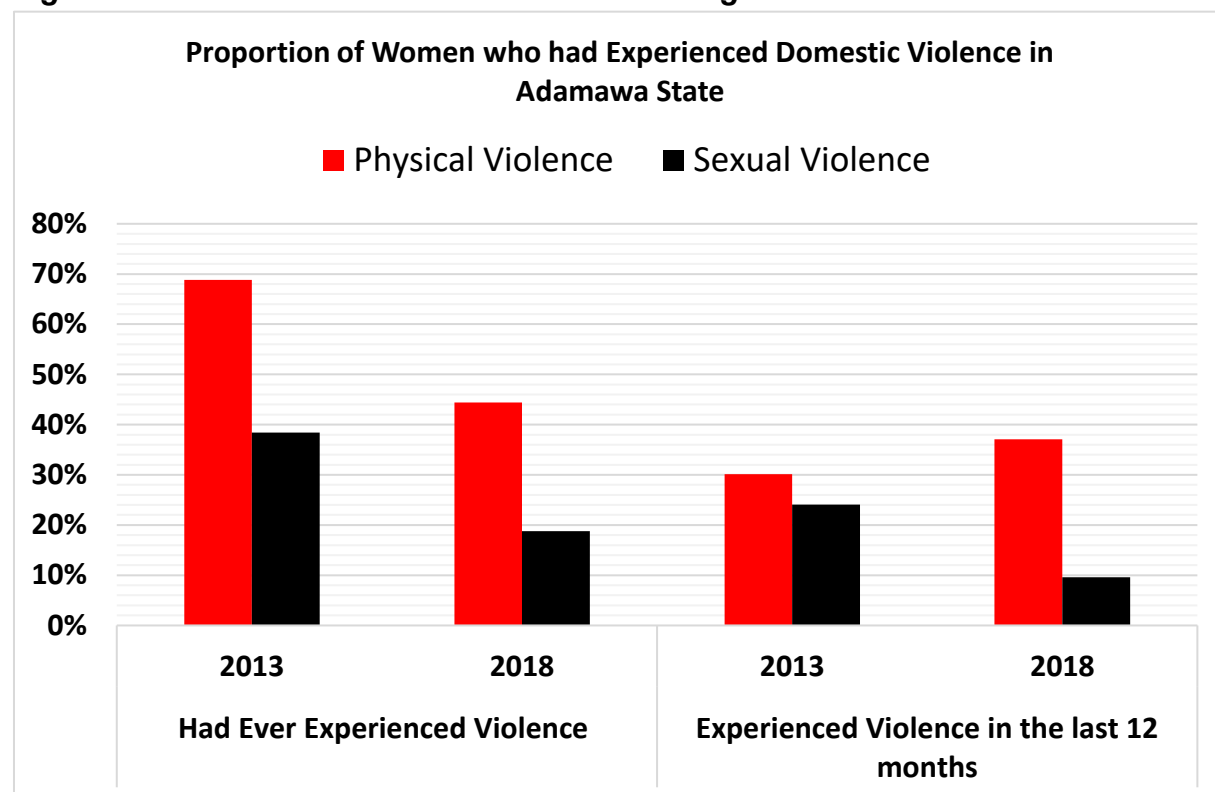
³³ Nigeria Education Indicators 2016, page 7

³⁴ MICS 2016-2017, page 216.

3.3 SGBV/VAWG

Adamawa State records high levels of SGBV/VAWG and this includes survival sex, exploitation for accommodation, intimate partner violence, rape, sexual assault, incest, etc. Figure 4 tells the story.

Figure 4: The Prevalence of Domestic Violence against Women in Adamawa State



Source: Nigeria Demographic and Health Survey – NDHS (2013 & 2018)

From Figure 4, it is observed that as at 2013, up to 68.8 percent of all the women (aged 15 – 49) in Adamawa State had experienced one form of physical violence or the other since they were 15 years old. Whereas in the same year, the average proportion of women who have experienced physical violence stood at 29.5 percent in the North East and 27.8 percent at the national level³⁵. From the same Figure, as at 2018, the proportion for physical violence in Adamawa has decreased to 44.4 percent of all Adamawa women. Conversely, by the same 2018, North East regional average had increased from the 29.5 percent in 2013 to 38.3 percent. However, the national average increased from 27.8 percent in 2013 to 31 percent in 2018.³⁶

Figure 4 further shows that as at 2013, up to 30.1 percent of all the women (aged 15 – 49) in Adamawa State have experienced one form of physical violence or the other within the last 12 months before the survey. In the same 2013, average proportion of women who have experienced physical violence within the last 12 months in the North East region

³⁵ NDHS 2013, pages 304-305

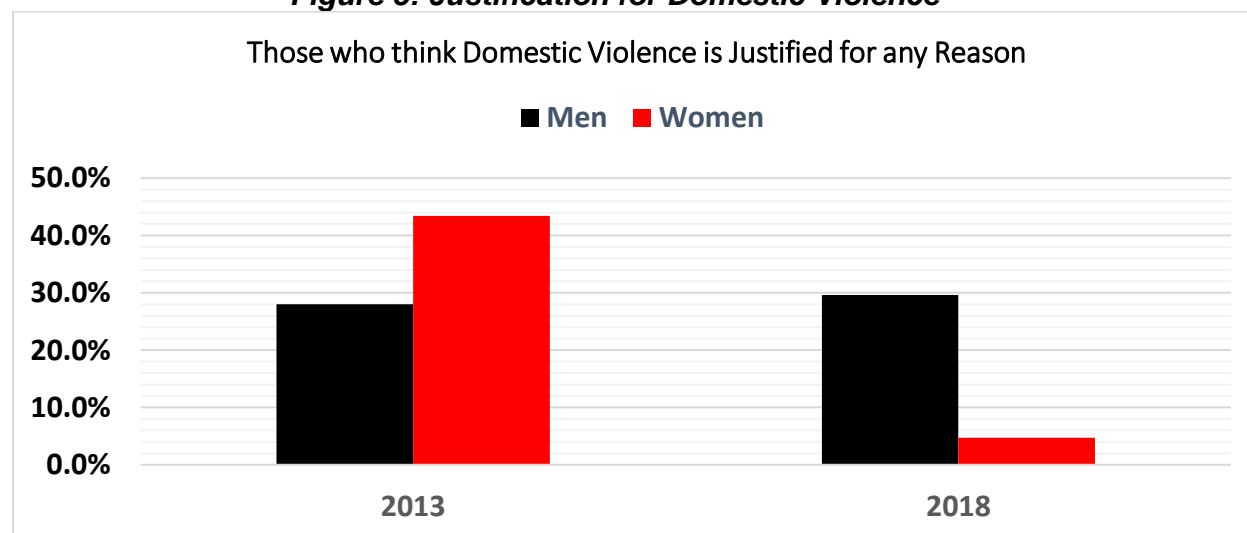
³⁶ NDHS 2018, pages 429 and 437.

stood at 13.0 percent, while that of national average stood at 11.2 percent.³⁷ The Figure further shows that as at 2018, the proportion of women who have experienced physical violence in Adamawa State within the past 12 months before the survey has increased to 37.1 percent. North East regional average increased from 13.0 percent in 2013 to 19.4 percent in 2018, while the national average also increased from 11.2 percent in 2013 to 13.7 percent in 2018.³⁸

Figure 4 also shows the level of sexual violence prevalent among women in Adamawa State. From the Figure, as at 2013, up to 38.4 percent of all the women (aged 15 – 49) in Adamawa State have at one point in time or the other experienced sexual violence since their birth. From the same 2013 survey, North East regional average record of prevalence of sexual violence experience among women stood at 15.7 percent, while that of national average stood at 7.4 percent.³⁹ There is over 50% decrease in the proportion of Adamawa State women who had experienced sexual violence since birth between 2013 survey and 2018 survey. From a record of 38.4 percent in 2013, Adamawa State record decreased to 18.8 percent in 2018. North East regional average record decreased from 15.7 percent as at 2013 to 15.6 percent in 2018, while the national average increased from 7.4 percent in 2013 to 9.1 percent in 2018.⁴⁰ Also, Figure 4 shows that about 24.1 percent of the women in Adamawa State confirmed to have been sexually violated within 12 months before the survey in 2013. The proportion decreased to 9.6 percent in 2018. North East regional average record decreased slightly from 9.4 percent in 2013 to 8.6 percent in 2018, while that of national average record increased from 3.3 percent in 2013 to 4.1 percent in 2018.⁴¹

Figure 5 shows the trends for justification of domestic violence.

Figure 5: Justification for Domestic Violence



Source: Nigeria Demographic and Health Survey – NDHS (2013 & 2018)

³⁷ NDHS 2013, pages 304-305.

³⁸ NDHS 2018, page 437.

³⁹ NDHS 2013, pages 307-308

⁴⁰ NDHS 2018, pages 430 and 441.

⁴¹ NDHS 2018, page 430 and 441.

The current level of prevalence of physical and sexual violence meted out to women in Adamawa State may not be the greatest threat to women's dignity and freedom from violence in the State. Rather, it is the disposition of the population towards such violence. Figure 5 above shows the proportion of men and women who think that domestic violence could be justified based on any reason. NDHS 2013 records that up to 43.4 percent of all the sampled women in Adamawa think a man is justified if he beats his wife for any of the five identified reasons⁴². It is important to note that some of the reasons are very trivial. Incidentally, during the 2018 version of the same survey, the proportion of Adamawa State women who still justify domestic violence had reduced largely from 43.4 percent in 2013 to 4.7 percent. On the other hand, the 2013 version of NDHS shows that only about 28.0 percent of the men in Adamawa State justify violence against their wives. This proportion increased slightly to 29.6 percent of the men in the 2018 round of the survey. This state of affairs found in Figures 4 and 5 engages the states' responsibility to take all appropriate measures to modify the social and cultural patterns of conduct of men and women with a view to eliminating prejudices and customary and all other practices that are based on the idea of the inferiority or superiority of either of the sexes.⁴³

Some statistics from Adamawa show the trend:⁴⁴

- a. At least, 35% of women in the state have experienced SGBV in the course of intimate relationship with a partner in one form or another.
- b. Estimated that one in every four women and girls between the ages of 15-25 is a victim or survivor of some aspect of violence propelled by acts of insurgency and other terrorist activities.
- c. Adamawa State (SARC), the Hope Center had documented 260 cases of rape in 2018 and 2019.
- d. As a social stigma only, 30% women has reported being a survivor of rape and other elements of rape attempt on them. A large number of women that have undergone such experiences never report and in fact, just a handful that reports to the Police for help and justice.
- e. An insignificant number of only 10% SGBV perpetrators have been prosecuted and convicted.

The Police are usually slow to intervene in domestic violence and do not consider wife beating as a crime. The legal position has changed since the enactment of the Adamawa State Penal Code which omits the equivalent of S.55 of the Penal Code of Northern Nigeria which allowed wife battery as chastisement, for the correction of a wife, as long as grievous harm is not inflicted. Data from Adamawa State Police Command indicated that between 2016 and 2019, there were 113 reported cases of rape, child abduction, gross indecency, child stealing, trafficking, sexual assault and desertion of pregnant

⁴² The reasons are (1) burns the food (2) argues with him (3) goes out without telling him (4) neglects the children and (5) refuses to have sexual intercourse with him.

⁴³ See article 5 (1) of CEDAW.

⁴⁴ Sense Project 2019: Adamawa Education in Emergency Working Group 2019; Adamawa State Education Investment Group; (USAID 2019).

women with 11 of the cases in 2016, 25 cases in 2017, 27 cases in 2018 and 50 cases in 2019. The trend is on the increase as shown in Figure 6.⁴⁵

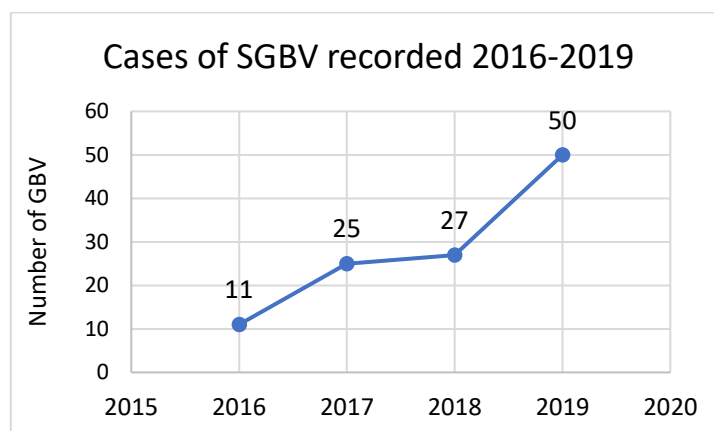


Figure 6: Source (Adamawa State Police Command 2019)

The disaggregation of the number of cases showed that rape cases had the highest occurrence at 84, followed by child abduction at 8 cases, unnatural offence had 6 cases, attempted rape 5 cases, sexual assault 4 cases, gross indecency and enticing a married woman had 2 cases each, desertion of pregnant woman and trafficking had one case each. Also, in most rural areas of the State, in cases of SGBV like rape, the Police and the survivors of SGBV have no money to follow up on their cases and this has always been a challenge. However, in Yola, the State Capital, the Hope Centre in the Specialist Hospital has been of assistance to survivors of SGBV.

The insurgency, internal conflicts including farmers-herders crisis has accelerated SGBV/VAWG. According to reports on incidence of GBV in North East Nigeria, (GBVIMS 2018), about 15% of reported incidents of SGBV were perpetrated in the context of child sexual abuse in the North East. Adamawa State has a similar proportion of SGBV incidents that were perpetrated in the context of child sexual abuse with 10% of SGBV incidents reported. The trend in reporting monthly rape in 2018 suggests a slight decrease in incidents reported across the North East of Nigeria. The peak in its reported incidents was in June when almost a quarter (24%) of SGBV incidents were reported to be rape; conversely in September, rape was reported in only 8% of all reported incidents of SGBV. Rape in Adamawa State was 16% of reported incidents in 2018.⁴⁶ This state of affairs buttresses the need for robust action and safety planning during the case management process as survivors, in this context, are at high risk of reoccurring SGBV.

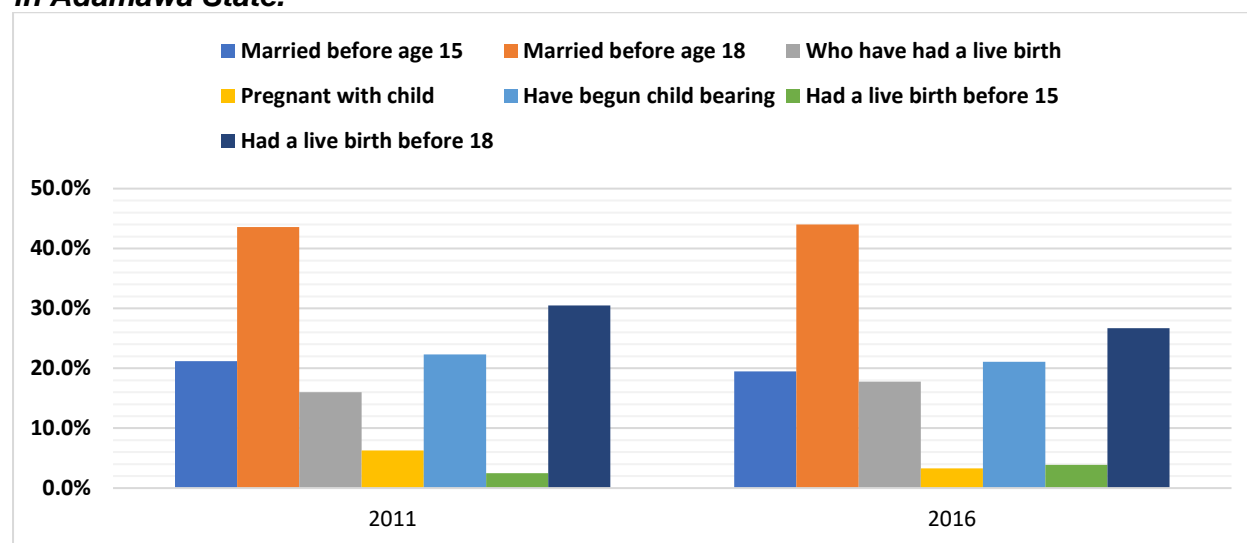
⁴⁵ Report from Adamawa State Police Gender Desk.

⁴⁶ Gender Based Violence Report (2018): Report on Incidence of Gender Based Violence in North East Nigeria, Gender Based Violence Report Information Management System Annual Report January – December 2018.

3.3 Harmful Practices

HPs constitute a form of discrimination that disproportionately affects women and girls, and often amounts to VAWG. They are often based on cultural and traditional norms, and deeply rooted in gender inequality and discriminatory values. HPs are those practices conducted for non-therapeutic purposes and two are discussed in this report namely child marriage and female genital mutilation.

Figure 7: The Prevalence of Early Marriage and Teenage Motherhood among Girls in Adamawa State.



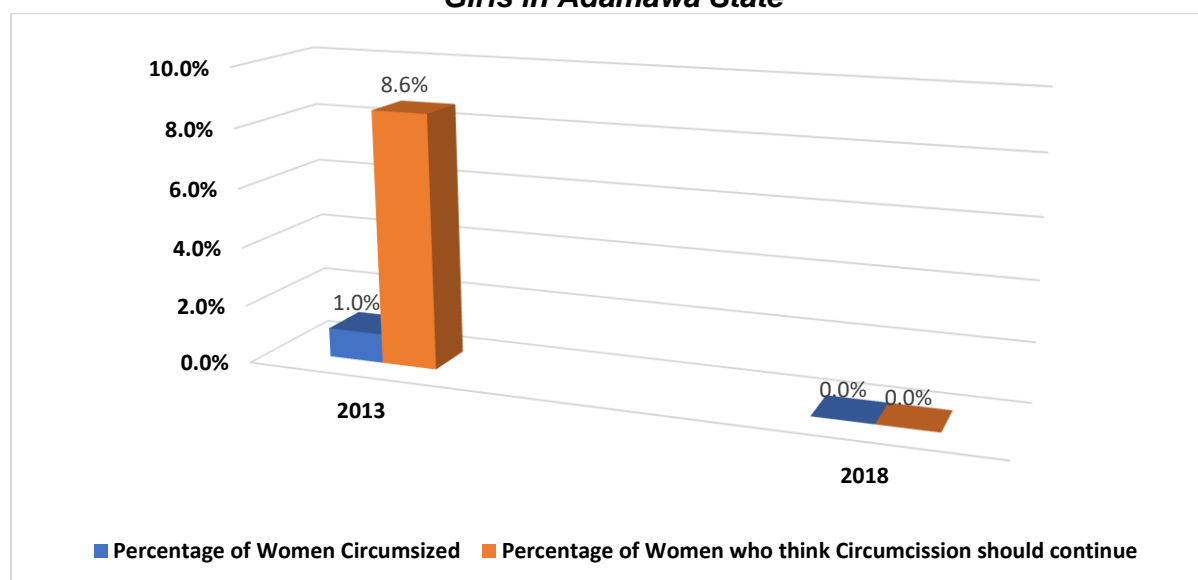
Source: Multiple Indicators Cluster Survey – MICS (2011 & 2016)

Figure 7 above shows that as at 2011, about 22.3 percent of all girls (aged 15 – 19) in Adamawa State have begun childbearing. This declined to 21.1 percent by 2016. Of this figure, about 2.5 percent have had a live birth before the age of 15 as at 2011, but by 2016, the number of those reported to have had child birth before the age of 15 had increased to 3.9 percent. As at 2011, about 30.5 percent of the women (aged 20 – 24) have had a live birth before the age of 18, but by 2016, the number has dropped to 26.7 percent. On the aspect of early marriage, data from the 2011 MICS reveals that about 21.2 percent of the girls (aged 15 – 19) in the State were married before the age of 15. By 2016, this figure has declined to 19.5 percent. The same 2011 (MICS) reveals that about 43.6 percent of the women (aged 20 – 24) were married before they turned 18 and by 2016, this has increased to 44.0 percent.

Therefore, marriage before the legal age of majority which is 18 years, being the age when free, full and informed consent to marriage can be given by a girl is a challenge in Adamawa State. Early marriage deprives the girl child of access to basic education as well continuing education to higher levels. This reduces her opportunity to acquire life skills that will open up economic opportunities as well improve her health and that of her children. It accentuates poverty and deprivation.

Nigeria accounts for the third highest number of women and girls who have undergone FGM worldwide - after Egypt and Ethiopia. This HP occurs in a context of limited knowledge and access to sexual and reproductive health and rights information and services, with complications of early child-bearing and obstructed labour such as obstetric fistula. Figure 8 shows the prevalence rate of FGM in Adamawa State.

Figure 8: The Prevalence of Female Genital Mutilation/Cutting among Women and Girls in Adamawa State



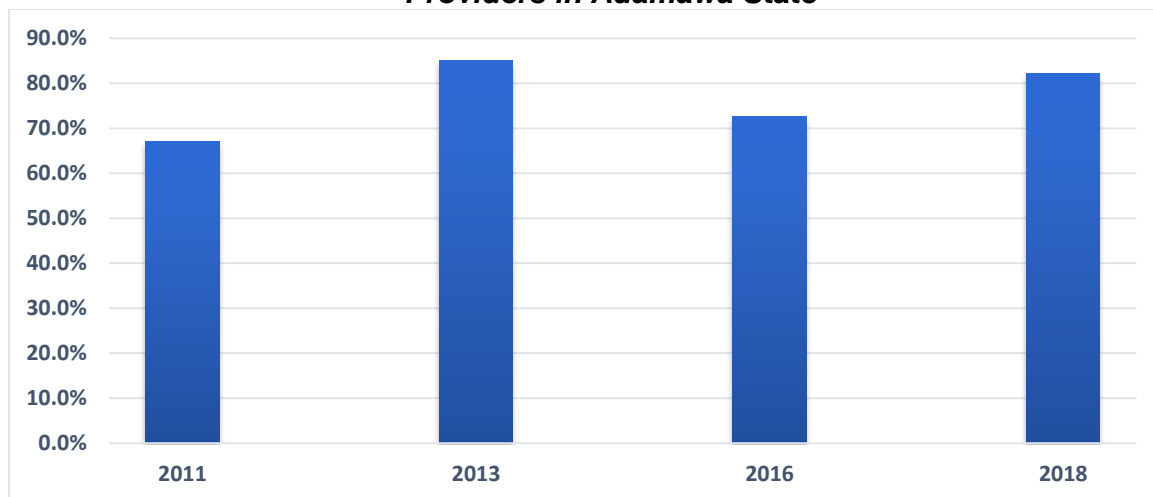
Source: Nigeria Demographic and Health Survey – NDHS (2013 & 2018)

Figure 8 above shows that as at 2013, about 1 percent of the women confirmed to have had one form of FGM/C or the other in Adamawa State. This is below the North East regional average of 2.9 percent. At the national level, average records for FGM/C in 2013 stood at 25 percent. By implication, the records of FGM/C among women in Adamawa State as at 2013 is less than both the North East regional and the national averages. Commendably, the proportion of women who have had one form of FGM/C or the other in the State reduced from 1percent as at 2013 to 0 percent in 2018. Comparatively, North East regional average for FGM/C among women in the same 2018 was reported as 6.1 percent while at the national level, it was 20 percent. It is heartwarming to note that Adamawa State continued to report more impressive figures for FGM/C than both the North East region and the national averages in 2018.

3.4 Limitations to the Enjoyment of Sexual and Reproductive Health/Rights by Women and Girls (SRHR)

Nigeria's maternal and child mortality and morbidity rates are high and action is required at all tiers of government to reduce the scourge. The proportion of women who receive ante-natal care from skilled service providers is one of the indicators in maternal and child health as well as SRHR. Figure 9 shows the trend in Adamawa State.

Figure 9: Proportion of Women who received Antenatal Care from Skilled Providers in Adamawa State

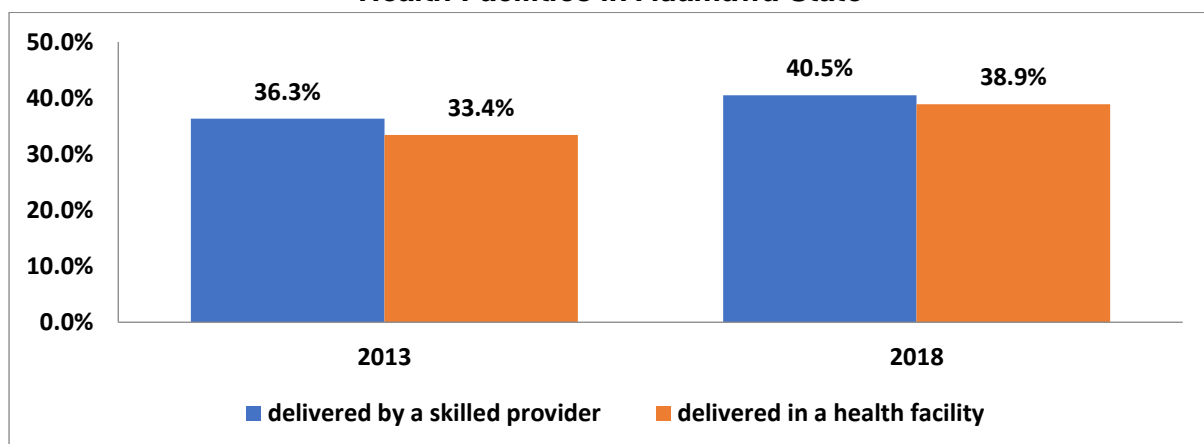


Source: Multiple Indicators Cluster Survey – MICS (2011 & 2016), & Nigeria Demographic and Health Survey – NDHS (2013 & 2018)

Figure 9 above shows that there have been fluctuations in the proportion of women who have been able to access antenatal care services from skilled service providers in Adamawa State over the last couple of years. As at 2011, about 67.1 percent of women in need of antenatal services in the State were able to receive care from skilled service providers. The proportion increased to 85.1 percent in 2013. In 2016, there was a decline to 72.6 percent, which later increased to 82.1 percent in 2018. The implication of this undulating trend is that efforts made towards ensuring that women accessing antenatal care services from skilled service providers have not been consistent. More resources need to be committed to this indicator.

The proportion of women whose children were delivered by skilled birth attendants and at health facilities indicate the chances of improved maternal and child health as well as opportunities to reduce child and maternal mortality. Figure 10 shows the trend in Adamawa State.

Figure 10: Proportion of Women Delivered by Skilled Birth Attendants and at Health Facilities in Adamawa State

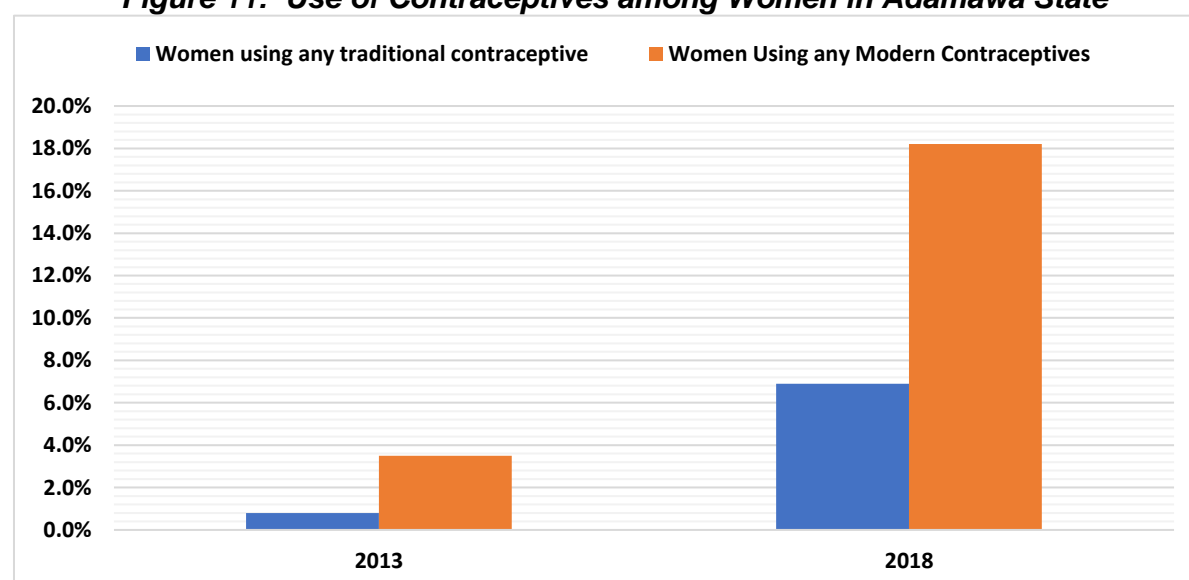


Source: Nigeria Demographic and Health Survey – NDHS (2013 & 2018)

From Figure 10 above, the proportion of women in Adamawa State who were assisted by skilled birth attendants during child delivery increased from 36.3 percent in 2013 to 40.5 percent in 2018.⁴⁷ On the other hand, the proportion of women in the State who delivered their children in healthcare facilities increased from 33.4 percent in 2013 to 38.9 percent in 2018. Figure 10 indicates that a lot of resources needs to be dedicated to improve this indicator.

The Federal Government of Nigeria, through the Federal Ministry of Health (FMoH), has set a modern contraceptive prevalence rate (MCPR) target of 27% by 2020. In order to achieve this, the government developed the National Communication Plan (2017-2020); the National Guideline and Training Manuals for the Introduction and Scale-up of DMPA-SC Self-injection (2019); Manual for the Training of Doctors, Nurses/Midwives and Community Health Extension Workers on Postpartum Family Planning (2016); and Task Shifting/Task Sharing Policy for Essential Health Care Services in Nigeria as well as the Standard of Practice (SOP) (Federal Government of Nigeria 2018). Figure 11 shows the demand for and use of contraceptives among women in Adamawa State.

Figure 11: Use of Contraceptives among Women in Adamawa State



Source: Nigeria Demographic and Health Survey – NDHS (2013 & 2018)

Figure 11 shows that the proportion of women in Adamawa State who were using traditional contraceptives increased from 0.8 percent in 2013 to 6.9 percent in 2018. Similarly, the use of modern contraceptives also increased significantly from 3.5 percent in 2013 to 18.2 percent in 2018. According to the MICS 2016-2017, the unmet need for contraceptives in Adamawa State stands at 53 percent.⁴⁸

⁴⁷ Skilled provider includes doctor, nurse, midwife and auxiliary nurse/midwife.

⁴⁸ The Multiple Indicator Cluster Survey 2016-17 showed that the percentage of women age 15-49 years currently married or in union who are using (or whose partner is using) any contraceptive method was 13.4% and 9.1% in Nigeria and Adamawa respectively while the unmet need was 27.6% and 35.3% in Nigeria and in Adamawa State respectively.

Maternal mortality is an important indicator for women's reproductive health. Maternal deaths are a subset of all female deaths and are associated with pregnancy and childbearing. Preventable maternal deaths are unacceptable and beyond SGBV and SRHR. It is an event that extinguishes the right to life, which is the fulcrum upon which other rights revolve. It is a matter of life and death. According to the Adamawa State 2017 Annual Report on Maternal and Prenatal Death Surveillance Response, the State has a maternal mortality ratio of 848 per 100,000 live births which is above the national average of 576 per 100,000 live births.

Knowledge of how HIV is transmitted is crucial in enabling people to avoid HIV infection, and this is especially true for young people, who are often at greater risk because they may have shorter relationships with more partners or engage in other risky behaviours. 43 percent of young women and 34 percent of young men age 15-24 have comprehensive knowledge of HIV/AIDS (defined as knowing that consistent use of condoms during sexual intercourse and having just one uninfected faithful partner can reduce the chances of getting HIV, knowing that a healthy-looking person can have HIV, and rejecting the two most common local misconceptions about transmission or prevention of HIV). The proportion of young women with comprehensive knowledge about HIV has increased since 2013 from 24 percent to 43 percent, while the proportion among young men has not changed being 34 percent in both years.⁴⁹

The trend of HIV Prevalence in Adamawa is shown in Figure 12 below.

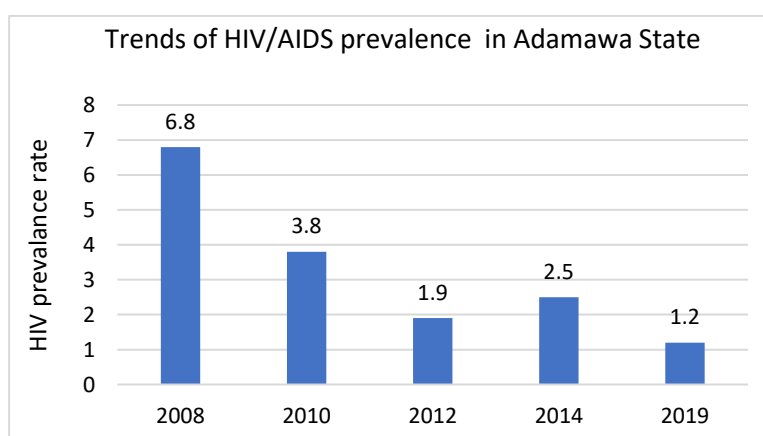


Figure 12: Source-Adamawa State National Aids Indicator Impact Survey (NAIIS) 2019

Figure 12 shows that the HIV prevalence is declining but resources are still required to prevent new infections, manage existing ones and to sensitise the society.

⁴⁹ NDHS 2013 and NDHS 2018, Page 349.

Section Four

Budget Funding 2016-2019

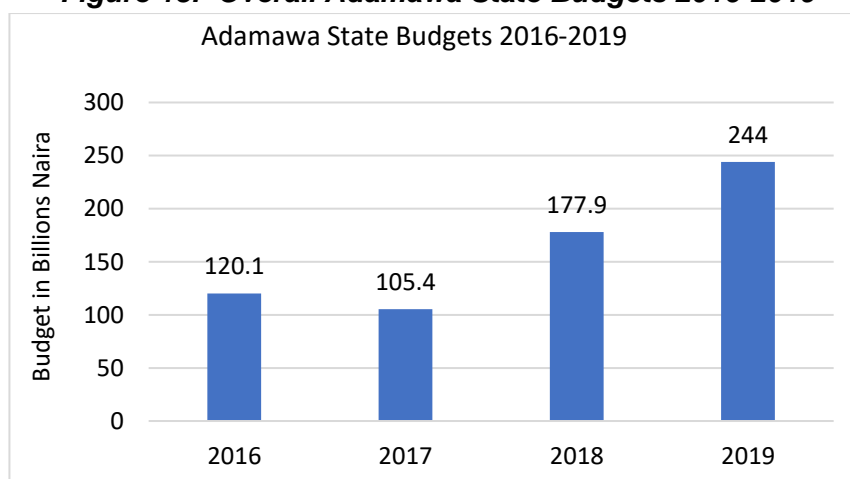
4.1 Introduction

The obligation of the State to use the maximum of available resources for the realisation of freedom from violence is demonstrated in the budget. For instance, in its concluding observations on Nigeria's Sixth Periodic Report, the CEDAW Committee stated as follows:⁵⁰

“The Committee urges the State party to address, as a matter of priority, the high maternal mortality rate, including the allocation of adequate resources to increase women's access to affordable health services, in particular prenatal, post-natal and obstetric services, as well as other medical and emergency assistance provided by trained personnel, in particular in rural areas. It calls upon the State party to improve the availability and affordability of sexual and reproductive health services, including family planning information and services. It recommends the adoption of measures to increase knowledge of, and access to, affordable contraceptive methods, so that women and men can make informed choices about the number and spacing of children”

The budget is therefore an indispensable instrument for the protection of the rights of women and girls to freedom from violence. Adamawa State budgets from 2016 -2019 will be reviewed, with the approved votes in relation to specific line items in MDAs that have the responsibility of implementing relevant activities on SGBV, HP and the struggle for improved SRHR for women and girls. These Ministries are Women Affairs, Youths and Sports, Health, Education and Justice. Figure 13 shows the overall Adamawa State budgets 2016-2019.

Figure 13: Overall Adamawa State Budgets 2016-2019



Source: Adamawa State Planning Commission, 2019

⁵⁰ CEDAW/C/NGA/6 at its 836 and 837th meetings of 3rd July 2008.

At the State level, for the 2016 and 2017 fiscal year, the total State budget was N120.1 and N105.4 billion respectively. Also, the 2018 and 2019 approved budgets were N177.9 and N244 billion respectively as shown in Figure 13. The study now proceeds to review the votes of the respective MDAs.

4.2 Ministry of Education

The vote of the Ministry of Education in the 2016 budget was N3,342,137,076.00 (N3.34bn) and only 4.4% of the Ministry's budget was released and utilized for enhancing skills, knowledge and campaigns against SGBV/HP and improvement in SRHR as shown in Table 1 below.

Table 1: Ministry of Education 2016 Budget and Releases

Activities	Budgeted (MN)	Released (MN)
Renovation of Classrooms at GDSS Binyeri	7,894,730.00	5,981,711.00
Construction of 5 No. PPSMB Zonal Office at Yola. Numan, Ganyeand Mubi	0	20,310,000.00
Payment for Student Exchange Program	15,000,000.00	8,278,845.00
Renovation of GSS Mubi	60,000,000.00	40,000,000.00
Safe School Initiative Counterpart Funding to UNICEF Initiative	30,000,000.00	72,440,440.00
Totals	112,894,730	147,010,996

Source: Adamawa State Planning Commission

In this year, the expenditure was more than the budgeted sum. The vote was just 76.7 percent of the expenditure. It appears that the Safe School Initiative was underestimated leading to spending above appropriation, considering that the vote for the line item was a mere 41.4percent of the expenditure. But the construction of zonal offices was totally left unfunded while only 66 percent of the vote of GSS Mubi was released. It is noted that the Student Exchange Programme is not specifically tied to the girl child because it is available to all students.

In 2017, the State budget was N105.4bn and the Ministry of Education had a budget of N4bn. Out of the N4billion, the sum of N520,577,726.00 was released to the Ministry which is about 13.01% of the total Ministry's budget for activities related to enhancing knowledge, skills and campaign against SGBV/HP and improvement in SRHR as shown in Table 2 below.

Table 2: Ministry of Education 2017 Budget and Releases

Activities	Budget (MN)	Release (MN)
Construction of Exam Hall at GSS Numan	0	42,219,141
Construction of Villanova GSS Numan	100,000,000	44,030,859
Procurement of WAEC Science Practical Chem. & Reagents	50,000,000	14,897,680
Payment of SSCE Registration for 2013	0	8,431,278
Payment for Student Exchange Program	15,000,000	9,147,140
Payment for Learning-Plus Programme in 170snr. Schools	0	15,053,632

Procurement of School Furniture General	100,000,000	9,854,316
Construction of 2 block of 3 classroom & furniture at GDSS Ribadu	0	36,132,491
Construction of PPSMB Area offices (Block of 3 each in 21LGAs	0	19,708,631
Renovation of GDSS Demsa	50,000,000	12,544,775
Renovation of GSS Hong	100,000,000	38,812,500
Renovation of GDSS Shangui	0	47,437,500
Renovation of GDSS Sorau	30,125,833	25,981,087
Renovation of GSS Mubi	106,000,000	98,712,252
Renovation of GSTC Mubi	100,000,000	24,913,290
Renovation of GSS Mubi II	40,000,000	21,955,616
Purchase of various assorted Text Books for Snr. Sec School	100,000,000	49,024,350
Sustainability of Education Rescue Committee (ECR)	8,000,000	426,788
Totals	799,125,833	519,283,326

Source: Adamawa State Planning Commission

From Table 2, only 64.98 percent of the appropriated sum was released in 2017. However, the budgetary practice of releasing resources for projects that were not captured in the budget even though geared towards reducing gender inequality is not a good practice. GDSS Shangui had no budgetary vote but got a release of N47.4m. Also, construction of Exam Hall at GSS Numan had not vote but got a release of N42.2m. It is imperative to note that some of the items captured in Table 2 are not specific for the use of the female students only.

The State budget for 2018 was N177.9bn and the Ministry of Education got an allocation of N10.7bn. The details of the education budget that can possibly impact on the girl child is as shown in Table 3

Table 3: Ministry of Education 2018 Budget and Releases

Activities	Budget (MN)	Release (MN)
Payment for Student Exchange Program	7,050,996	7,874,900
Procurement of School Furniture General	100,000,000	4,950,000
Payment of WASCE, NECO registration for SEP, SSI and SEC	10,000,000	2,575,300
Totals	117,050,996	15,400,200

Source: Adamawa State Planning Commission

Out of a vote of N117.050m, only N15.4m was released which is just 13.1 percent of the appropriated sum. There seems to be nothing specific to encourage the female child to come up to speed in education in the fiscal year as all the listed line items were of general application to boys and girls. Also, the line items that were underfunded in 2017 were not carried over for completion in 2018.

The Ministry of Education had a vote of N5.9bn in 2019. The details of the education budget that can possibly impact on the girl child is as shown in Table 4 below.

Table 4: Ministry of Education 2019 Budget and Releases

Activities	Budget (MN)	Release (MN)
Purchase/Procurement of WAEC Science Practical Chem. and Reagents	100,000,000	1,349,700
Purchase of 400 Digital Sonny Radio for Mass Literacy	0	8,173,645
Purchase and Installation of Electronic System Library at Yola Library	0	4,471,250
Purchase and Laying of Water Pipes at Special Education Centre Yola	0	14,347,800
Payment for Student Exchange Program	15,000,000	34,821,580
Purchase of various assorted Text Books for Snr. Sec School	300,000,000	1,589,625
Purchase of white coloured schools' chalks for senior Secondary School	100,000,000	127,110,000
Payment of WASCE, NECO registration for SEP, SSI and SEC	15,000,000	3,219,200
Renovation of GSS Bazza	100,000,000	30,125,000
Totals	630,000,000	225,207,800

Source: Adamawa State Planning Commission

The first point is that most of these listed items are of general application to the male and female gender. The renovation of GSS Bazza which is a government secondary school with a vote of N100m only got a release of N30.1m which is just 30 percent of the vote. Resources were released for items that were not budgeted for. The total release was 35.7 percent of the vote for listed items. There was hardly any vote directly targeted at enhancing skills, knowledge and campaigns against SGBV/HP and improvement in SRHR in the education budget.

The Ministry of Education's recurrent expenditure in 2017 and 2019 under sub-head 17001001/21010101 (social sector) was to reduce high rate of women illiteracy by 30%. The proposed renovation of Women Development Center Yola was basically, to enhance the skills and knowledge of the girl child in both hand skills and academic pursuit as supervised by the Mass Adult Literacy Programme. The main objective was to serve as shock absorber to survivors of SGBV to pick-up their lives and move forward having been equipped with skills and knowledge for early warning, early response mechanism and report of likely threats. However, not a single kobo was released for this project.

At a time when the State did not fully implement Education votes and the excuse will definitely be lack of resources, the State had an outstanding N2.08bn at the Universal Basic Education Commission which it had not accessed.⁵¹ Generally, the Education Budget had a credibility problem in terms of budgeted votes not being fully released while line items that were not found in the budget surfaced in the actual expenditure. If the outlier year of 2016 when more funds were spent than appropriated is removed, the average release and expenditure was 37.9 percent of appropriation. The budget did not provide opportunities for second chance education for girls. Against the background of the poor

⁵¹ file:///C:/Users/user/AppData/Local/Temp/UPDATE_OF_MATCHING_GRANT_TO_STATES_AS_AT_22ND_JULY_2019_-_UNACCESSED.pdf

performance in education, the budget did not contain a good dose of specific line items to encourage girl child enrolment, retention and completion rates from primary to secondary schools. Also, the budget did not consistently and empirically target the elimination of violence against women or the promotion of the SRHR of girls.

4.3 Ministry of Health

The vision of the Ministry of Health is to improve the health status of all people living in the State through effective and efficient policy formulation, resource mobilization, monitoring and regulation of delivery of health care by different health agencies.

The total budget of the Ministry in 2016 was N5.1bn and the actual release was N4.2bn which signified 82.3% of the Ministry's budget. Table 5 tells the story of votes that could impact on SGBV/HP and improvement of SRHR of women and girls.

Table 5: Ministry of Health 2016 Budget and Releases

Activities	Budget (MN)	Release (MN)
HIV/AIDS/STDS Control Assisted	30,000,000	54,319,698
State Health System Development Project II	400,000,000	4,081,794,773
State Emergency Preparedness and Control Outbreak	100,000,000	6,000,000
Renovation of Health Services Management Board	0	467,050
Implementation of MDG Projects	0	25,647,236
Provision of Dedicated Power Line	0	240,250
Supply of Medical Equipment to Hospitals (Liability)	700,000,000	6,239,991
Renovation of College of Nursing & Midwifery Yola & School of Health &Tech	280,000,000	10,000,000
Cleaning of Specialist Hospital Yola (Liability)	20,000,000	3,150,000
Construction & Upgrading at Toungo Cottage Hospital & Staff Quarters	150,000,000	10,383,870
Rehabilitation & Upgrading of Gulak Cottage Hospital to General Hospital	100,000,000	6,199,872
Construction of Cottage Hospital Maiha with Staff Quarters & Equipment	80,000,000	15,000,000
Totals	1,860,000,000	4,219,442,740

Source: Adamawa State Planning Commission 2019

Out of a projection of N1.86bn, N4.21bn was spent. The release of N4.081bn from a proposal of N400m to the State Health System Development Project 11 completely distorts the picture of funding to the relevant target issues. Three line items got zero releases while virtually all the other line items were grossly underfunded. Renovation of College of Nursing and Midwifery Yola and School of Health and Technology which could be said to be very relevant to women's health got a release of only 3.5 percent of the appropriated sum; supply of medical equipment got 0.89 percent (being less than 1 percent) of its allocation. Further, HIV/AIDS/STDS Control got more funds than appropriated while there were also other unappropriated expenditures.

The total vote of the Ministry of Health in 2017 was about N7.1bn out of the State budget of 105.4bn. Table 6 shows the projects that could impact on the campaign for the elimination of SGBV/HP and improvement in SRHR of women and girls.

Table 6: Ministry of Health 2017 Budget and Releases

Activities	Budget (MN)	Release (MN)
Implementation of MDG Projects	0	7,294,156.00
Renovation of College of Nursing and Midwifery Yola and School of Health Technology	75,000,000	15,000,000.00
Rehabilitation of Specialist Hospital Yola Liability	300,000,000	50,931,181.00
Cleaning of Specialist Hospital Yola (Liability)	40,000,000	20,000,000.00
Rehabilitation of Structure of General Hospital Mubi (Liability)	400,000,000	17,975,635
Rehabilitation of Structures of General Hospital Garkida	200,000,000	52,526,532
Construction of Cottage Hospital Maiha with Staff Quarters and Equipment	180,000,000	20,000,000
Sinking of a Motorized B/H with Overhead Tank at Cottage Hospital Guyuk	0	42,571,809
Totals	1,195,000,000	226,229,313

Source Adamawa State Planning Commission

The expenditure of N226.2m was just 18.93 percent of the vote of N1.195bn. MDG projects and Sinking of a Motorized Borehole with Overhead Tank at Cottage Hospital Guyuk got releases when there was no appropriation for them while appropriated sums were grossly underfunded. HIV/AIDS vote that appeared in 2016 was discontinued.

The State budget for 2018 was N177.9bn and the Ministry of Health budget got a vote of N8.6bn. Table 7 shows the projects in the Ministry that could impact on SGBV/HP and the improvement of SRHR of women and girls.

Table 7: Ministry of Health 2018 Budget and Releases

Activities	Budget (MN)	Release (MN)
Rehab. of Structure of Gen. Hospital Mubi	170,000,000	15,883,017
Rehabilitation of Structures of General Hospital Numan	170,000,000	47,002,452
Rehabilitation of Structures at General Hospital Ganye	186,000,000	12,574,253
Construction of Cottage Hospital Maiha with Staff Quarters and Equipment	132,826,671	10,000,000
Total Releases	658,826,671	85,459,722

Source: Adamawa State Planning Commission

The first issue is that the amount of N85.4m released to the Ministry out of N658.2m appropriated amounts to a paltry 12.97 percent. As a percentage of the overall health budget, it is just about 0.09% of the total Ministry's budget. Most of the listed line items are of a general nature and not necessarily specific to women's health as they are mainly about rehabilitation and construction of hospitals.

The 2019 budget of the State was a total sum of N244bn. The Ministry of Health had an allocation of N5.2bn. Table 8 shows the line items that could impact on SGBV/HP and improve the SRHR of women and girls.

Table 8: Ministry of Health 2019 Budget and Releases

Activities	Budget (MN)	Release (MN)
Establishment/Completion of 2 No. Cottage Hospitals	600,000,000	5,178,407
State Health Insurance Scheme (Full Take-off)	600,000,000	100,000,000
Planning for Health Development	20,000,000	38,774,511
State Emergency Preparedness and Control Outbreak	200,000,000	3,190,000
Renovation of Health Services Management Board	100,000,000	611,810
Implementation of MDG Projects	0	542,800
Adamawa German Medical Centre	148,650,000	26,330,000
Hospital Equipment (New)	1,200,000,000	10,000,000
Purchase of Laboratory and X-ray equipment for Adamawa German Hospital	0	10,339,320
Provision for Blood Transfusion Bank in all Hospitals	30,000,000	24,575,603
Cleaning of Specialist Hospital Yola	40,000,000	34,155,000
Construction of Cottage Hospital Maiha with Staff Quarters and Equipment	134,499,296	13,845,460
Totals	3,073,149,296	267,542,911

Source: Adamawa State Planning Commission

The sum of N267.5m released amounts to 8.71 percent of the appropriated sum of N3.073bn. There were no specific and targeted votes to the elimination of SGBV/HP and improvement of SRHR of women and girls.

Generally, the budget lacks credibility as the votes to the Ministry of Health were poorly implemented due to sub-optimal releases. A calculation of the average spending per year, if the outlier year of 2016 when spending was more than appropriated is removed shows that average expenditure against appropriation was 13.5 percent. Even if donors and the federal government were funding maternal and child health, it is no reason for the state not to vote resources, no matter how small to augment the external funds. There is no vote for family planning, enlightenment, and sensitization for behavioural change related to SGBV/HP and SRHR of women and girls. Also, there were few direct and targeted votes meant to eliminate SGBV/HP and to promote the SRGR of women and girls.

4.4 Ministry of Justice

The budget of the Ministry of Justice for the years 2016-2019 had nothing that could impact on the fulfilment of the state obligation to guarantee that women and girls are free from violence or to improve their SRHR. This could have been done through provision of legal aid and other relevant assistance to facilitate the claim of rights, the prosecution of offenders, etc.

4.5 Ministry of Youths and Sports Development

From the year 2016-2019, the main provisions on the budget of this Ministry were the redesign and construction of the state's sport complex, purchase of sports equipment, renovation of dilapidated orientation camp of the National Youth Service Corps, construction of Zonal Youth Development Centres at Mubi, Girei and Numan. There were no budgetary provisions on the campaign to eliminate SGBV, VAWG, HP and improve SRHR of women and girls. Incidentally, the State Government did not release a kobo to the Ministry for the four years on focus. This seriously calls into question the credibility of the budget and the budgeting process.

4.6 Ministry of Women Affairs and Social Development

From the 2016 State budget of N120 billion, Table 9 shows the activities targeted at against SGBV, VAWG, HP and improvement in SRHR.

Table 9: Ministry of Women Affairs 2016 Budget and Releases

Activities	Budget (MN)	Release(MN)
3No. Women Dev. Centre. 1No in each Senatorial Zone	11,200,500	0
Training of Women in Bee Keeping and Honey Extraction	5,600,000	0
Gender Mainstreaming through Implementation of CEDAW	30,640,000	0
Strengthening of Women's Rights & Political Empowerment	15,000,800	0
Advocacy in 21 LGAs on Childs Right to Enhance Awareness	25,600,000	0
Mapping of Orphans and Vulnerable Children in 21 LGAs	2,100,000	0
Total	90,141,3000	0.00

Source: Adamawa State Planning Commission

However, no release was made to the Ministry of Women Affairs in the year under review. For the year 2017, from the N105.4billion budget, the Ministry programmed the following in Table 10 for implementation. Again, the State Government did not release a kobo.

Table 10: Ministry of Women Affairs 2017 Budget and Releases

Activities	Budget (MN)	Release (MN)
3No. Women Dev. Centre. 1No in each Senatorial Zone	11,200,500	0
Training of Women in Bee Keeping and Honey Extraction.	5,600,000	0
Gender Mainstreaming through Implementation of CEDAW.	30,640,000	0
Strengthening of Women's Rights & Political Empowerment.	15,000,800	0
Advocacy in 21 LGAs on Childs Right to Enhance Awareness	25,600,000	0
Mapping of Orphans and Vulnerable Children in 21 LGAs	2,100,000	0

Child Protection	5,000,000	0
Totals	95,141,300	0.00

Source: Adamawa State Planning Commission

The situation in the Ministry of Women Affairs and Social Development remained the same with no release in the year 2018. The Ministry's budget was N277.6m and had activities in the budget towards campaign against SGBV, VAWG, HP and improvement in SRHR, but there were no releases from the State Government. The details are shown in Table 11.

Table 11: Ministry of Women Affairs 2018 Budget and Releases

Activities	Budget (MN)	Release (MN)
3No. Women Dev. Centre. 1No in each Senatorial Zone	11,200,500	0
Training of Women in Bee Keeping and Honey Extraction.	5,600,000	0
Gender Mainstreaming through Implementation of CEDAW.	30,640,000	0
Strengthening of Women's Rights & Political Empowerment.	15,000,800	0
Advocacy in 21 LGAs on Childs Right to Enhance Awareness	25,600,000	0
Mapping of Orphans and Vulnerable Children in 21 LGAs	2,100,000	0
Child Protection	20,000,000	0
Totals	110,141,300	0

Source: Adamawa State Planning Commission

In 2019, from the State budget of N244bn, the Ministry's budget was N214.3m. As was the case in previous years, no release was made to the Ministry of Women Affairs towards the campaign against SGBV, VAWG, HP and improvement in SRHR. The budgeted line items are as shown in Table 12.

Table 12: Ministry of Women Affairs 2019 Budget and Releases

Activities	Budget (MN)	Release (MN)
3No. Women Dev. Centre. 1No in each Senatorial Zone	11,200,500	0
Training of Women in Bee Keeping and Honey Extraction.	5,600,000	0
Gender Mainstreaming through Implementation of CEDAW.	30,640,000	0
Strengthening of Women's Rights & Political Empowerment.	15,000,800	0
Advocacy in 21 LGAs on Childs Right to Enhance Awareness	25,600,000	0
Mapping of Orphans and Vulnerable Children in 21 LGAs	2,100,000.00	0
Totals	90,141,300	0

Source: Adamawa State Planning Commission

The Ministry of Women Affairs had multiple budgetary proposals from 2016-2019 under the sub-head: 14002001/1-20, for example, 3 Women Development Centers, one per Senatorial Zone; Training of women in bee-keeping and honey extraction; Gender mainstreaming through the implementation of CEDAW; Strengthening of women's right and political empowerment; Advocacy in 21 LGA on Child Rights Law, SGBV, OVC and skills acquisition equipment to enhance women economic potentials. Some of these activities were carried out through partnership with other organizations.

From the foregoing, it is clear that the State Government ranks the functions and responsibilities of the Ministry of Women Affairs and Social Development at the bottom of its priorities. For a Ministry not to receive an allocation on these vital issues for four years shows that the government did not take steps, even to the minimum (as against the maximum) of available resources for the protection of women and girls from SGBV/HP and to promote their SRHR. The budgeting process lacks credibility.

Section Five

Conclusions and Recommendations

5.1 Conclusions

Adamawa State, as part of the Federation of Nigeria is bound by the international standards ratified and applicable to Nigeria. These standards include CEDAW, ICESCR, Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa, Beijing Declaration and Platform for Action, the Sustainable Development Goals, the Declaration on the Elimination of Violence against Women, etc. These standards prohibit the continuation of discrimination and violence against women in any form and mandates the State to improve the SRHR of women and girls.

The 1999 Constitution has provisions which prohibit inhuman and degrading treatment, and VAWG is one of such unconscionable treatment. It also prohibits discrimination on the ground of sex. The Compulsory, Free Universal Basic Education Act applies in the State as well as the National Policy on Gender in Basic Education. The State is yet to enact and or domesticate laws on Child Rights and VAPP. However, it has a framework to engage HIV/AIDS.

The State still has challenges in female school enrolment and completion rates. Only 63.6 percent of girls completed primary school, compared to 64.82 percent at the national level. For junior secondary, the figure is much less with 32.8 percent completion rate as compared to the national average of 38.87 percent and much lower for senior secondary, with only 24.4 percent of enrolled students completing, much lower than the national average of 28.71 percent.

VAWG including domestic violence and sexual violence is still prevalent in the State. As at 2018, up to 44 percent of women and girls aged 15-49 have experienced one form of violence or the other and 18.8 percent experienced it in the last 12 months preceding the 2018 survey. 4.7 percent of the women and 29.6 percent of the men still justify VAWG. This state of affairs engages the State's responsibility to take all appropriate measures to modify the social and cultural patterns of conduct of men and women with a view to eliminating prejudices and customary and all other practices that are based on the idea of the inferiority or superiority of either of the sexes. Further, the insurgency has accelerated SGBV/VAWG in the State.

Early marriage and teenage motherhood, which is about marriage and childbearing before the age of majority - 18 years, when free, full and informed consent can be given to a marriage, is still a challenge in the State. 44 percent of the girls were married before they turned 18 and 19.5 percent got married before they turned 15. Also, 26.7 percent had given birth to a live child before they turned 18. However, FGM/C is virtually at a zero point in the State.

82.1 percent of women in the State received ante-natal care from skilled healthcare providers while the proportion of women who were delivered by skilled birth attendants and at health facilities in the State was 33.4 percent and 40.5 percent respectively. The proportion of women in Adamawa State who were using traditional contraceptives increased from 0.8 percent in 2013 to 6.9 percent in 2018. Similarly, the use of modern contraceptives also increased significantly from 3.5 percent in 2013 to 18.2 percent in 2018. The unmet need for contraceptives in Adamawa State stands at 53 percent. HIV prevalence is reduced to 1.2 percent while maternal mortality is at the rate of 848 per 100,000 live births, which is above the national average of 576 per 100,000 live births.

The budget is an indispensable instrument for the protection of the rights of women and girls to freedom from violence. At a time when the State did not fully implement Education votes and the excuse was lack of resources, the State had an outstanding N2.08bn at the Universal Basic Education Commission which it had not accessed. The Education Budget had a credibility problem in terms of budgeted votes not being fully released while some line items that were not found in the budget surfaced in the actual expenditure. If the outlier year of 2016 when more funds were spent than appropriated is removed, the average release and expenditure was 37.9 percent of appropriation. The budget did not provide opportunities for second chance education for girls. Against the background of the poor performance in education, the budget did not contain a good dose of specific line items to encourage girl child enrolment, retention and completion rates from primary to secondary schools. Also, the budget did not consistently and empirically target the elimination of violence against women or the promotion of the SRHR of girls.

For the Ministry of Health, the budget lacks credibility as the votes were poorly implemented due to sub-optimal releases. A calculation of the average spending per year, if the outlier year of 2016 when spending was more than appropriated is removed shows that average expenditure against appropriation was 13.5 percent. Even if donors and the Federal Government were funding maternal and child health, it is no reason for the state not to vote resources, no matter how small to augment the external funds. There is no vote for family planning, enlightenment, and sensitization for behavioural change related to SGBV/HP and SRHR of women and girls. Also, there were few direct and targeted votes meant to eliminate SGBV/HP and to promote the SRHR of women and girls.

The budget of the Ministry of Justice for the years 2016-2019 had nothing that could impact on the fulfilment of the state obligation to guarantee that women and girls are free from violence or to improve their SRHR. This could have been done through provision of legal aid and other relevant assistance to facilitate the claim of rights, the prosecution of offenders, etc.

From the year 2016-2019, the main provisions in the budget of the Ministry of Youth and Sports were the redesign and construction of the state's sport complex, purchase of sports equipment, renovation of dilapidated orientation camp of the National Youth Service Corps, construction of Zonal Youth Development Centres at Mubi, Girei and Numan. There were no budgetary provisions on the campaign to eliminate SGBV, VAWG, HP and improve SRHR of women and girls. Incidentally, the State Government did not release a

kobo to the Ministry for the four years. This seriously calls into question the credibility of the budget and the budgeting process.

The Ministry of Women Affairs and Social Development did not receive a kobo in budgetary funding in the study period. For a Ministry not to receive an allocation on these vital issues for four years shows that the government did not take steps, even to the minimum (as against the maximum) of available resources for the protection of women and girls from SGBV/HP and to promote their SRHR.

5.2 Recommendations

Against the background of the foregoing, the study makes the following recommendations.

Executive

- Ensure the credibility of the budgeting process through revenue forecasts based on empirical evidence and realistic budgets that are based on attainable revenue.
- Release all appropriated sums as a matter of course and routine and when there is paucity of funds, send a budget amendment bill to the legislature to amend the budget to reflect the fiscal realities.
- All relevant MDAs led by the Ministry of Women Affairs and Social Development to prepare costed action plans for successful elimination of SGBV, VAWG, HP and improvement of SRHR.
- Capacity building for Ministry of Women Affairs and other MDAs on gender sensitive budgeting especially as it relates to SGBV/VAWG.
- Collaboration between MWASD, State Planning Commission and Statistics Agency for gathering, collation, processing and reporting on data (Data Bank) on SGBV/VAWG/HP and improvement of SRHR. This will improve planning and response to the associated challenges.
- Provide referral services to survivors of SGBV/VAWG and to provide and monitor the provision of quality forensic, medical, legal and psycho-social support to the survivors. This should include the establishment and funding of shelters run by the State. This would involve a collaboration of several MDAs including Women Affairs, Education, Health, Justice, etc.
- Engage in sensitisation and enlightenment campaigns to change cultural attitudes based on stereotypes on the inferiority or superiority of women and men. This will involve collaboration between MDAs such as Women Affairs, Information, Youths and Sports; civil society, religious and traditional leaders.

- Capacity building and training for practitioners in the field, including investigators, prosecutors, law enforcement agents, judges, health/social workers, media practitioners etc. to fully understand the dynamics of SGBV/VAWG.
- NAPTIP should establish an office in the State, aside the Desk Office under the (NSCDC and Police) considering that Adamawa State is a border State with neighbouring countries.

Legislature

- Take steps to ensure that the duty to appropriate funds on a yearly basis is done in accordance with best practices that ties expenditure with availability of resources.
- Exercise oversight over the management and expenditure of public resources to guarantee the credibility of the budget.
- The State should take steps to enact laws on Child Rights; Violence Against Persons Prohibition; Protection against Domestic Violence including the Domestic and Sexual Violence Response Team; Equal Opportunities and; Establishment of the Office of the Public Defender.

Civil Society

- Engage the executive and legislature for the implementation of the above recommendations.
- Organize sensitization and capacity building programmes to improve knowledge and skills on the subject matter.