

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



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By

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## ABBREVIATIONS

<b>Acronym</b>	<b>Meaning</b>
AIDS	Acute Immune Deficiency Syndrome
ANC	Antenatal Care
ARVs	Anti-Retroviral HIV Drugs
CEDAW	Convention on the Elimination of all Forms of Discrimination Against Women
CESCR	Committee on Economic, Social and Cultural rights
CSJ	Centre for Social Justice
DEVAW	Declaration on the Elimination of Violence Against Women
FGM/C	Female Genital Mutilation/Circumcision
FGN	Federal Government of Nigeria
HP	Harmful Practice
HIV	Human Immuno Deficiency Virus
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICT	Information and Communication Technology
IPSAS	International Public Sector Accounting Standards
LGA	Local Government Area
MDAs	Ministries, Departments and Agencies of Government
MDGs	Millennium Development Goals
MICS	Multi Indicator Cluster Survey
NAPTIP	National Agency for Prohibition of Traffic in Persons and Other Related Matters
NDHS	Nigerian Demographic and Health Survey
NPF	Nigeria Police Force
PMTCT	Prevention of Mother to Child Transmission
PV	Physical Violence
SARC	Sexual Assault Referral Centre
SBA	Skilled Birth Attendant
SDGs	Sustainable Development Goals
SGBV	Sexual and Gender-Based Violence
SRHR	Sexual and Reproductive Health and Rights
STI	Sexually Transmitted Infection
SV	Sexual Violence
UBE	Universal Basic Education
UN	United Nations
UNDP	United Nations Development Programme
UNICEF	United Nations Children Fund
VAPP	Violence Against Persons Prohibition Act
VAWG	Violence Against Women and Girls
VVF	Vesico Vaginal Fistula
WHO	World Health Organization

## EXECUTIVE SUMMARY

Section One of the study is the introduction and it is divided into two parts - the focus and methodology and context. The focus is stated to be on sexual and gender-based violence (SGBV), violence against women and girls (VAWG), harmful practices (HP) and the sexual and reproductive health and rights (SRHR) of women and girls. It is also about the resources dedicated to achieve state obligations on SGBV and freedom from violence for women and girls. The setting and context is Cross River State of Nigeria. The study is part of the Spotlight Initiative which has an overall vision of a Nigeria where women and girls, particularly the most vulnerable, live a life free from violence and harmful practices.

Section Two reviewed the international and national legal and policy contexts. At the international level, the standards reviewed include the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), the United Nations (UN) Declaration on the Elimination of Violence against Women (DEVAW) and the Protocol to the African Charter on Human and Peoples Rights on the Rights of Women in Africa. Others are the Beijing Declaration and Platform for Action, Sustainable Development Goals and the jurisprudence of the obligations of state parties under human rights law, specifically, the obligations to respect, protect and fulfil the dignity of women and girls through freedom from violence.

National standards reviewed include the Constitution of the Federal Republic of Nigeria 1999 as amended; Compulsory, Free, Universal Basic Education Act; the National Policy on Sexual and Reproductive Health, Child Rights Law and the Girl-Child Marriages and Female Circumcision (Prohibition) Law of 2000.

Section Three is on situation analysis. Using relevant gender disaggregated statistics and data, the research did a situation analysis of Cross River State in terms of the different aspects of SGBV, VAWG, HP and SRHR. For the purpose of standardization, statistics were mainly drawn from the most recent Multiple Indicator Cluster Survey (MICS), Nigeria Demographic and Health Survey (NDHS), Nigeria Education Indicators 2016, etc. The key issues arising from the study include:

- ❖ Out of 33.8 percent of girls enrolled, only 23.1 percent completed Primary School. In Junior Secondary School, 22.77 percent girls were enrolled but only 20.9 percent completed the course of study. Furthermore, Senior Secondary School records a percentage of 19.04 percent enrolment ratio while only 15.5 percent of the enrolled students complete their study.
- ❖ 35.70 percent women and girls age 15-49 have experienced physical and sexual violence. 3.2 percent have experienced such violence during pregnancy while 35.40 percent, 20.70 percent and 2.10 percent of women in marriage have experienced emotional, physical and sexual violence respectively.
- ❖ The perception of domestic violence indicates that 22.40 percent women agree that their spouse is justified in beating them if they burn food, neglect the children, go out without telling him, argues with him or refuses sex with him.



- ❖ Female Genital Mutilation among women (15-49) is higher than the national average with 25.40 percent.
- ❖ In prevalence of early/child marriage, 7.60 percent of girls marry before the age of 15 which invariably leads to the prevalence of vesico-vaginal fistulae (VVF) and other health challenges associated with early-child bearing. 8.0percent of teenage girls age (15-19) have begun child bearing in the state.
- ❖ The percentage of women in the state with access to antenatal services by skilled personnel, were delivered by skilled birth attendants and delivered at health care facility is 79.5 percent, 55.70 percent and 52.60 percent respectively.
- ❖ Only 42.90 percent women have their post natal care needs met leaving out the 55.80 percent.
- ❖ The unmet contraceptive needs are as high as 34.50 percent in the State

In the review of the budgetary provisions in section Four, it was found that in 2016, 2017, 2018 and 2019, the percentages allocated to SGBV, etc., related activities were 0.19%, 0.33%, to 0.13%. and 0.17% respectively. In no year was the allocation up to 1% of overall allocation. Based on this preliminary disclosure, it can be stated that the state is not allocating sufficient resources for the progressive realisation of freedom from violence. This assertion was compounded by the paucity of funds for implementation. A good number of the provisions in the budget were general in nature and not sufficiently targeted at eliminating violence against women. There seems to be a relatively weak understanding of low hanging non-costly projects that would challenge the status quo on violence against women. The budgets did not have provisions for shelters and related facilities.

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

- (a)** Budgets should be realistic and match expenditure proposals with available revenue.
- (b)** Improved funding for the eradication of SGBV, VAWG, HP and the improvement of the SRHR of women and girls by focusing on issues such as adequate funding of:
  - ❖ Prenatal and postnatal care for women including access to emergency obstetric care for mothers;
  - ❖ Family planning goods and services and ensuring their effective and equitable deployment across the State;
  - ❖ Establishment of a State Sexual and Gender Based Violence Response Team including support for legal aid and counselling, medical, trauma and psycho social care. Specific appropriation of votes to support security agencies especially their Gender Units to ensure proper investigation and prosecution of SGBV, VAWG and HP offences;
  - ❖ The SGBV Response Team should facilitate an Information, Communications and Technology Management Framework through using new devices to enhance

ICT/Knowledge management capacity in the sector and deploy the popular media to raise awareness and create demand for existing services.

- ❖ Construction and maintenance of shelters for survivors of SGBV and VAWG. Provide referral services to survivors of SGBV, VAWG, HP and to provide and monitor the provision of quality forensic, medical, legal and psycho-social support to the survivors;
- ❖ Education of girls through universal basic education (including second chance opportunities) and higher education and to this end, ensure the draw down and utilisation of funds meant for Cross River State in the UBEC Fund. Parents and guardians who refuse to enroll their female children into basic education should be prosecuted;
- ❖ Public sensitisation and awareness raising on SGBV, VAWG, HP and the SRHR of women and girls;
- ❖ Collection, collation and preparation of gender disaggregated data on key indicators associated with SGBV, VAWG, HP and improvement of SRHR. This will improve planning and targeted response to the associated challenges.

**(c)** A clear costed plan that sets out SGBV, VAWG, HP and gender issues as well as sectoral objectives and policies which is linked to available resources in a sound fiscal framework.

**(d)** Ensure that budget preparation process links policies, the achievement of objectives and meeting of targets with the requisite funds and to this end prepare an SGBV Budgeting Toolkit.

**(e)** Publication of Budget Performance Reports which should be International Public Sector Accounting Standards (IPSAS) compliant. It should show the detailed and full nature and extent of sources and application of funds including variances where appropriate.

**(f)** Medium Term Planning should be adopted to help smart planning.

**(g)** Capacity building for planning and budget officers across the departments in the State Administration is needed for them to imbibe the tenets of gender aware and realistic budgeting and to be able to better forecast resource availability for capital investment.

**(h)** Capacity building and training for practitioners in the field, including investigators, prosecutors, law enforcement agents, judges, health and social workers, media practitioners, etc. to fully understand the dynamics and engagement strategies on SGBV, VAWG, HP and SRHR.

**(i)** Civil Society should engage the executive and legislature for the implementation of the above recommendations and organize sensitisation and capacity building programmes to improve knowledge and skills on the subject matter.

# Section One

## INTRODUCTION

### 1.1 Focus and Methodology

The presence of robust legal and policy frameworks, supported by strong institutional mechanisms, developed through empirical evidence and backed by qualitative, disaggregated and globally comparable data plays a fundamental role in the implementation of the state's obligation to respect, protect and fulfil the human rights of women and girls, particularly the most vulnerable, to live a life free from violence and harmful practices. However, it appears that the rights of women, the girl child and the vulnerable to freedom from violence is more observed in the breach in Nigeria. Nigeria is a federation and its component units – federal, states and local governments are under national and international obligation to respect the rights of women, girls and the vulnerable through refraining from taking steps that directly violate their freedom from violence.<sup>1</sup>

This includes ensuring that laws and policies do not promote Violence Against Women and Girls (VAWG), Sexual and Gender-Based Violence (SGBV), Harmful Practice (HP) or derogations of the Sexual and Reproductive Health and Rights (SRHR) of women and girls. The obligation to protect relates to the state preventing third parties including non-state actors from interfering with the enjoyment of freedom from violence. It demands robust institutions for prevention, investigation, and prosecution of offences related to VAWG/SGBV/HP.

The state is expected to take steps, to the maximum of its available resources to ensure freedom from violence for women and the girl child.<sup>2</sup> This includes administrative, judicial, budgetary, etc., steps towards fulfilling the rights of women, girls and the vulnerable to freedom from violence. This introduces the plan, policy and budget continuum where laws and policies supportive of the campaign against SGBV/HP/VAWG are implemented through adequate outlay of state resources through the budget. A properly funded and implemented programme on freedom from violence for women, girls and vulnerable persons will guarantee access to inclusive, timely and quality services for victims and survivors of violence. Also, the

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<sup>1</sup> See the gamut of the rights in the Fundamental Rights Chapter of the Constitution of the Federal Republic of Nigeria 1999 (as amended), especially the rights to life, human dignity, freedom from discrimination, etc.; the National Gender Policy, National Policy on Elimination of FGM and Strategy to end Child Marriage. Nigeria is a state party to the Convention on the Elimination of all Forms of Discrimination against Women and bound to implement Goal 5 of the Sustainable Development Goals.

<sup>2</sup> Article 2 (1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR).

state is duty bound to stop funding or in any way supporting activities that violate the rights of women and girls to freedom from violence.

The focus of this research is on budgeting for the eradication of SGBV, VAWG, HP and the promotion of SRHR of women and girls in Cross River State. It is a desk study of relevant laws and policies, statistics, data and budgets. The review of budgeting is for the period 2016-2019 and it is focused on relevant key ministries, departments and agencies of government (MDAs) dealing with the subject matter. It was done with a view to identifying 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 value for money, 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.<sup>3</sup> 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 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 details of the key issues reviewed include the issues set out hereunder.

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, prevention of trafficking in women. It sought to review 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. Further, it reviewed policies/laws, programmes on girl child enrolment in schools.

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 Nigerian Demographic and Health Survey (NDHS) and Nigeria Education Indicators 2016, etc.

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<sup>3</sup> See General Comment No. 3 of 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 10<sup>th</sup> anniversary of the Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights.

The research reviewed provisions in the State budget and finances from other sources including grants, loans, etc. which are geared towards eliminating SGBV, VAWG and HP while improving the SRHR of women and girls. Health, education, social services, poverty reduction, 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 organised 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, Budget and Development, Education, Health, Agriculture, the Police and other law enforcement agencies, anti trafficking agencies, etc. The stakeholders also include representatives of civil society organisations 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 the Exclusive and Concurrent Legislative Lists.<sup>4</sup> 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 only for 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 upon. Economic, legal and social services of governments that can facilitate the reduction or elimination of SGBV are shared between the federal and state governments.

Cross River, the focus of this study is one of the States from the South South geo-political zone of Nigeria. Created in 1987, it is made up of 18 local government areas, with a population of 3.738million people and covers a land area of about 20,156 square kilometers. Cross River 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/VAWG//HP as well as promote the SRHR of women. Cross River State, being a part of the Nigerian Federation is indirectly a signatory to any treaty or

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<sup>4</sup> Second Schedule to the Constitution, Parts 1 and 2.

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 Cross River State's annual budgets will show the extent of alignment between the laws, plans, policy positions and expenditure. 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 Cross River 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 Nigeria<sup>5</sup>. 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 recognised 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 Women<sup>6</sup> (“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

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<sup>5</sup> See article 5 of the standard setting Universal Declaration of Human Rights (UDHR) - *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 (ICCPR).

<sup>6</sup> General Assembly Resolution 48/104 of 20 December 1993.

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 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 of 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.<sup>7</sup> In article 4(2) (i) of the Protocol, States Parties are obliged to take appropriate and effective measures to provide adequate budgetary and other resources for the implementation and monitoring of actions aimed at preventing and eradicating violence against women.

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, etc<sup>8</sup>. 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 disproportionately<sup>9</sup>. 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 that<sup>10</sup>:

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<sup>7</sup> The Protocol in its definitive article 1 (j) defines violence against women as follows: *“Violence against women” means all acts perpetrated against women which cause or could cause them physical, sexual, psychological, and economic harm, including the threat to take such acts; or to undertake the imposition of arbitrary restrictions on or deprivation of fundamental freedoms in private or public life in peace time and during situations of armed conflicts or of war;”*

<sup>8</sup> Banke Akinrimisi’s contribution in *Budgeting for SGBV in Nigeria in the Context of COVID-19*.

<sup>9</sup> General Recommendation No.19 (11<sup>th</sup> Session, 1992), Paragraph 6 - Committee on the Elimination of Discrimination against Women

<sup>10</sup> 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.



*“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, consequences; how intersectionality impacts vulnerability to violence and an elaboration of the role of the State in combatting violence in the public and private domains<sup>11</sup>. This is however beyond the remit of this rights, duties, and resources conceptual framework.

Further, the Sustainable Development Goals (SDG) 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, 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 fulfil. 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 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 respect<sup>12</sup>. 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.<sup>13</sup>

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:

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<sup>11</sup> 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.

<sup>12</sup> Article 16 (1) (e) of CEDAW.

<sup>13</sup> Article 16 (1) (e) of CEDAW.

*“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”<sup>14</sup>*

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 as well as being 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 for 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 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 realisation 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.<sup>15</sup>

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 sexual and reproductive health and rights (“SRHR”), etc., and the State fails to respond, such a State will *prima facie* be failing to discharge its obligations under national and international standards<sup>16</sup>. 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 law<sup>17</sup>.

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<sup>14</sup> 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.

<sup>15</sup> 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.

<sup>16</sup> 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.

<sup>17</sup> This would be almost impossible to justify considering that freedom from violence is emerging as a non derogable right.

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 dissolution<sup>18</sup>. CEDAW enjoins States Parties to enact legislation that modify the existing prejudices and customary practices which are based on the idea of the inferiority or the superiority complexes of either of the sexes or on stereotyped roles for men and women, boys and girls.<sup>19</sup>

The obligation to respect, protect and fulfil 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.<sup>20</sup>

## 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

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<sup>18</sup> Article 16 of CEDAW.

<sup>19</sup> Article 5 (1) of CEDAW.

<sup>20</sup> Adapted from paragraph 7 of the Maastricht Guidelines on Violations of Economic, Social and Cultural Rights adopted on the occasion of the 10<sup>th</sup> anniversary of the Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights.

battering amounts to inhuman and degrading treatment<sup>21</sup>. 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.<sup>22</sup>

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 contempt<sup>23</sup>. 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.

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; enabling environment for planning, implementation and achievement of 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.

There is a National Policy on Sexual and Reproductive Health which acknowledges that reproductive health not only contributes to better quality of lives but, is also essential for the sustained economic and social development of the nation. This policy mandates compliance to all relevant treaties, policies and laws supporting the attainment of the highest level of reproductive health irrespective of age, sex, ethnicity, religion and socio-economic status. It protect the rights of all people to make and act on decisions about their own reproductive health free from coercion or violence, eliminating the practice of female genital mutilation and other forms of harmful practices such as gender-based violence, especially sexual violence

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<sup>21</sup> 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.

<sup>22</sup> S.1 (1) (3) of the Constitution.

<sup>23</sup> *Isenalumhe v Amadin* (2001); Cases on Human Rights, 458.

and rape and removal of all forms of barriers that limit access to comprehensive, integrated and qualitative reproductive health care.

Cross River State has a Girl-Child Marriages and Female Circumcision (Prohibition) Law of 2000. It prohibits giving in marriage, entering into marriage, consent to marriage or forced marriage of any person under the age of 18 while impregnating or putting a child in a family way is made an offence. It also criminalises and makes punishable, the practice of FGM. There is also the Domestic Violence and Maltreatment of Widows (Prohibition) Law of 2004. It criminalises maltreatment, obnoxious traditions and violence against women.

Cross River State has also enacted the Child Rights Law<sup>24</sup> which is applicable to male and female children in the State. S.11 provides that every child is entitled to respect for the dignity of her person, and accordingly, no child shall be - (a) subjected to physical, mental or emotional injury, abuse, neglect or maltreatment, including sexual abuse; (b) subjected to torture, inhuman or degrading treatment or punishment. In S.15 (1), every child has the right to free, compulsory and universal basic education and it shall be the duty of the State to provide such education and any parent or guardian who denies his child or ward access to basic education commits an offence.<sup>25</sup> By S.15 (5), a female child who becomes pregnant, before completing her education shall be given the opportunity, a second chance opportunity, after delivery, to continue with her education, on the basis of her individual ability.

S.21 explicitly states that no person under the age of 18 years is capable of contracting a valid marriage, and accordingly, a marriage so contracted is void. There is prohibition of child marriage and betrothal and a punishment for adults who indulge in or facilitate it.<sup>26</sup> No person shall cause a female child to be subjected to genital mutilation<sup>27</sup> and no person shall tattoo or make a skin mark or cause any tattoo or skin mark to be made on a child.<sup>28</sup> Violations of these prohibited acts are punishable under the Law. Sexual intercourse with a child is stated to be rape and punishable by life imprisonment.<sup>29</sup>

Finally, S.274 which is the interpretative section defines a child as anyone under the age of 18 while it also defines the age of majority as 18.

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<sup>24</sup> Law No. 4 of 2009.

<sup>25</sup> S.15 (6) of the Law.

<sup>26</sup> S. 22 and S.23 of the Law.

<sup>27</sup> S.25 (1) of the Law

<sup>28</sup> S.24 (1) of the Law.

<sup>29</sup> S.32 of the Law.

## Section Three

### SITUATION ANALYSIS: STATISTICS AND DATA

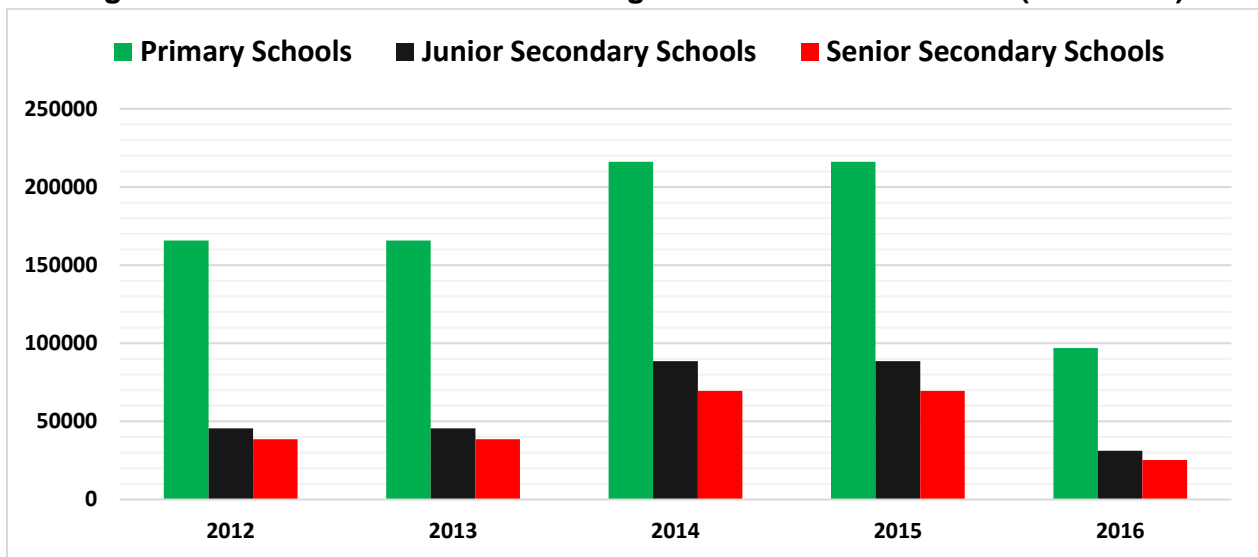
#### 3.1 Introduction

The study reviewed data and statistics on SGBV/VAWG/HP and the SRHR of women and girls. It relied on the Multiple Indicator Cluster Survey (MICS) of 2016, the Nigeria Demographic and Health Survey (NDHS) of 2018 and Nigerian Education Indicators of 2016. We made use of the key findings of these reports that relate to the issues of violence against women and girls. The discourse is presented in subthemes of education, SGBV/VAWG, HP and SRHR.

#### 3.2 Girl Child Education

By S.15 (1) of the Cross River State Child Rights Law, every child (male and female) has the right to free, compulsory and universal basic education and it shall be the duty of the State to provide such education and any parent or guardian who denies his child or ward access to basic education commits an offence.<sup>30</sup> Figure 1 is on the female school enrolment figures in Cross River State.

**Figure 1: Female School Enrolment Figures in Cross River State (2012-2016)**



**Source: Nigeria Education Indicators (2016)**

From Figure 1, the number of girls who enrolled in primary schools within the State remained constant at 165,669 between 2012 and 2013. This was followed by a 30.4 percent increase to 216,059 girls in 2014. Between 2014 and 2015, the figure was constant. There was a drastic decline of 55.2 percent to 96,858 in 2016. This massive decline is unexplained as the

<sup>30</sup> S.15 (6) of the Law.

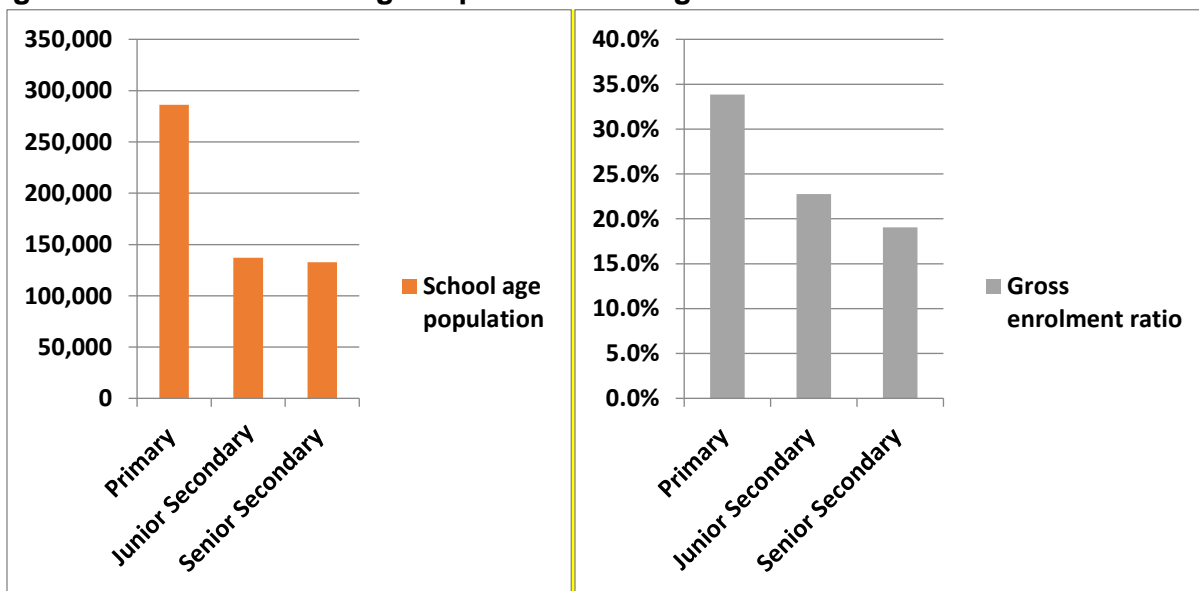
population of the State did not decline, no war, insurrection or act of God that kept girls away from school. The drastic decline is not in consonance with the nature of the right to basic education which demands a forward ever and backward never approach. Female enrolment into junior secondary schools remained constant between 2012 and 2013 at 45,458, but by 2014, it increased by 94.9 percent to 88,609 girls. This enrolment remained constant in 2015 before declining significantly by 64.7 percent to 31,237 girls in 2016. Again, this drastic decline is not in consonance with the critical nature of the right to basic education. Derogations and reductions in enrolment can only be justified in the most exceptional circumstances and there are no facts in the present case justifying such drastic decline in enrolment. Senior secondary school enrolment data reveals that 38,680 girls were enrolled by 2012, without any change in 2013. By 2014, an increase of 79.9 percent was reported as the number of girls enrolled increased to 69,579. Enrolment in 2015 remained the same as that of 2014 at 69,579 with a rather surprising decline of 63.7 percent to 25,244 girls in 2016. The same arguments about massive decline in enrolment figures stated above also applies to the circumstances in the senior secondary education enrolment.

According to the Child Rights Law of Cross River State and the Universal Basic Education Act, the key words are *free*, *compulsory* (not optional) and *universal* (leave no one behind). Figure 2 compares the female enrolment and female school age population.

**Figure 2 (A) and 2 (B): Female School Enrolment in Cross River State (2016)**

**Figure A: Female School Age Population**

**Figure B: Gross Enrolment Ratio**



**Source: Nigeria Education Indicators 2016**

Figure 2 (A) and (B) 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 Cross River State. Comparing the A and B parts of the Figure above shows the extent to which the need for girl child education has been met. For primary school, out of a total population of 286,186 females





a population of 25,244 girls enrolled, only 15.5 percent of enrolled students completed their study which is lower than the national average of 28.71 percent.<sup>36</sup>

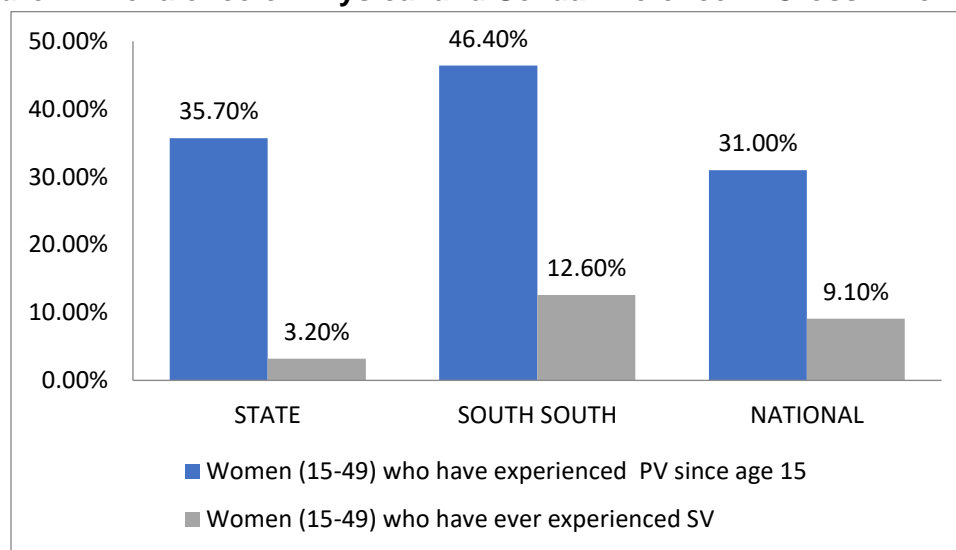
Essentially, Figures 1 to 3 show that the State has not taken enough measures to ensure universal basic education for its female children. Even if education is free, the State ought to have taken measures to enforce school attendance and prevent third parties from denying female children their right to education. Based on the indivisibility and inseparability of all human rights and fundamental freedoms, education is vital for freedom from violence and the ability to validate and claim rights when violated.

### 3.3 SGBV/VAWG

This includes all forms of violence against women and girls - physical violence, sexual violence and emotional violence. Physical violence refers to any act of beating, kicking, slapping, punching, etc. Sexual violence refers to rape, unwanted sexual advances or sexual harassment, sex for favours, sexual abuse of children, etc. The goal of emotional abuse and violence is to undermining another person's human dignity, feelings of self-worth and independence;<sup>37</sup> it usually involves insults and humiliating of another.

Figure 4 compared the data at the state, zonal and national levels on the prevalence of physical and sexual violence.

**Figure 4: Prevalence of Physical and Sexual Violence in Cross River State**



**Source: NDHS 2018**

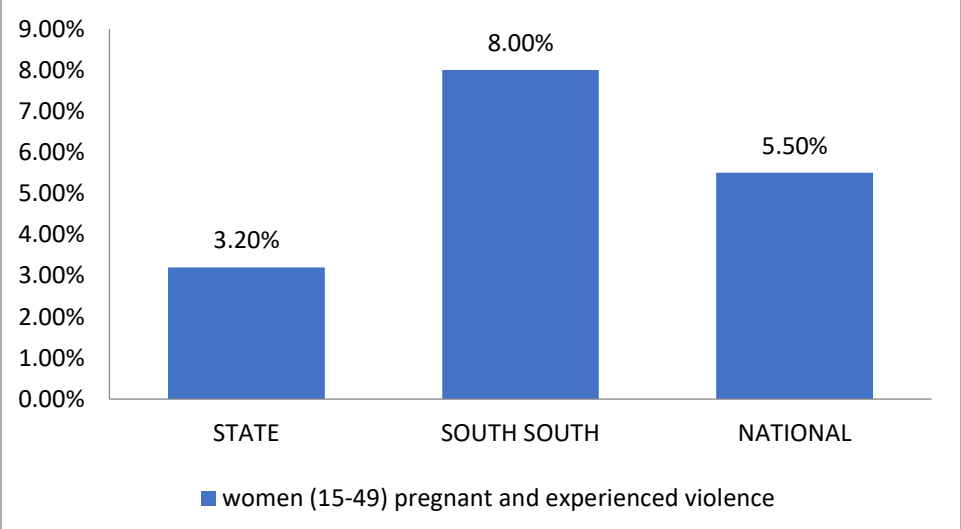
<sup>36</sup> Nigeria Education Indicators 2016 page 7.

<sup>37</sup> See the answer to the question, "what is emotional abuse?" at: <https://au.reachout.com/articles/what-is-emotional-abuse>

Figure 4 shows women (15-49) who have experienced physical and sexual violence since age 15 at 35.70 percent of women in the State which implies that more than one third of women and girls have experienced physical violence while 46.40 percent is the South South geopolitical zone average. However, the national average is 31 percent. For sexual violence, the state's average stood at 3.20 percent while the South South average is 12.60 percent as against a national average of 9.10 percent. Thus, there are still challenges with physical and sexual violence in the State, but physical violence is more endemic.

In Figure 5, the percentage of women who have experienced physical violence during pregnancy is reviewed. Pregnancy is a delicate condition that requires all the care and it is extremely unconscionable for a woman to be subjected to any form of violence during the duration of pregnancy.

**Figure 5: Women who have Experienced Violence During Pregnancy**

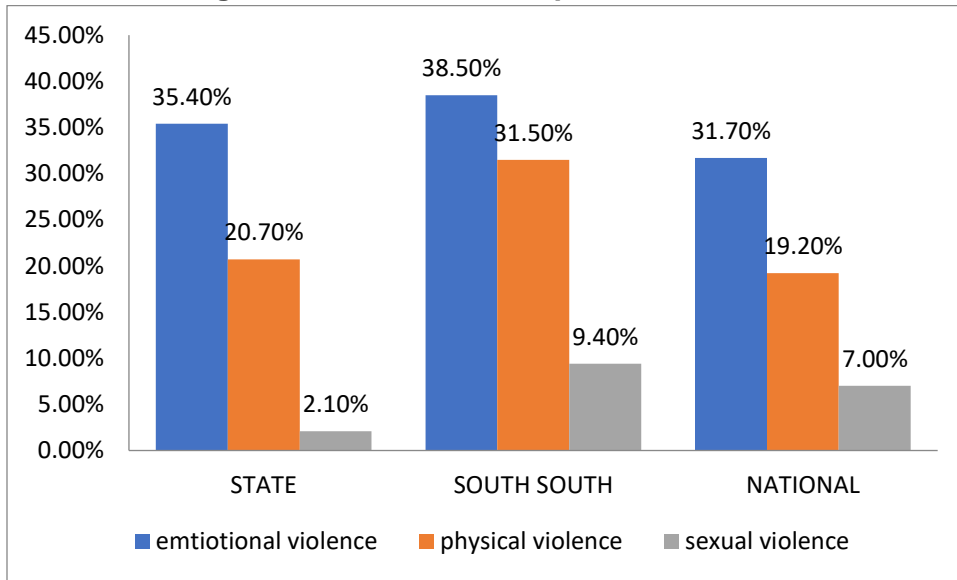


**Source: NDHS 2018**

Figure 5 reveals that 3.2% of women in Cross River State have experienced violence during pregnancy. The percentage of women who have experienced violence during pregnancy in South South geopolitical zone is higher (8 percent) while the national average is 5.5 percent. Figures 4 and 5 engages the state's responsibility to investigate, prosecute and punish offenders who contravene the relevant laws on battery, assault and sexual violence.

Figure 6 shows the prevalence of three different dimensions of spousal violence - emotional, physical and sexual. Figure 6 from the NDHS 2018, reveals that 35.40 percent, 20.70 percent and 2.10 percent of women in marriage relationships have experienced emotional, physical and sexual violence respectively perpetrated by their spouses. The Figure shows that South South numbers as 38.5 percent, 31.5 percent and 9.40 percent respectively for emotional, physical and sexual violence; while the national average is 31.70 percent, 19.20 percent and 7 percent respectively for emotional, physical and sexual violence.

**Figure 6: Prevalence of Spousal Violence**

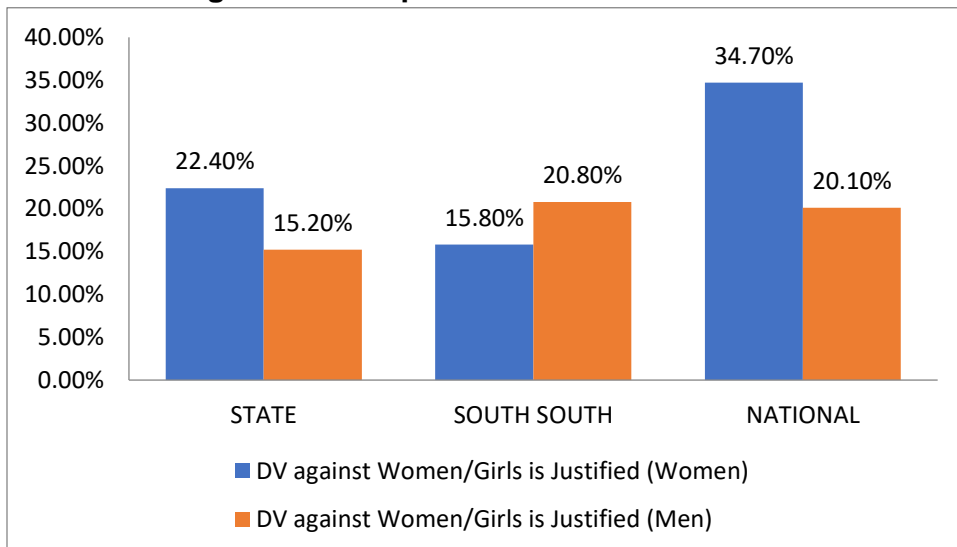


**Source: NDHS 2018**

The State's numbers are lower than the South South numbers while the numbers of women who experienced emotional, physical and sexual violence in the South South is higher than the national average.

Figure 7 below shows the trend for justification of domestic violence.

**Figure 7: Perception of Domestic Violence**



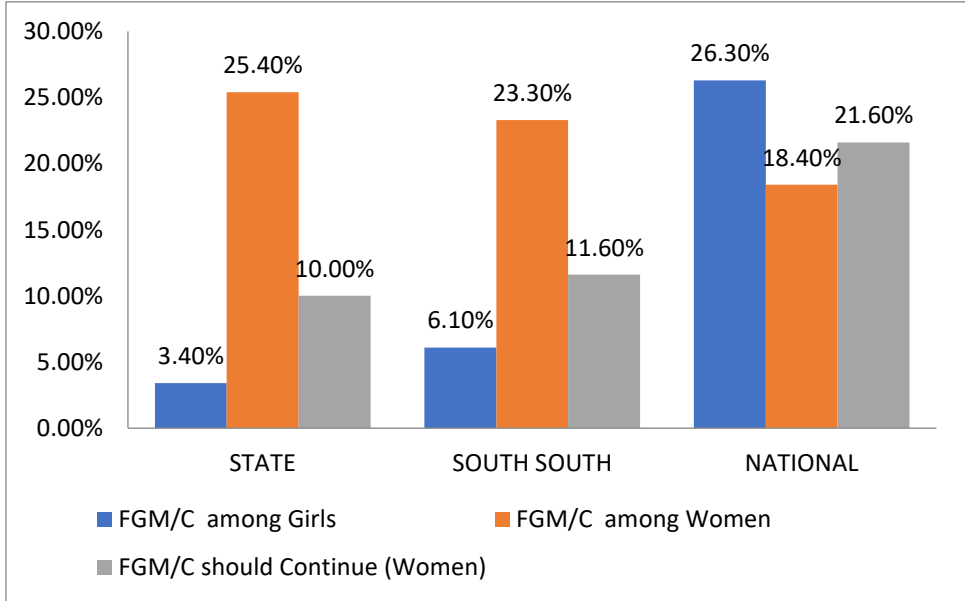
**Source: NDHS 2018**

Figure 7 shows that 22.40 percent of women agree that their spouse is justified in beating them if they burn food, neglect the children, go out without telling him, argues with him or refuses sex with him. Shockingly, the percentage of women who accept that their husbands are justified in beating them is higher than the percentage of men who agree that they are justified in beating their wives. But this is not replicated in the South South zone as more men justify beating their wives. The Cross River State experience is replicated at the national level where 37.40 percent of women justify their own beating as against 20.10 percent of men. These statistics engage the state’s responsibility to take steps to modify the social and cultural patterns of conduct of men and women with a view to eliminating prejudices and harmful practices.<sup>38</sup>

**3.4 HARMFUL PRACTICES (HP)**

This includes all forms of practice that inflicts harm on women. It includes Female Genital Mutilation/Circumcision (FGM/C), early or forced marriage, teenage pregnancy and widow maltreatment. Figure 8 is on the prevalence of FGM.

**Figure 8: Prevalence of Female Genital Mutilation**



**Source: MICS 2016**

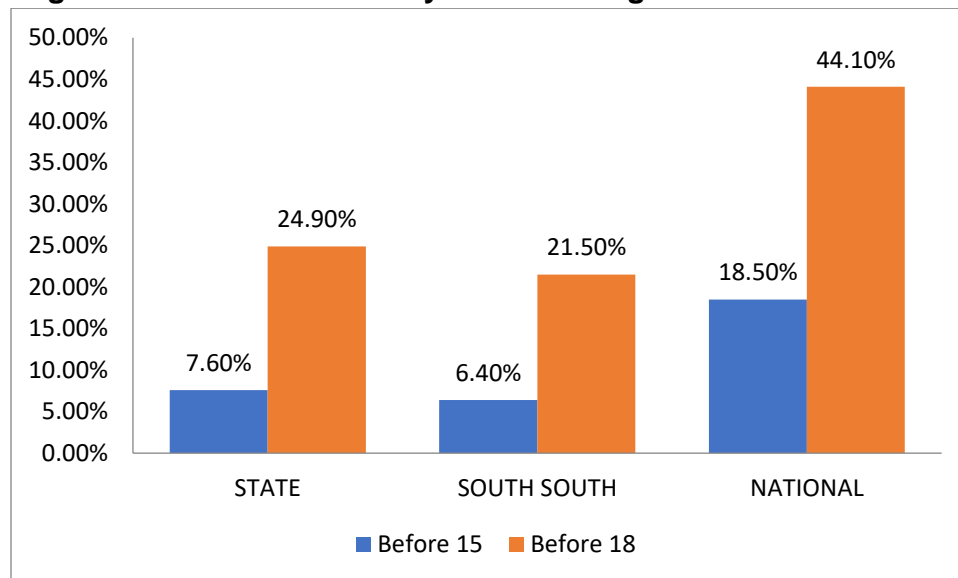
The MICS 2016 shows that FGM is higher among women (15-49) in Cross River State than girls (0-14). The Cross River numbers are higher than the South South and national averages for FGM among women. The prevalence of FGM is lower for girls 0-14 compared to the regional and national averages. It also has a lower number of women supporting that FGM

<sup>38</sup> Article 5 (1) of CEDAW.

should continue. Essentially although the trend is changing for good, but the practice is still a challenge in the State which needs to be addressed by preventive, educational, law enforcement and judicial action. FGM/C is an illegal action contrary to the Cross River State Girl-Child Marriages and Female Circumcision (Prohibition) Law of 2000.

Early child marriage is a violation of the right of the child as it denies the child her childhood, access to education and prevents her from making full and informed consent on her sexual and reproductive health and rights. It is associated with a lot of negatives including child-birth complications. It is contrary to extant laws in Cross River State including the Cross River State Girl-Child Marriages and Female Circumcision (Prohibition) Law of 2000 and the Child Rights Law. Figure 9 shows the prevalence of early/girl child marriage.

**Figure 9: Prevalence of Early/Child Marriage in Cross River State**

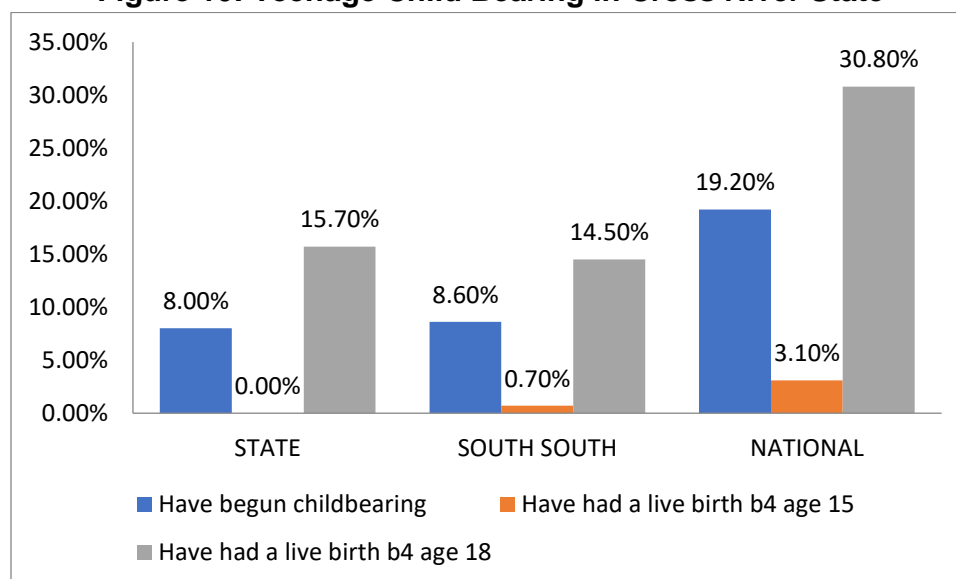


**Source: MICS 2016-2017**

Figure 9 depicts that 7.60 percent of girls marry before the age of 15 which is greater than the percentage of the South South (6.40 percent). 24.90 percent marry before the age of 18 which is also higher than the percentage of South South (21.50 percent). The Figure shows in general that the percentage of girl child marriage is high, and this invariably will lead to the prevalence in vesico-vaginal fistulae (VVF) and other related health challenges associated with early child-bearing.

Figure 10 is on a related issue arising from girl child marriage which is teenage child-bearing. Figure 10 shows that 8.0 percent of teenage age (15-19) have begun child-bearing in Cross River State. This is slightly lower than the South South average of 8.60 percent and also lower than the national average of 19.20 percent. No live birth before 15 was recorded in the State compared to 0.70 percent and 3.10 percent for the South South and national averages

**Figure 10: Teenage Child Bearing in Cross River State**



**Source: MICS 2016-2017**

However, the percentage who had a live birth before age 18 (15.70%) in the State is higher than the 14.50 percent in the South South. However, it is lower than the national average of 30.80 percent. Therefore, teenage childbearing is a live issue in the State.

### **3.5 SEXUAL REPRODUCTIVE AND HEALTH RIGHTS (SRHR)**

Women are entitled to have access to affordable health services, in particular prenatal, post natal and obstetrics services as well as other medical assistance provided by trained personnel.<sup>39</sup> They are also entitled to other reproductive health services including family planning. These entitlements become more compelling in the light of Nigeria’s high maternal mortality rate. These services have to be available, accessible (affordable, provided in a non-discriminatory manner, information accessibility and physically accessible - at a location close to the beneficiaries), of good quality, and respecting medical ethics as well as being culturally appropriate.<sup>40</sup>

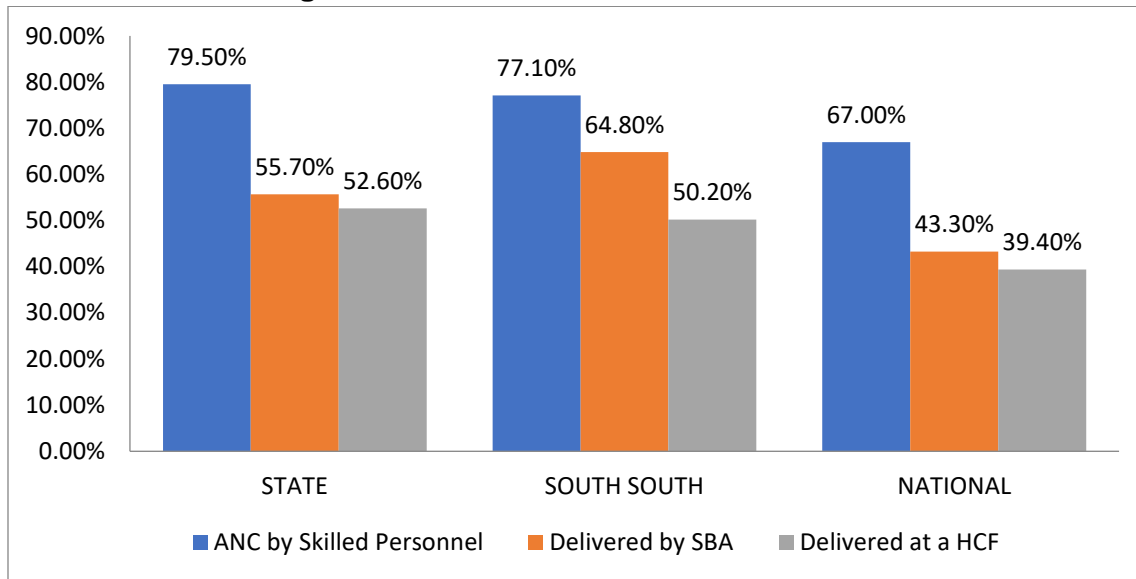
Figure 11 is on the prevalence of antenatal services for women in the State. The percentage of women who accessed antenatal services by skilled personnel, were delivered by skilled birth attendants and delivered at health care facility in the State is 79.5 percent, 55.70 percent and 52.60 percent respectively. Those who were attended by skilled personnel in the State

<sup>39</sup> See Concluding Statement of the UN CEDAW Committee after considering Nigeria’s 6<sup>th</sup> CEDAW Report.

<sup>40</sup> General Comment No.14 (2000) on the UN Committee on Economic, Social and Cultural Rights on article 12 of the ICESCR on the right to the highest attainable state of physical and mental health.

is higher than the South South and national averages of 77.10 percent and 67 percent respectively.

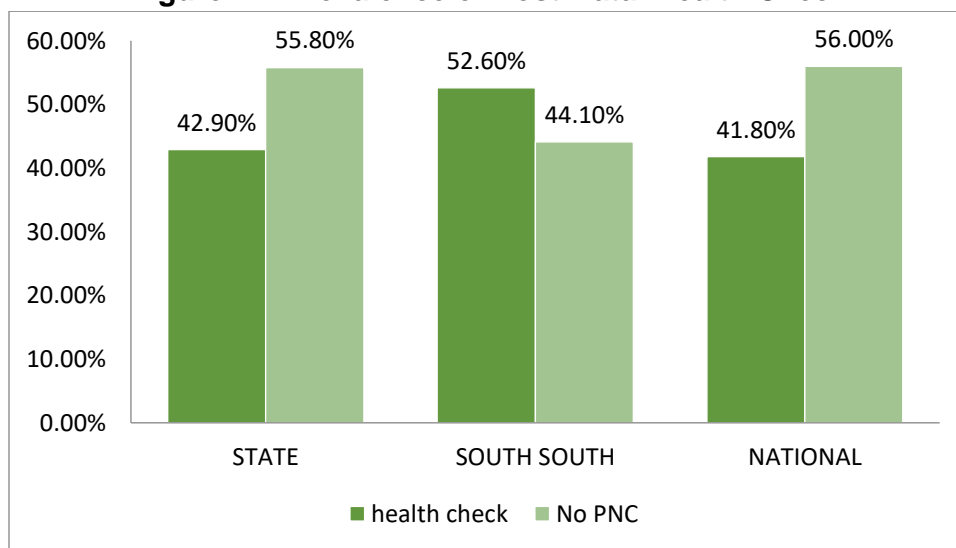
**Figure 11: Prevalence of Antenatal Care Services**



**Source: NDHS 2018**

In delivery by a skilled birth attendant, the state's average is lower than the South South average of 64.80 percent but higher than the national average of 43.30 percent. Delivery at a health care facility in the State is also higher than the South South and national averages of 50.20 percent and 39.40 percent respectively. There is still room for improvement as these services should be universally enjoyed by all women of child-bearing age in the State. Figure 12 below shows the prevalence of postnatal health check in Cross River State.

**Figure 12: Prevalence of Post-Natal Health Check**

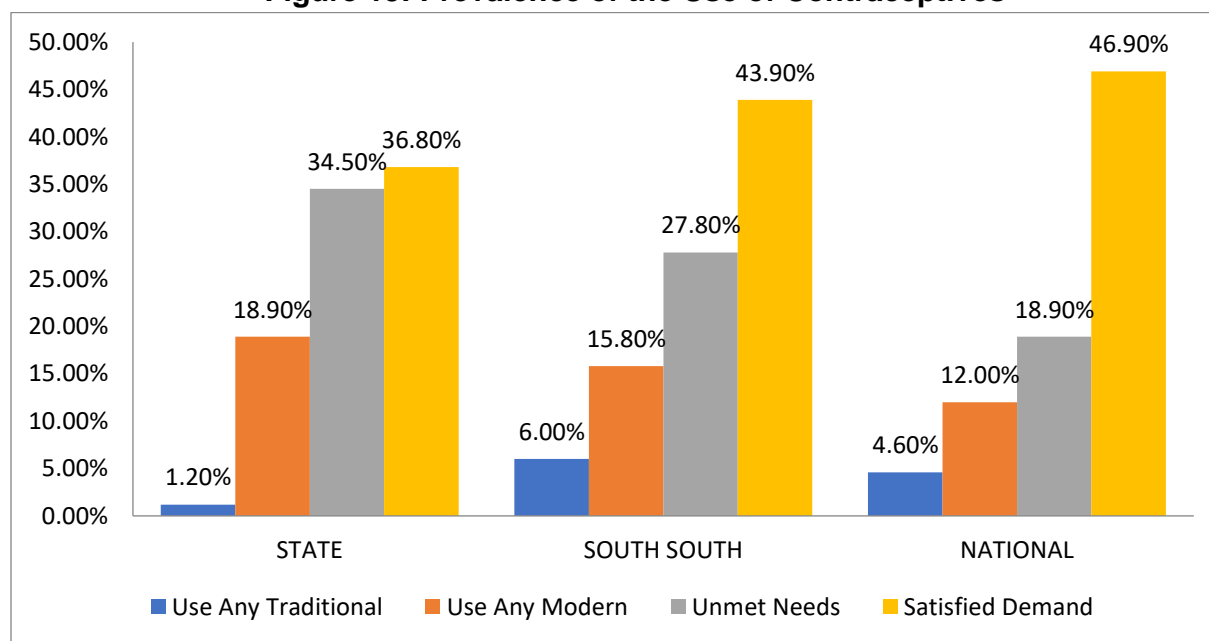


**Source: NDHS 2018**

Only 42.90 percent of women in need of postnatal care accessed it leaving out 55.80 percent. This is lower than the South South average of 52.60 percent but higher than the national average of 41.80 percent. With the exception of the South South average, those who did not get postnatal health check outnumber those who got at the national and state levels respectively. This calls for governmental action to improve access to postnatal health services. According to the World Health Organisation, postnatal care is articulated as a care given to the mother and her newborn baby immediately after the birth of the placenta and for the first six weeks of life.<sup>41</sup> Majority of maternal and neonatal deaths occur during childbirth and the *postpartum* period.

Article 14 of the Maputo Protocol on the Rights of Women in Africa provides that States Parties shall ensure the right to health of women including sexual and reproductive health and specifically including the following - the right to control fertility, the right to decide whether to have children, the number and spacing of children, the right to choose any method of contraception, protection against aids and sexually transmitted diseases, etc. Figure 13 shows the prevalence of the use of contraceptives in Cross River State.

**Figure 13: Prevalence of the Use of Contraceptives**



**Source: NDHS 2018**

Figure 13 shows the unmet need is very high in the State (34.50 percent) regional (27.80 percent) and national (18.90 percent) levels. The percentage of those who had satisfied demands was also low at every level - state (36.80 percent), regional (43.90 percent) and

<sup>41</sup>See [https://www.who.int/maternal\\_child\\_adolescent/documents/postnatal-care-recommendations/en/](https://www.who.int/maternal_child_adolescent/documents/postnatal-care-recommendations/en/)



national (46.90 percent). This also calls for more action including dedication of more resources from the state which is the primary duty bearer in reproductive health and rights.

HIV/AIDS presents challenges in the health, social and economic fields. Information and knowledge about the infection, risks and management of the disease is important for its containment. The right to the highest attainable standard of physical and mental health may sometimes depend on the adoption of healthy lifestyles which can be facilitated by access to information and relevant knowledge.<sup>42</sup> In General Recommendation No.24, the CEDAW Committee stated:<sup>43</sup>

*The issues of HIV/AIDS and other sexually transmitted diseases are central to the rights of women and adolescent girls to sexual health. Adolescent girls and women in many countries lack adequate access to information and services necessary to ensure sexual health. As a consequence of unequal power relations based on gender, women and adolescent girls are often unable to refuse sex or insist on safe and responsible sex practices. Harmful traditional practices, such as female genital mutilation, polygamy, as well as marital rape, may also expose girls and women to the risk of contracting HIV/AIDS and other sexually transmitted diseases. Women in prostitution are also particularly vulnerable to these diseases. States parties should ensure, without prejudice or discrimination, the right to sexual health information, education and services for all women and girls, including those who have been trafficked, even if they are not legally resident in the country. In particular, States parties should ensure the rights of female and male adolescents to sexual and reproductive health education by properly trained personnel in specially designed programmes that respect their right to privacy and confidentiality.*

Figure 14 present the prevalence of knowledge about HIV in Cross River State. Figure 14 shows that 32.7 percent of women in the State have comprehensive knowledge about HIV<sup>44</sup> compared to 37.30 percent for South South and 46.20 percent nationally. Men have more comprehensive knowledge in the State and in the South South while women are slightly more knowledgeable from the national average.

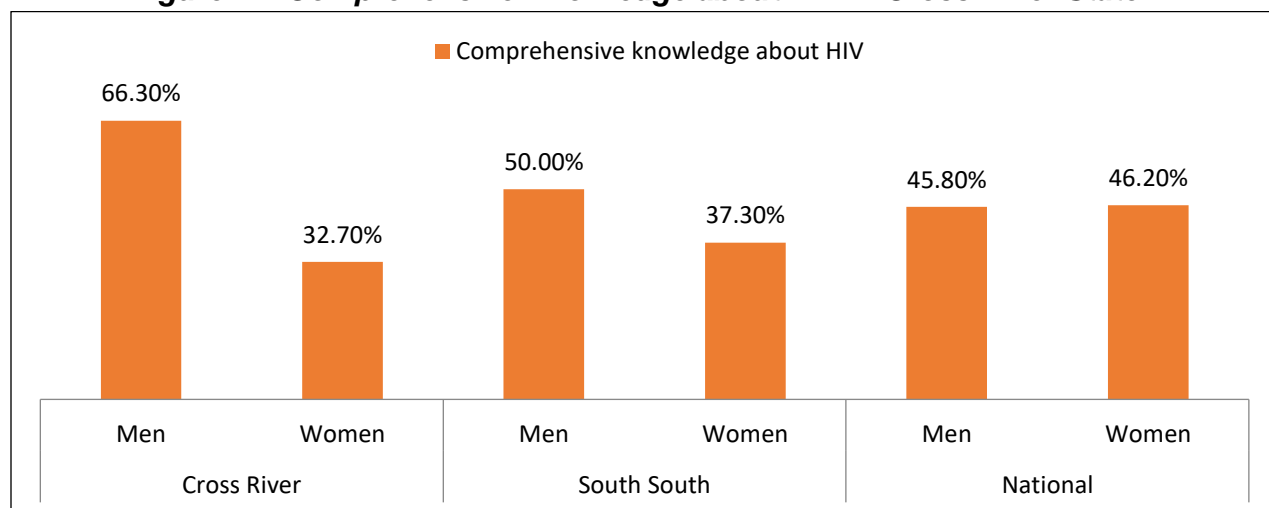
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<sup>42</sup> See General Comment No.14 (200) of the CESCR on the right to the highest attainable standard of health - article 12 of the ICESCR.

<sup>43</sup> General Recommendation No. 24 on Women and Health - article 12 of CEDAW; Twentieth Session, 1999.

<sup>44</sup> Comprehensive knowledge means knowing that consistent use of condoms during sexual intercourse and having just one uninfected faithful partner can reduce the chance of getting HIV, knowing that a healthy-looking person can have HIV, and rejecting the two most common local misconceptions about HIV transmission or prevention (that HIV can be transmitted by mosquito bites and by sharing food with person who has HIV).

**Figure 14: Comprehensive Knowledge about HIV in Cross River State**



**Source: NDHS 2018 & MICS 2016**

## Section Four

### BUDGETING FOR SGBV, VAWG, HP AND SRHR

#### 4.1 Introduction

The state is under a legal obligation to make a budget which is a statement of income and expenditure and an indication of the state's expenditure priorities for the year.<sup>45</sup> As an economic process, budgets convert state development plans and priorities into a programme of action. This section proceeds from an understanding of the context of plan, policy and budget continuum. The budget as a human rights process defines the steps to be taken for the respect, protection and fulfilment of human rights and fundamental freedoms and freedom from violence requires definite public resource outlays.<sup>46</sup>

This section reviews the public funding of issues related to the elimination of SGBV, VAWG and HP while improving the SRHR of women and girls, in line with the policies reviewed above for the years 2016-2019. However, due to the paucity of the resources voted for direct SGBV matters and based on the interdependence and indivisibility of all human rights and fundamental freedoms, the study is pulling out all gender related items in the budgets.

#### 4.2 Budget Funding 2016

Table 1 is the pull-out of gender related items for the year 2016.

**Table 1: 2016 Cross River State Budget Pull-out on Gender Related Items**

		2016	
		AGRICULTURE	
S/N	Project Code	Project Title	Amount (N)
1	1001000800/300011/499900	Cassava Women Enterprises Development	2,500,000
2	1001001500/305736/499900	Support to women and youth in Agriculture	4,000,000
		<b>MINISTRY OF CLIMATE CHANGE AND FORESTRY: Community and Private Forestry</b>	
3	5901000100/301234/499900	Gender and HIV/AIDS mainstreaming in 50 pilot forest communities	1,400,000
		<b>FORESTRY, BIO - DIVERSITY AND CONSERVATION</b>	

<sup>45</sup> See S.121 of the Constitution of the Federal Republic of Nigeria 1999 (as amended).

<sup>46</sup> Eze Onyekpere in *Civil Society and the Budget- A Reader, Socio Economic Rights Initiative*, 2004.

4	5901000100/301234/499900	Gender and HIV/AIDS mainstreaming in 50 pilot forest communities	1,384,593
		<b>SOCIAL DEVELOPMENT, YOUTH AND SPORTS</b>	
5	2701000100/305668/499900	Women/Children under 5 years of age consultancy service	187,793,659
6	2802000100/305670/499900	Marketing and provide incentives to talented sport men and women	5,000,000
	<b>MINISTRY OF WOMEN AFFAIRS</b>		
7			
8	3001000100/307202/499900	Dissemination/Distribution of Gender Based Laws	3,000,000
9			
10	3001000100/307127/499900	Facilitation of the formation of women cooperative groups in the state	10,000,000
11	0100/307215/499900	Reduction of maternal/infant mortality through provision of 50 tricycle ambulance	15,000,000
12	3001000100/307222/499900	Facilitation and promotion of gender mainstreaming	10,000,000
13	3001000100/499900	Cash transfer for vulnerable widows	93,500,000
14	3001000100/499900	Advocacy programme on the importance of girl child	10,000,000
15	3001000100/00000000/499900	Capacity building for women for value addition	5,000,000
16	3001000100/00000000/499900	Sensitization and mobilization of women for development activities of AWAKE	5,000,000
17	3001000100/307122/499900	Legal counselling/awareness creation on violence	2,000,000
	<b>BUDGET AND MONITORING DEPARTMENT</b>		
18	3718000100/305714/499900	Gender and Human Right Education in 3 Senatorial Districts	3,284,500
19	3706000100/308118/499900	Gender Related Activities	1,000,000
	<b>Total</b>		<b>359,862,752</b>

In 2016, the total state budget was **N181.928bn** while the allocations made towards the elimination of VAWG and gender inequality amounted to **N359.86m** which is **0.19%** of the

budget. Surprisingly, there were no projects in the Ministries of Health and Education relating to gender related issues. In the Ministry of Climate Change and Forestry, the departments of Community and Private Forestry, and Forestry, Bio-diversity and Conservation both engaged in the same project (Gender and HIV/AIDS mainstreaming in 50 pilot forest communities). But the details of the mainstreaming on gender and HIV were not available. This calls for clarity in budgeting and clear definitions of tasks for various departments to avoid overlapping of functions. Youth and Sports Ministry outlined a project on women/children under 5 years of age consultancy service. It did not specify the nature of the consultancy and what it intends to achieve. The Ministry of Women Affairs outlined projects on facilitation and promotion of gender mainstreaming, capacity building for women for value addition, legal counselling/awareness creation on violence. But these projects were hanging and without context. For accountability and clarity of purpose, the Ministry should have specified what exactly it intends to achieve with these projects. The Budget and Monitoring Department outlined projects on gender and human rights education in 3 senatorial districts and gender related activities. This raises the poser; will the department carry out monitoring on the implementation of these projects or is it implementing the projects? The projects seem to be outside the mandate of the department.

#### 4.3 Budget Funding 2017

Table 2 presents the pulled-out gender related budget funding for 2017.

**Table 2: 2017 Cross River State Budget Pull Out on Gender Related Items**

<b>AGRICULTURE</b>			
<b>S/N</b>	<b>Project Code</b>	<b>Project Title</b>	<b>Amount (N)</b>
1	1001001500/305736/499900	Support to women and youth in agriculture	4,000,000
2	1001000800/300011/499900	Cassava women enterprise development	259,216,500
<b>FORESTRY COMMISSION</b>			
3	1004000100/301234/499900	Gender and HIV/AIDS mainstreaming in 50 pilot forest communities	1,400,000
<b>DEPARTMENT OF ORIENTATION AND PUBLIC AFFAIRS</b>			
4	3706000100/308118/499900	Gender Related Activities	1,000,000
5	3718000100/305714/499900	Gender and Human Right Education in 3 Senatorial Districts	1,284,500
<b>SOCIAL DEVELOPMENT, YOUTH AND SPORTS</b>			
6	2802000100/305670/499900	Marketing and provide incentives to Talented Sport Men and Women	2,000,000

7	2701000100/305668/499900	Women/Children under 5 years of age consultancy service	93,896,829
<b>MINISTRY OF WOMEN AFFAIRS</b>			
8	3001000100/499900	Advocacy programme on the importance of Girl Child	5,000,000
9	3001000100/305721/499900	International day for the elimination of violence against women and children	3,000,000
10	3001000100/499900	Sensitization and Mobilization of Women for Development activities of AWAKE	5,000,000
11	3001000100/499900	Capacity Building for Women on Value Addition	5,000,000
12	3001000100/307122/499900	Legal Counselling/Awareness Creation on Violence	2,000,000
13	3001000100/307127/499900	Facilitation of the formation of Women cooperative groups in the State	5,000,000
14	3001000100/499900	Cash Transfer for Vulnerable Widows	1,500,000,000
15	3001000100/307202/499900	Dissemination/Distribution of Gender Based Laws	3,000,000
16	3001000100/307215/499900	Reduction of Maternal/Infant Mortality through provision of 50 tricycle ambulance towards in difficult terrain	30,000,000
17	3001000100/307214/499900	Printing/Dissemination of Gender Based Laws to all LGAs	3,000,000
18	3001000100/307343/499900	World Widows day (Gifts Items)/Training of Widows	80,000,000
<b>MINISTRY OF CULTURE AND TOURISM DEVELOPMENT: GENDER AND DEVELOPMENT UNIT</b>			
19	3739000100/301233/499900	Capacity Building on the Management of Small and Medium Enterprise for Women, Youth and Vulnerable Groups	3,000,000
20	3739000100/300035/499900	Consultancy on Gender Policy	3,000,000

21	3739000100/305703/499900	Carry out Advocacy Campaign to the Executive, Legislature and Judiciary on the need to ensure gender balance in appointments	1,500,000
22	3739000100/305703/499900	Carry out Advocacy on the need to Educate the Girl Child	5,600,000
23	3739000100/305703/ 499900	Carry out Advocacy Workshop on Women Participation in Politics	5,600,000
24	3739000100/305703/ 499900	Carry out Campaign against Drugs Abuse, Cultism and Prostitution	1,000,000
25	3739000100/306899/499900	Quarterly Sensitization on Infant and Maternal Mortality Rate in the State	3,000,000
26	3739000100/306939/ 499900	Production and distribution of gender based laws	2,000,000
27	3739000100/307076/499900	Carry out Facilitation of Gender Mainstreaming Development in all Public and Private Policies and Programme	5,000,000
28	3739000100/307200/499900	Statistical Survey for Gender Law	5,000,000
29	3739000100/307216/499900	Coordinating of Gender and Development Projects and Programmes Across MDAs and LGAs	2,500,000
30	3739000100/307147/499900	Quarterly Advocacy on FGM Across LGAs and Institutions in the State	7,000,000
	<b>Total</b>		<b>2,047,997,829</b>

In 2017 we see an increase in the projects and allocations made towards gender related issues. The total budget size rose to **N621.47bn** and total allocation for gender issues also increased **N2.047bn** which is **0.33%** to the total budget size. The budget witnessed the creation of Gender and Development Unit in the Ministry of Tourism. The idea of a Gender and Development Unit in a Ministry of Culture and Tourism competing in terms of projects and funding with the core Ministry of Women Affairs in gender matters is strange. The Ministry of Women Affairs line items 15 and 17 are the same; dissemination/distribution of gender based laws and printing and distribution of gender based laws to all LGAs. More so, the

aforementioned Gender and Development Unit is also undertaking this same project. Furthermore, the Ministry of Women Affairs outlined a project on cash transfer for vulnerable widows and world widows' day/training of widows. The details of the project are not provided in terms of number of widows to be reached. the project on reduction of maternal infant mortality through provision of 50 tricycle ambulance. Gender and Development Unit and the Ministry of Women Affairs intends to carry out advocacy programme on importance of girl child education. Many of the 2017 projects were carryovers from year 2016.<sup>47</sup>

#### 4.4 Budget Funding 2018

Table 3 is the Cross River State gender related budget pullout for 2018.

**Table 3: 2018 Cross River State Budget Pull Out on Gender Related Items**

<b>AGRICULTURE</b>			
S/N	Project Code	Project Title	Amount (N)
1	1001001500/305736/499900	Support to women and youth in agriculture	4,000,000
2	1001000800/300011/499900	Cassava women enterprise development	200,000,000
<b>MINISTRY OF CLIMATE CHANGE AND FORESTRY</b>			
3	5901000100/301234/499900	Gender and HIV/AIDS mainstreaming in 50 pilot forest communities	449,992.97
<b>BUDGET MONITORING AND EVALUATION DEPARTMENT</b>			
4	3706000100/308118/499900	Gender related activities	1,000,000
5	3718000100/305714/499900	Gender and human right education in 3 senatorial districts	1,284,500
<b>MINISTRY OF HEALTH</b>			
6	2527000100/308130/499900	Procure and Distribute ARVs and Other Commodities for HIV Positive Pregnant Women and their Exposed Infants for PMTCT	119,375,200
<b>MINISTRY OF WOMEN AFFAIRS</b>			
6	3001000100/307122/499900	Legal Counselling/Awareness Creation on Violence	1,300,000

<sup>47</sup> In terms of implementation, as at the month of October 2017, money was not released for the accomplishment of all the budget line items listed above except for cash transfer for vulnerable widows. N48million as against N1.5billion proposed in the budget had been released and for widows day/training of widows, the budgeted stated N80million was released.



7	3001000100/307127/499900	Facilitation of the formation of women cooperative groups in the state	3,250,000
8	3001000100/307200/499900	Statistical Survey for Gender Data Bank	3,250,000
9	3001000100/307202/499900	Dissemination/Distribution of Gender Based Laws	1,950,000
10	3001000100/307214/99900	Printing/Dissemination of Gender Based Laws to all LGAS	1,950,000
11	3001000100/307215/499900	Reduction of Maternal/Infant Mortality through provision of 50 tricycle ambulance towards in difficult terrain	19,500,000
12	3001000100/499900	Advocacy programme on the importance of Girl Child	3,250,000
13	3001000100/499900	Capacity Building for women for Value Addition	3,250,000
14	3001000100/499900	Cash Transfer for Vulnerable Widows	957,000,000
15	3001000100/307343/499900	World Widows day (Gifts Items)/Training of Widows	92,000,000
16	3001000100/307222/499900	Facilitation and Promotion of Gender Mainstreaming	3,250,000
17	3001000100/305721/499900	International Day for Elimination of Violence against Women and Children	1,950,000
18	3001000100/499900	Sensitization and Mobilization of Women for Development activities of AWAKE	3,250,000
<b>GENDER AND DEVELOPMENT UNIT</b>			
20	3739000100/300035/499900	Consultancy on Gender Policy	1,000,000
21	3739000100/301233/499900	Capacity Building on the Management of Small and Medium Enterprise for Women, Youth and Vulnerable Groups	2,000,000
22	3739000100/305703/499900	Carry out Advocacy Campaign to the Executive, Legislature and Judiciary on the need to ensure gender balance in appointments	500,000
23	3739000100/305703/499900	Carry out Advocacy on the need to Educate the Girl Child	600,000
24	3739000100/305703/499900	Carry out Advocacy Workshop on Women Participation in Politics	600,000

25	3739000100/306899/499900	Quarterly Sensitization on Infant and Maternal Mortality Rate in the State	2,000,000
26	3739000100/306939/499900	Production of and Distribution of Gender based Laws	1,000,000
27	3739000100/307076/499900	Carry out Facilitation of Gender Mainstreaming Development in all Public and Private Policies and Programme	1,000,000
28	3739000100/307147/499900	Quarterly Advocacy on FGM Across LGAs and Institutions in the State	2,000,000
29	3739000100/307200/499900	Statistical Survey for Gender Law	2,000,000
30	3739000100/307216/499900	Coordinating of Gender and Development Projects and Programmes Across MDAs and LGAs	500,000
31	3739000100/305213/499900	Organisations on the Dangers of Cultism, Prostitution and Human Trafficking	200,000
	<b>Total</b>		<b>1,434,659,692.97</b>

In 2018, we see an increase in the total budget size to **N1.114trillion** while there is a decrease in the total allocations geared towards the elimination of VAWG and gender inequality from **N2.047billion** in 2017 to **N1.434billion** in 2018. The proportion of the allocations geared towards achieving gender related issues to the total budget size also dropped to **0.13%**. It is observable that the line items are repetitions of the budget line items in 2017. The Ministry of Health's provisions for HIV positive women was targeted on key maternal and child health indicators. But there were no releases for most of the project items in the previous year. However, there were releases for cash transfers for vulnerable widows and widows' day/ training of widows. Most of 2017 items appeared again in 2018.

#### 4.5 Budget Funding 2019

Table 4 presents the pulled-out gender related budget funding for 2019.

**Table 4: 2019 Cross River State Budget Pull Out on Related Items Gender**

AGRICULTURE			
S/no	Project Title	Project Title	Amount (N)
1	1001001500/305736/499900	Support to women and youth in agriculture	4,000,000

2	1001000800/300 011/499900	Cassava women enterprise development	100,000,000
<b>COMMUNITY AND PRIVATE FORESTRY</b>			
3	1004000100/301 234/499900	Gender and HIV/AIDS mainstreaming in 50 pilot forest communities	591,500
<b>FORESTRY, BIO - DIVERSITY AND CONSERVATION</b>			
4	5901000100/301 234/499900	Gender and HIV/AIDS Mainstreaming in 50 Pilot Forest Communities	449,992
<b>MINISTRY OF WOMEN AFFAIRS</b>			
5	3001000100/307 215/499900	Reduction of maternal/infant mortality through provision of 50 tricycle ambulance towards in difficult terrain	12,675,000
6	3001000100/307 122/499900	Legal counselling/ awareness creation on violence	845,000
7	3001000100/307 127/499900	Facilitation of the formation of women cooperative groups in the state	2,112,500
8	3001000100/307 200/499900	Statistical survey for gender data bank	2,112,500
9	3001000100/307 202/499900	Dissemination/ distribution of gender based laws	1,267,500
10	3001000100/307 222/499900	Facilitation and promotion of gender mainstreaming	2,112,500
11	3001000100/307 343/499900	World widows day (gifts items)/training of widows	111,800,000
12	3001000100/305 703/499900	Advocacy programme for eradication of girl-child money marriage customs/practices	20,000,000
13	3001000100/305 721/499900	International day for elimination of violence against women and children	1,267,500
14	3001000100/305 749/499900	Provision of free health care for pregnant women/ children under five years of age	500,000,000
15	3001000100/302 100/499900	Gender based violence centre (GBV) for women and children	10,000,000
16	3001000100/301 806/499900	Sexual Assault Referral centres (SARC) for children and women	10,000,000

17	3001000100/499 900	Sensitization and mobilization of women for development activities of AWAKE	2,112,500
18	3001000100/499 900	Advocacy programme on the importance of girl child	2,112,500
19	3001000100/499 900	Capacity building for women for value addition	2,112,500
20	3001000100/499 900	Cash transfer for vulnerable widows	700,000,000
21	3001000100/307 302/499900	Child trafficking activities/ ASFAC holidays programme	3,250,000
		<b>BUDGET MONITORING AND EVALUATION DEPARTMENT</b>	
22	3718000100/305 714/499900	Gender and human rights education in 3 senatorial districts	1,284,500
23	3706000100/308 118/499900	Gender related activities	1,000,000
		<b>MINISTRY OF HEALTH</b>	
24	2527000100/308 130/499900	Procure and distribute ARVs and other commodities for HIV positive pregnant women and their exposed infants for PMTCT	119,375,200
25	2701000100/305 668/499900	Provision of free health care (FHC) for pregnant women/ children under five years of age	61,032,939
	2501000100/304 806/499900	Strengthen implementation of integrated maternal new born and child health service for the free health care	10,000,000
26	2701000100/305 668/499900	Women/ children under 5years of age consultancy service	93,896,829
		<b>YOUTH AND SPORT</b>	
27	2802000100/305 670/499900	Marketing and provide incentives to talented sport men and women	10,000,000
		<b>GENDER AND DEVELOPMENT UNIT</b>	

29	3739000100/301 233/499900	Capacity Building on the Management of Small and Medium Enterprise for Women, Youth and Vulnerable Groups	2,000,000
30	3739000100/305 703/499900	Carry out Advocacy Campaign to the Executive, Legislature and Judiciary on the need to ensure gender balance in appointments	500,000
31	3739000100/300 035/499900	Consultancy on Gender Policy	1,000,000
32	3739000100/305 703/499900	Carry out Advocacy on the need to Educate the Girl Child	600,000
33	3739000100/305 703/499900	Carry out Advocacy Workshop on Women Participation in Politics	600,000
34	3739000100/306 899/499900	Quarterly Sensitization on Infant and Maternal Mortality Rate in the State	2,000,000
35	3739000100/306 939/499900	Production of and Distribution of Gender based Laws	1,000,000
36	3739000100/307 076/499900	Carry out Facilitation of Gender Mainstreaming Development in all Public and Private Policies and Programme	1,000,000
37	3739000100/307 147/499900	Quarterly Advocacy on FGM Across LGAs and Institutions in the State	2,000,000
38	3739000100/307 200/499900	Statistical Survey for Gender Law	2,000,000
39	3739000100/307 216/499900	Coordinating of Gender and Development Projects and Programmes Across MDAs and LGAs	500,000
40	3739000100/305 213/499900	Organisations on the Dangers of Cultism, Prostitution and Human Trafficking	200,000
41	3739000100/305 670/499900	Provide Incentive and Rehabilitation for those who willingly quit drugs abuse, cultism and Prostitution	2,000,000
	<b>Total</b>		<b>1,800,810,960.97</b>

The total budget size for 2019 dropped from **N1.114trillion** in 2018 to **N1.037trn** in 2019 while the total allocation made for the actualization of a VAWG free State increased from **₦**

**N1.434bn to N1.8bn.** There is also an increase in the percentage proportion of total allocations to VAWG issues from **0.13% to 0.17%.**

The line-item allocations relevance to SGBV policy and plans improved in 2019. For instance, Ministry of Health made allocations to provide ARV to pregnant women, free health care for pregnant women, consultancy services for women among other projects. The Ministry of Women Affairs made allocations for Sexual Assault Referral Centers (SARC), Gender Based Violence Center (GBV), advocating programme for eradication of girl child money marriage customs/practices, among other projects. Gender Development Unit also made provisions for quarterly advocacy on FGM across LGAs and institutions in the state, advocacy workshop on women participation in politics, quarterly sensitisation on infant and maternal mortality rate in the state among others.

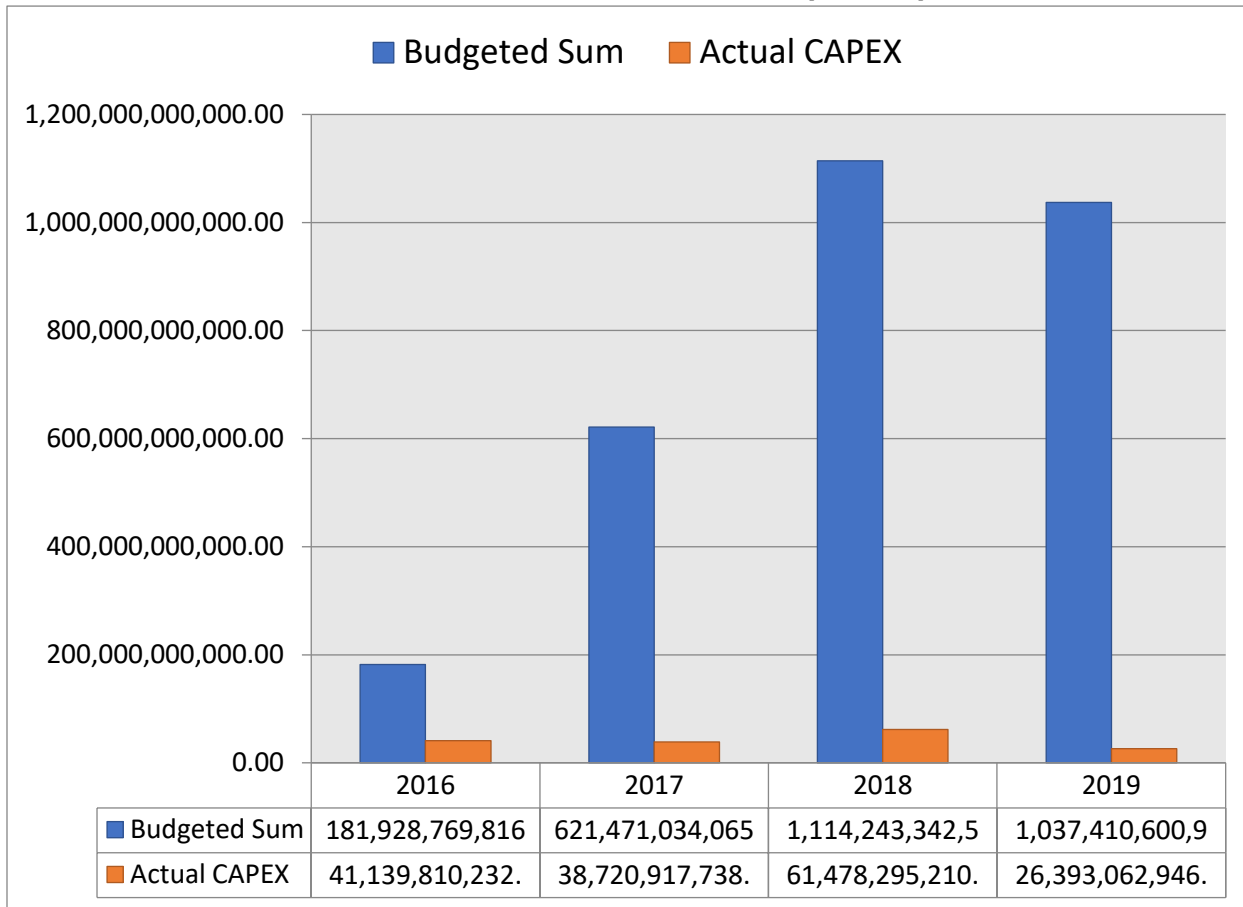
#### **4.6 Matters Arising from the Allocations and Actual Capital Expenditure: 2016-2019**

The first issue is that funding needs to be available for the implementation of projects and without the needed financial resources, targets in the plan, policy budget continuum cannot be met. In the instant case, expenditure proposals have not been matched with revenue. The second is that it is interesting to note that in 2016, 2017, 2018 and 2019, the percentages allocated to SGBV, etc., related activities were 0.19%, 0.33%, to 0.13%. and 0.17% respectively. In no year was the allocation up to 1% of overall allocation. Based on this preliminary disclosure, it can be stated that the state is not allocating sufficient resources for the progressive realisation of freedom from violence. This assertion will be compounded by the paucity of funds for implementation. The third issue is that a good number of the provisions in the budget were general in nature and not sufficiently targeted at eliminating violence against women. There seems to be a relatively weak understanding of low hanging non-costly projects that would challenge the status quo on violence against women. There were no provisions for shelters and related facilities.

The fourth issue is that information on actual expenditure on the line items in Tables 1 to 4 are not available. But there is overall evidence that the budget of Cross River State for the period have been bloated and unrealistic. The revenue has not been available to match the expenditure proposals. The proposals have been higher than what other states have proposed. Data on the state's capital expenditure for the four-year period is given below. The fifth issue is that there are clear transparency and accountability issues in the state's budgeting practice. Among all the states where CSJ conducted this type of study, Cross River was the most difficult in terms of assessing information and data on budgeting despite our cooperation with the Ministry of Women Affairs.

Figure 5 presents the information on Cross River State actual capital expenditure for the period under review.

**Table 5: Cross River State Actual Capital Expenditure**



**Source: Cross River State Audited Financial Statement for the Years 2016, 2017, 2018 and 2019.**

The proportion of the state’s capital budget expenditure as it relates to the overall budget size have been abysmal. But for the funds expended for capital projects in 2016 (which was 22.61% of the N181.9bn budget), all others have been less that 7% of the overall budget for each fiscal year: 6.23% in 2017; 5.52% in 2018 and 2.54% in 2019. These point to the fact that to effectively address the human and other capital development needs of the state requires more than budget proposals but matching the proposals with the requisite revenue to improve budget implementation.

Finally, the State failed to access its funds in UBEC to the tune of N616,124,047.24. This is happening at a time the state may be pleading paucity of resources to implement its budget.

## Section Five

### FINDINGS, CONCLUSIONS AND RECOMMENDATIONS

#### 5.1 Findings and Conclusions

The rights of women and the girl child to freedom from violence is recognised under Nigerian law and Cross River State has made provisions for state laws that guarantee this right.

The NDHS 2018 and MICS 2016 data was used to analyze the situation as it relates to SGBV, HP and SRHR. It was found that:

- ❖ Out of 33.8 percent of girls enrolled, only 23.1 percent completed Primary School. In Junior Secondary School, 22.77 percent girls were enrolled but only 20.9 percent completed the course of study. Furthermore, Senior Secondary School records a percentage of 19.04 percent enrolment ratio while only 15.5 percent of the enrolled students complete their study.
- ❖ 35.70 percent women and girls age 15-49 have experienced physical and sexual violence. 3.2 percent have experienced such violence during pregnancy while 35.40 percent, 20.70 percent and 2.10 percent of women in marriage have experienced emotional, physical and sexual violence respectively.
- ❖ The perception of domestic violence indicates that 22.40 percent women agree that their spouse is justified in beating them if they burn food, neglect the children, go out without telling him, argues with him or refuses sex with him.
- ❖ Female Genital Mutilation among women (15-49) is higher than the national average with 25.40 percent.
- ❖ In prevalence of early/child marriage, 7.60 percent of girls marry before the age of 15 which invariably leads to the prevalence of vesico-vaginal fistulae (VVF) and other health challenges associated with early-child bearing. 8.0percent of teenage girls age (15-19) have begun child bearing in the state.
- ❖ The percentage of women in the state with access to antenatal services by skilled personnel, were delivered by skilled birth attendants and delivered at health care facility is 79.5 percent, 55.70 percent and 52.60 percent respectively.
- ❖ Only 42.90 percent women have their post natal care needs met leaving out the 55.80 percent.
- ❖ The unmet contraceptive needs are as high as 34.50 percent in the State.

#### 5.2 Recommendations

Against the background of the findings and conclusions, the study makes the following recommendations:

- (a) Budgets should be realistic and match expenditure proposals with available revenue.



**(b)** Improved funding for the eradication of SGBV, VAWG, HP and the improvement of the SRHR of women and girls by focusing on issues such as adequate funding of:

- ❖ Prenatal and postnatal care for women including access to emergency obstetric care for mothers;
- ❖ Family planning goods and services and ensuring their effective and equitable deployment across the State;
- ❖ Establishment of a State Sexual and Gender Based Violence Response Team including support for legal aid and counselling, medical, trauma and psycho social care. Specific appropriation of votes to support security agencies especially their Gender Units to ensure proper investigation and prosecution of SGBV, VAWG and HP offences;
- ❖ The SGBV Response Team should facilitate an Information, Communications and Technology Management Framework through using new devices to enhance ICT/Knowledge management capacity in the sector and deploy the popular media to raise awareness and create demand for existing services.
- ❖ Construction and maintenance of shelters for survivors of SGBV and VAWG. Provide referral services to survivors of SGBV, VAWG, HP and to provide and monitor the provision of quality forensic, medical, legal and psycho-social support to the survivors;
- ❖ Education of girls through universal basic education (including second chance opportunities) and higher education and to this end, ensure the draw down and utilisation of funds meant for Cross River State in the UBEC Fund. Parents and guardians who refuse to enroll their female children into basic education should be prosecuted;
- ❖ Public sensitisation and awareness raising on SGBV, VAWG, HP and the SRHR of women and girls;
- ❖ Collection, collation and preparation of gender disaggregated data on key indicators associated with SGBV, VAWG, HP and improvement of SRHR. This will improve planning and targeted response to the associated challenges.

**(c)** A clear costed plan that sets out SGBV, VAWG, HP and gender issues as well as sectoral objectives and policies which is linked to available resources in a sound fiscal framework.

**(d)** Ensure that budget preparation process links policies, the achievement of objectives and meeting of targets with the requisite funds and to this end prepare an SGBV Budgeting Toolkit.

**(e)** Publication of Budget Performance Reports which should be International Public Sector

Accounting Standards (IPSAS) compliant. It should show the detailed and full nature and extent of sources and application of funds including variances where appropriate.

**(f)** Medium Term Planning should be adopted to help smart planning.

**(g)** Capacity building for planning and budget officers across the departments in the State Administration is needed for them to imbibe the tenets of gender aware and realistic budgeting and to be able to better forecast resource availability for capital investment.

**(h)** Capacity building and training for practitioners in the field, including investigators, prosecutors, law enforcement agents, judges, health and social workers, media practitioners, etc. to fully understand the dynamics and engagement strategies on SGBV, VAWG, HP and SRHR.

**(i)** Civil Society should engage the executive and legislature for the implementation of the above recommendations and organize sensitisation and capacity building programmes to improve knowledge and skills on the subject matter.