

MANUAL ON BUDGETING FOR THE REDUCTION OF GENDER BASED VIOLENCE



CENTRE FOR SOCIAL JUSTICE

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ABBREVIATIONS

CCAs	Community Change Agents
CRA	Child Rights Act
CSJ	Centre for Social Justice
CSOs	Civil Society Organisations
DEVAW	United Nations Declaration on the Elimination of Violence against Women
ECOSOC	United Nations Economic and Social Council
FBOs	Faith-Based Organisations
FCT	Federal Capital Territory
FEC	Federal Executive Council
FGM	Female Genital Mutilation
FGN	Federal Government of Nigeria
GBV	Gender-Based Violence
GOST	Guided Open Space Technology
HIV	Human Immune Deficiency Virus
HP	Harmful Practice
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICT	Information and Communications Technology
IEC	Information, Education, and Communication
INTOSAI	International Organisation of Supreme Audit Institutions
LGA	Local Government Areas
MDAs	Ministries, Departments and Agencies of Government
MTEF	Medium Term Expenditure Framework
MTSS	Medium Term Sector Strategies
NAPTIP	National Agency for Prohibition of Traffic in Persons and Other Related Matters
NASS	National Assembly
NEC	National Executive Council
PIL	Public Impact Litigation
SGBV	Sexual and Gender-Based Violence
SPARC	Service Providers Accountability Resource Committee
SPOs	Social Protection Officers
SPT	Sector Planning Teams
SRHR	Sexual and Reproductive Health and Rights
UBEC	Universal Basic Education Commission
UN	United Nations
VAPP	Violence Against Persons (Prohibition) Act
VAWG	Violence Against Women and Girls
VVF	Vesico-Vaginal Fistula

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EXECUTIVE SUMMARY

Chapter One is the introduction. It reviews the legal and constitutional obligation of governments to make a budget which shows the revenue and expenditure estimates as well as the priorities of government in any given year. Nigerian laws and policies have detailed provisions which prohibit gender based violence. Various plans and strategic frameworks have outlined the path for the eradication of GBV. Furthermore, Nigeria is a signatory to various international and regional standards which creates the obligations to respect, protect and fulfil the rights of women and girls to freedom from violence. Based on the plan, policy and budget continuum, budgets provide the framework for the implementation of laws, plans, policies and strategic frameworks. It provides the resources necessary for their implementation.

The budget is discussed as an economic, political and human rights instrument and process which has the purpose of system maintenance, economic, regulatory and control functions and is very relevant for the redistribution of resources. A gender transformative budgeting process is imperative for the reduction or eradication of GBV. A gender blind budget on the other hand ensures that one half of society is marginalized, it lacks accountability, creates winners and losers in what should have been a “win-win” affair, proceeds from the blocked options approach while encouraging discrimination.

Chapter Two reviews international and national legal and policy frameworks 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, etc. These are all linked to GBV. The section equally reviewed laws, policies and programmes for access to family planning services, harmful 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 female survivors of SGBV and other violations. The chapter further reviews laws, policies and programmes related to law enforcement with special interest on gender desks in police and other law enforcement agencies; judicial interventions including special courts and procedures to guarantee justice to victims of SGBV and VAWG.

Chapter Three describes budgeting more appropriately as a cycle. It is continuous because fiscal governance is a continuum. When one budget cycle is winding down, another begins. At the federal level, the cycle starts from the determination of priorities at the overall and sectoral levels through the medium term expenditure framework (MTEF) and the medium term sector strategies (MTSS). It proceeds to sending out the budget call circular by the Ministry of Finance, preparation of sectoral budget proposals, technical

support and budget bilateral discussions between ministries, departments and agencies of government (MDAs) and the Budget Office/Ministry of Finance and approval of the executive budget by the Federal Executive Council. Thereafter, the President submits the estimates to the National Assembly who consider and approve of same. This is followed by presidential assent for the Appropriation Bill to become law. Implementation, monitoring, evaluation and reporting follows while audit is the last stage of the cycle. The same process is repeated at the state level between the respective ministries in charge of budgeting, the governor, State House of Assembly and MDAs. The chapter discusses the opportunities for civil society intervention at the various stages of the budgeting process and emphasises the need for gender and sex disaggregated statistics.

Chapter Four is focused on the strategies for civil society intervention. The strategies include budget analysis and budget advocacy. The later includes preparing parallel budgets on GBV, advocacy for realignment of expenditure proposals, litigation and engagement of international redress mechanisms. Others are the involvement of survivors, communities and stakeholders as well as lobby and participation in legislative hearings.

Chapter Five deals with responding to GBV through the budget. It presents broad GBV manifestations and proposes responses to them through recommended activities and projects in the votes of key relevant MDAs. The focus of the recommendations is on capital expenditure and overheads to fight GBV. Budgeting is expected to be based on evidence and data, take cognisance of the survivor centred approach and the best interest of the child when children are involved. It ought to recognise the overwhelming need for inter-agency collaboration considering the multiplicity of actors involved in the response to GBV and proceed from the need to fulfil the human rights of survivors to freedom from violence.

The identified challenges include sexual and gender based violence as well as violence against women and girls. They include sexual violence, physical violence and emotional violence. The specific offences in the VAPP Act and similar laws include rape, inflicting physical injury on a person, coercion, spousal battery, offensive conduct, forceful ejection from home, harmful practices such as FGM and early marriage, etc. The relevant MDAs with recommendations for budgetary action are the Ministries of Women Affairs, Health, Justice, Education and Information. Others are the Police, The Nigerian Security and Civil Defence Corps, the National Agency for the Prohibition of Trafficking in Persons, National Human Rights Commission, Legal Aid Council, National Judicial Institute, National Bureau of Statistics, National Population Commission and the National Orientation Agency.

Education in itself is a human right and also an indispensable means of realising other fundamental freedoms. Education equips women and girls to know their rights and the means and methods of claiming and vindicating the rights in the event of violation or taking steps to prevent violations. Female school enrolment, completion rate and educational attainment across the primary, secondary and tertiary levels of education is lower than the male enrolment in the FCT as well as in other parts of Nigeria. The relevant MDAs with recommendations for budgetary action are the Ministries of Education, Women Affairs, Justice, the Police, the Nigerian Security and Civil Defence

Chapter One

INTRODUCTION

1. 1 Background

The state exists to attend to the rights and needs of citizens and residents within its territory. Through the social contract, the people relinquished certain responsibilities to the state symbolised by the government, to guarantee their security and welfare, maintain law and order and generally to take actions that will facilitate development. From the basic necessities of life, to more complex demands, rights compete and demand attention for respect, protection, promotion and fulfilment. Freedom from violence for all categories of persons is one of those fundamental rights.

The Constitution of the Federal Republic of Nigeria 1999 as amended (Constitution) contains a chapter on fundamental human rights¹ and another chapter on the fundamental objectives and directive principles of state policy². The former spells out the rights cognisable and justiciable before the courts and the grounds upon which derogation is permissible. The latter contains directives for economic, social, political, educational and environmental action, etc. All these rights and directives need an effective instrument for their fulfilment and the budget provides a guide in this direction.

The budget indicates the financial and other outlays for the fulfilment of the rights to life, human dignity, freedom from torture, inhuman and degrading treatment, adequate housing, education, health, work, social security and environmental rights, etc. Essentially, the budget contributes in no small measure to the determination of the quality of life and realisation of human rights and fundamental freedoms.

Nigeria at the federal, state and local tiers of government is under national and international obligations to respect, protect and fulfil the rights of women, girls and the vulnerable to freedom from violence. The obligation to respect binds the state to refrain from taking steps that directly violate freedom from violence³. The articulation of GBV in this Manual includes Violence Against Women and Girls (VAWG), Sexual and Gender-

¹ Chapter Four of the 1999 Constitution of the Federal Republic of Nigeria (as amended); any reference in this Manual to the Constitution is a reference to the 1999 Constitution unless the context otherwise indicates.

² Chapter Two of the 1999 Constitution.

³ 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.

Based Violence (SGBV), Harmful Practices (HP) or derogations of the Sexual and Reproductive Health and Rights (SRHR) of women and girls. The obligation to respect therefore is to ensure that laws, policies and practices do not promote SGBV, HP, VAWG or derogate from the 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 and derogations of the SRHR of women and girls.

Another basic obligation requires the state to take 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 provided in the budget. The state is under obligation to take steps through inter alia, the dedication of the maximum of available resources for the realisation of freedom from violence of all members of society⁴. A properly funded and implemented freedom from violence regime for women, girls and vulnerable persons will guarantee access to inclusive, timely and quality services for victims and survivors of violence. Also, the 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.

1.2 What is a Budget? Nature of a Budget

1.2.1 The Budget as an Economic Process: The state is under a legal obligation to make a budget⁵, which is a statement of income and expenditure and an indication of the state's expenditure priorities for the year. As an economic process, budgets convert state development plans and priorities into a programme of action. For instance, the provisions of the Violence against Persons Prohibition Act, the National Gender Policy, the Compulsory, Free, Universal Basic Education Act, National Health Act, etc., all need budgetary allocations for their implementation.

The human being has unlimited needs while resources to satisfy them are scarce. The budget offers an opportunity at rationalisation and choice within a scale of preference drawn up and based on some fundamental norms. The utility of each item included in the budget may not necessarily reflect popular opinion and input, hence the budget's link with

⁴ Article 2 (1) of the International Covenant on Economic, Social and Cultural Rights (ICESCR) - Nigeria is a state party to the ICESCR.

⁵. See SS 80 and 81 of the Constitution of the Federal Republic of Nigeria 1999 requiring authorisation of public expenditure by the federal legislature and S.120 and 121 at the state level.

politics and power. The Government of Ghana's Department of Finance defines the budget as:

..reflects the choices that government has to make, and is the tool it uses to achieve its economic and development goals. The government has to balance a wide range of legitimate demands with limited resources at its disposal. In the budget, government sets out what it is going to spend (expenditure) and the income it collects through taxes (revenue) which it needs to finance expenditure”⁶

The budget is a plan, a template, which provides the opportunity for evaluation at the end of the budget year. Planning is essential for public finance management since refusing to plan is stated to be planning to fail. Public investment in freedom from violence for women and vulnerable groups is not just a moral imperative but good economics because new evidence shows that it can facilitate economic growth.⁷ Furthermore, investing in sectors that help women and girls to overcome gender-based violence (GBV) from a gender transformative perspective has so many benefits to society. For instance, children's school enrolment increases with the mother's educational level and extra income for mothers leads to better nutrition, health and education of children than extra income going to fathers.⁸

1.2.2 The Budget as a Human Rights Process: The budget is a human rights process defining the steps to be taken for the respect, protection and fulfillment of rights. Nigeria is a signatory to several standards on protecting individuals from violence and has participated and signed so many concluding statements of international conferences on the subject matter.⁹

Rights and freedoms most times need budgetary outlays to guarantee that they do not remain dry letters on parchment. For the three fundamental duties of the state in human rights jurisprudence, the duty to respect many at times may not require the deployment of large resources. The state simply needs to refrain from disturbing the enjoyment of already entrenched rights. But the duty to protect individuals and communities from violations by third parties will require some level of *policing* work that will need the deployment of state resources. Laws, standards and policies have to be enacted and

⁶ “*Enhancing Civil Society Participation in Nigeria's Budgetary Process*”, page 5; report of workshop organised by ISODEC and CPPC, July 2000.

⁷ How Domestic Violence is a Threat to Economic Development by Rasmane Ouedraogo and David Stenzel, November 24, 2021; <https://blogs.imf.org/2021/11/24/how-domestic-violence-is-a-threat-to-economic-development/>

⁸ World Bank (1995), *Towards Gender Equality: The Role of Public Policy*, Washington DC.

⁹ See the details of ratified standards in Chapter 2 of this Manual.

enforced. Investigations and prosecutions, public sensitisation and awareness creation will need resources to implement. The obligation to fulfill clearly involves the deployment of resources that will be needed for practical action to satisfy human rights.

A human rights based and gender transformative approach holds the key to sustainable budgeting and the eradication of GBV. The budget should address GBV comprehensively. It must strive to address equity issues, create jobs, add value, develop local technology, build human capacity, address the structural and systemic problems that prevent women's full participation in production and service delivery and be environmentally sensitive. It must also be financially and economically sustaining and create lasting and positive impacts on the standard of living of the benefiting individuals and communities.

In essence, a human rights and gender transformative approach to budgeting, development and freedom from GBV is fundamentally different from the basic needs-oriented approaches. It introduces a normative basis, which is obligatory at the state level. It also implies that beneficiaries of budget programmes are active subjects and claim holders. It stipulates the duties or obligations of those against whom such claims can be held. It further introduces an accountability dimension not present in basic needs strategies.

A rights-based approach to budgeting includes the right of beneficiaries (women, girls, persons living with disabilities and other vulnerable groups) of budget programmes to be fully involved in the conceptualisation, formulation, development and implementation of the budget. Projects are not merely allocated to communities and individuals on the basis of what some "experts and intellectuals" have determined to be their problems but what the beneficiaries themselves identify as their problems.

1.2.3 The Budget as a Political Process: Budgets can be seen from the prism of political decision making in allocating resources to achieve political and legal ends. The key actors in the budgeting process and the determining authorities are mainly elected politicians who are charged with leadership decisions. Thus the following quotation is apt:

"... the national budget is a representation in monetary terms of governmental activity. If politics is regarded in part as conflict over which preferences shall prevail in the determination of national policy, then the budget records the outcome of that struggle. If one looks at politics as a process by which the government mobilises resources to meet pressing problems, then the budget is a focus of these efforts¹⁰.

¹⁰. Aaron Wildavsky cited at page 19 of a *Rights Based Approach Towards Budget Analysis*, IHRIP, 1999.

The budget can also be described as:

The statement of the expenditure preferences of the government expressed in monetary terms and subject to the constraint imposed by the environment indicating how the available resources may be utilised to achieve whatever the dominant individuals within the political leadership agree to be government priorities¹¹.

A budget is the most powerful economic policy instrument of government and as such, a vital transformational tool for the eradication of GBV in all its manifestations. It is usually made through a proposal sent in the form of a bill by the executive to the legislature. When passed by the legislature, it is signed into law by the head of the executive arm as an Appropriation Act or Law¹². As a political process, a budget reflects the prevalent political economy paradigm adopted by the leadership of state. No political, social or cultural leader in Nigeria has been noted to publicly support GBV. As such, the budget should be programmed to “walk the talk” of leadership.

Human welfare, protection of human rights and eradication of GBV will not happen by syllogistic compulsion but through the interface of denials of rights and oppression and challenge and resistance to such denials. In the process, a middle position that accommodates all will emerge. Thus, gender transformative budget interventions facilitate the respect and protection of human rights, mainstream equity and pro-poor concerns and provide the middle ground that forestalls and or resolves social conflicts and tension, especially in the area of GBV.

1.3 Purpose and Functions of Budgeting

Whether the budget is seen in the light of its economic, human rights or political nature, it certainly has definite purposes and these include allocation of resources, amelioration of income and wealth disparities and stabilisation of prices. It is also a management control tool for the tests of economy, efficiency, effectiveness, all encapsulated in a value for money analysis. It provides a reference point for control purposes and focuses on the intersection between resources and expenditure. A budget should aim at accelerating growth in the real and productive sectors, redistribution of wealth within the society, realisation of human rights and generally to promote national development.

¹¹ Eddy Omolehinwa in *Government Budgeting in Nigeria*, Pumark Nigeria Limited, Educational Publishers at p.11.

¹². It is referred to as an “Act” at the Federal level and a “Law” at the level of state governments.

The budget sends a message to the people, the market and all stakeholders and triggers programmes, projects, choices, etc., based on what the actors perceive to be the government's position. It directs the economic actors on the nature of activities and businesses that will yield the most favourable returns and the areas of social action that will enjoy increased funding and subsidies.

Government has certain key roles in society which have been identified to include:

- ❖ System maintenance functions - to guarantee the continued existence of the state and the maintenance of law and order. Freedom from GBV and the key parameters that facilitate this freedom are critical for the maintenance of law and order.
- ❖ Regulatory and control functions - to set limits to autonomy of action by other actors in the system and to direct their behaviour towards desired goals. Freedom from GBV has been recognised as one of the critical goals of state policy and as such, the budget needs to support this freedom.
- ❖ The redistribution of resources - for example through taxes and levies, grants, subsidies and transfers among various persons, groups, segments and interests in the economy. Public and private goods and services supportive of freedom from GBV can benefit from subsidies and grants.
- ❖ Economic functions - participation alone or with other actors directly or indirectly in the provision of goods and services. Freedom from GBV increases women's productivity, their participation in value addition and economic growth.
- ❖ External relations that involves representing and acting for the state, its citizens and territory in relation to other states and the international community.¹³

For the implementation of these roles, budgets and budgeting are crucial and provide the affirmative framework that plans, controls, directs and evaluates national programming. A society free from GBV is a society that upholds human dignity. This is one of the greatest aspirations of a developing society like Nigeria.

¹³ *Public Expenditure and Financial Accountability in Nigeria: An Overview*, Ukwu I. Ukwu being a paper presented at a Training workshop of the same theme organised by the Budget Office, Federal Ministry of Finance in collaboration with the World Bank, 2002.

1.4 Gender, Budget and Freedom from Gender Based Violence

An important governance framework and civil society advocacy perspective is the quest to make the budget gender responsive, especially in the context of freedom from GBV. Budgets affect men and women differently because of their respective roles, contributions and societal expectations. Gender is seen as the way in which roles, attitudes, values and relationships regarding women and men are constructed by societies all over the world.¹⁴ It seeks to answer the question; how does society construct opportunities and life chances.¹⁵ A differentiation is thus made as to biological or natural roles and society made roles that are not necessarily tied to any real need, necessity or human logical framework. Biological roles may be difficult to change but socially constructed roles can be changed.¹⁶

Sex and biological roles have remained the same throughout history while gender roles change with history and as society changes. Furthermore, policies respond to sex differentiation in any area related to the physical body, for example, childbearing while policies can either respond to gender stereotypes and traditional gender roles (for example), paying benefits on the assumption that households are headed by men) or attempt to change them (for example), taking into account the barriers to women and girls participating in non-traditional training courses.¹⁷

But the terminologies for a gender transformative budget have been shifting vis, "Women's budget"¹⁸ and "gender budget". But the current insistence is on gender instead of specifically addressing women. The Commonwealth Plan of Action on Gender and Development¹⁹ provides a clue:

"Whereas previous efforts have sought to address women's rights and needs under special and separate development programmes, the gender

¹⁴ Expert Group Meeting on the Development of Guidelines for the Integration of Gender Perspectives into Human Rights Activities and Programs; UN ESCOR, Commission on Human Rights, 52nd Session, UN doc E/CN.4/1996/105 {1995}.

¹⁵ Julie Mertus and Permela Goldberg, *A Perspective of Women and International Human Rights After the Vienna Declaration: The Inside/Outside Construct*, 26 N.Y.U.J INT'L L.& P 201, 219-20 (1994).

¹⁶ See *Gender Sex, Men and Women* at p.17 of *How To Do A Gender Sensitive Budget Analysis*, (page 5) by Debbie Bundlender, Rhonda Sharp with Kerri Allen, for the Commonwealth Secretariat, 1998.

¹⁷ Ibid.

¹⁸ This was the name given to the gender transformative Australian and South African budget initiatives.

¹⁹ Commonwealth Secretariat (1995), *The 1995 Commonwealth Plan of Action on Gender and Development: A Commonwealth Vision*, Women's and Youth Affairs Division, London, p. 6.

and development approach seeks to integrate women's needs into the wider picture, calling for the different life courses of men and women to be considered at an early stage and emphasising the need to monitor the different impact of policies and programmes on women and men, girls and boys. The shift in focus from women to gender recognises that the status of women cannot be treated as a separate issue; it can only be addressed by considering the status of both sexes".

The first question that arises in the quest to make a budget gender sensitive or gender transformative is that of defining the contours of a gender sensitive or transformative budget. Gender transformative budgeting refers to a number of processes, tools and techniques used to assess the impact of government budgets on men, women, boys and girls.²⁰ It is not a separate budget for women and men but it is used as a basis for ascertaining "who is benefiting what" or who is suffering public resource allocation prejudice and discrimination. This inevitably leads to advocacy for the re-ordering of budgetary expenditure and redefinition of priorities, in favour of marginalised and poor segments of society. This would take cognisance of women's disadvantaged position because women constitute a greater percentage of persons living in poverty.²¹

However, it needs to be noted that budgets are presented as aggregate figures without reference to men and women, boys and girls. Essentially, it is portrayed as a neutral economic instrument that respects no gender or sex. This leads to what experts have described as gender blindness in budgeting, policy formulation, implementation and evaluation. While the Police and other law enforcement agents may have resources targeted at responding to violence for all persons, statistics may be indicating an upsurge in a special type of violence directed at women and girls simply because they are women. In the circumstance, there would be the need to specifically respond to GBV. It is a fact of life that formal guarantees of equality in law and policy make no meaning when substantial and structural inequalities prevent sections of the society from accessing otherwise non-discriminatory services. A gender transformative budget analysis will examine the outputs and the results that emanate from an otherwise neutral budgetary provision to determine the impact on men and women. It will proceed in accordance with the fundamental tenets of justice which demands that like cases are treated alike and unlike cases are differentiated and treated in accordance with their differentiation. Thus, designing the budget and the underpinning macroeconomic

²⁰ *How to do a Gender Sensitive Budget Analysis* (page 5) by Debbie Bundlender, Rhonda Sharp and Kerri Allen, for the Commonwealth Secretariat, 1998,

²¹ *Gender Analysis of Budgets*, Background Brief, January 2002 by the International Centre for Research on Women.

policy²² in a way that meets the rights and needs of women, men, girls and boys is fundamental to making the budgeting process gender transformative. To ignore the different impact on men and women and to pretend that these differences do not exist is to be gender blind rather than merely being gender neutral.

A budgeting process that refuses to take cognisance of gender differentials, especially in matters of GBV will suffer from the following deficits.

1.4.1 One Half Marginalised: Women make up to 49% of the Nigerian population. The majority of one half of the population that have a great stake in the economy are treated as non-stakeholders and are marginalised. Development is about human beings who are not just passive observers but active participants. These are the same people who should be the means and end of development. It is recognised that people develop by themselves contributing and owning the process and not by the benevolence of others or being made invisible in the computation of contributions to the economy. A gender blind budget is not an inclusive process but rather, it excludes a critical constituency. This indirectly gives legitimacy to gender stereotypes that fuels GBV thereby plunging the already disadvantaged half of the population backwards.

1.4.2 Lack of Accountability: The development paradigm of gender blind budgeting is not accountable to one half of the population since it moves with the dominant male population who in many instances, may not be the majority of the population. So, in a one person one vote scenario, it may likely reflect the views of the minority and be accountable to the minority instead of the majority. The ideal is that the budget should be accountable to all.

The principle of accountability involves among others ensuring that expenditures are in tandem with the duty to respect, protect and fulfill Nigeria's human rights obligations including freedom from GBV. Questions like whether state tariffs and tax regimes support policies that obstruct for instance the right to sexual and reproductive health and rights of women or made token provisions for primary health care will be raised.

Questions of accountability for objects of expenditure will be raised- what the state spends on; and of performance and results - whether budget and policy objectives in eradicating GBV were met and the people actually had value for money or whether budget sums are

²² The macroeconomic policy consists of three key forms to wit; exchange rate policy like currency appreciation and depreciation; monetary policy like money supply and interest rates; fiscal policy like taxation and public expenditure.

spent in accordance with the Appropriation Act. If informed questions are asked about the cost of eradicating GBV, they could lead to considerable improvements in the quality of expenditure from resources made available for GBV policy implementation, so that citizens could begin to get full value for their money²³.

Considering that Nigeria is under a legal obligation to take steps to the maximum of available resources for the progressive realisation of rights (particularly economic, social and cultural)²⁴, taking cognisance of gender and GBV in budgeting intends to ensure that the state fulfils this obligation or in the alternative:

“demonstrates convincingly that the costs implications of giving full effect to the campaign against GBV will impose undue hardship on its fiscal resources and will prejudice the other legitimate ends it is expected to meet in a democratic society”²⁵.

1.4.3 Creates Winners and Losers: It creates winners and losers in a scenario that should have been "win-win" for all. This heightens alienation and the likelihood of policy failure since a great part of the population see the policies and programmes, not as their own, but as the policy of others. Laws and policies on GBV which are not reflected in budgets are bound to fail considering the implementation matrix of the policy, plan, budget continuum.

1.4.4 Blocked Options: A gender blind budget proceeds from a blocked options perspective in the sense that it moves like a car with only a half of its engine or it operates as a factory at half of its installed capacity when it needs to operate at full capacity. Considering Nigeria's developmental backwardness, all available capacities need to be used in the operation to guarantee development as against leaving out available options and potent and latent energies.²⁶ When a budget proceeds by failing to take cognisance of the fundamental rights (freedom from gender based violence) of a section of the society, it blocks the options and forecloses the possibility of their enjoyment of rights or making optimum contributions to society.

1.4.5 Encourages Discrimination: S. 42 of the Constitution clearly prohibits discrimination on the grounds of sex in the practical application of any law or government policy. The budget is enacted as a law and if its implementation protects a group or unduly

²³. This will burst the myth of lack of resources always pleaded by governments on matters of funding the eradication of GBV.

²⁴. Article 2 (1) of the Covenant on Economic, Social and Cultural Rights.

²⁵. Adapted from *Eldridge v Attorney General of British Columbia* (1997) cited with approval in Chapter 15-17 of "Rights Based Approach to Budget Analysis" (supra).

²⁶ Adapted from chapter 4 of *Democracy and Development in Africa* by Claude Ake, Reprint 2001.

favours a group more than others based on their sex, it will be running contrary to the constitutional prohibition against discrimination.

1.4.6 Retards Service Delivery: Governance is about service delivery and the satisfaction of the legitimate needs of as many citizens as possible. To satisfy the majority of citizens must include ensuring that GBV is reduced to a minimum or possibly eradicated. The experience of Nigerians on services rendered by the state has been far from satisfactory. Gender transformative budget work that guarantees freedom from GBV will provide information about performance and quality of service to service providers and policy makers and introduce a two way communications approach to bridge the gap between what government intends, what is actually delivered and what people perceive. It will increase citizens' expectations, bring more pressure for positive change to bear on service providers, change the mentality of service providers from the idea of doing people a favour to one of delivering effective services. It will further strengthen the service delivery chain and provide opportunities for redress of wrongs thereby enhancing consumer rights.

A gender transformative budgeting process that takes cognisance of the need to eradicate GBV will:

- ❖ Restore the confidence of women and girls in their government.
- ❖ Create a more conducive environment for women and girls to contribute to development.
- ❖ Pressure Government to take its obligations under the social contract more seriously.
- ❖ Strengthen the service delivering chain for positive change.²⁷

²⁷ *Delivering Service in Nigeria: A Roadmap*, a Report by Wendy Thomson, Office of the Public Service Reform (OPSR), United Kingdom.

Chapter Two

LEGAL AND POLICY FRAMEWORK ON GBV

2.1 Introduction

This chapter reviews international and national legal and policy frameworks 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, etc. These are all linked to GBV. The section equally reviewed laws, policies and programmes for access to family planning services, harmful 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 female survivors of SGBV and other violations. The section further reviewed laws, policies and programmes related to law enforcement with special interest on gender desks in police and other law enforcement agencies; judicial interventions including special courts and procedures to guarantee justice to victims of SGBV and VAWG.

2.2 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 Nigeria²⁸. 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 Women²⁹ (“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

²⁸ See article 5 of the standard setting Universal Declaration of Human Rights - *No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment* and article 7 of the International Covenant on Civil and Political Rights.

²⁹ General Assembly Resolution 48/104 of 20 December 1993.

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.

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

“For the purposes of the present Convention, the term "discrimination against women" shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field”.

Nigeria is a State party to the Protocol to the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa. The Protocol provides for the elimination of discrimination against women, harmful practices, violence against women while emphasising the right to dignity, integrity, education, health, etc. of women and the girl child. The prevalent patriarchal practices in different Nigerian cultures continue to predispose women and girls to violence, resulting in poor reproductive and sexual health outcomes, poor access to and control over resources, higher vulnerability to poverty at

certain ages in life, poor access to education, lack of inheritance rights, lack of voice and minimal participation in decision making processes at different levels, etc.³⁰ 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 disproportionately³¹. SGBV/VAWG/HP have 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 that³²:

“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/HP will include an analysis of its causes and consequences; how intersectionality impacts vulnerability to violence and an elaboration of the role of the State in combatting violence in the public and private domains³³. The Fourth World Conference on Women Beijing, China – September 1995 Action for Equality, Development and Peace further provided as follows:

- ❖ Strategic Objective B.5: Allocate sufficient resources for and monitor the implementation of education reforms;
- ❖ Strategic Objective C.5: Increase resources and monitor follow-up for women’s health;
- ❖ Strategic Objective D.1: Take integrated measures to prevent and eliminate violence against women.
- ❖ Paragraph 124 (p) urges Government to allocate adequate resources within the government budget and mobilise community resources for activities related to the elimination of violence against women, including resources for the implementation of plans of action at all appropriate levels.

³⁰ Banke Akinrimisi - *Discussions on SGBV and the Nigerian Federal Budget 2020*.

³¹ General Recommendation No.19 (11th Session, 1992), Paragraph 6 - Committee on the Elimination of Discrimination against Women.

³² 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.

³³ 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.

- ❖ Strategic Objective F.1: Promote women’s economic rights and independence, including access to employment, appropriate working conditions and control over economic resources.
- ❖ Facilitate, at appropriate levels, more open and transparent budget processes.
- ❖ Chapter VI – Financial Arrangements – National Level (Paragraph 346)

“The primary responsibility for implementing the strategic objectives of the Platform for Action rests with Governments. To achieve these objectives, Governments should make efforts to systematically review how women benefit from public sector expenditures; adjust budgets to ensure equality of access to public sector expenditures, both for enhancing productive capacity and for meeting social needs; and achieve the gender-related commitments made in other United Nations summits and conferences. To develop successful national implementation strategies for the Platform for Action, Governments should allocate sufficient resources, including resources for undertaking gender-impact analysis. Governments should also encourage non-governmental organizations and private-sector and other institutions to mobilise additional resources.”

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

“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”.

Considering the indivisibility, interdependence and inseparability of all human rights and fundamental freedoms, freedom from GBV is propped up by so many economic, social and cultural (ESC) rights including the rights to the highest attainable state of physical and mental health, education and adequate housing. The International Covenant on Economic, Social and Cultural Rights (ICESCR) makes copious provisions for these

rights. Article 2 of the ICESCR has a dynamic relationship with all other provisions of the Covenant³⁴ and a clarification of its provisions will facilitate a proper understanding of the link between ESC rights and budgeting for GBV. Article 2 states:

“Each State Party to the present Covenant undertakes to take steps individually and through international assistance and cooperation, especially economic and technical, to the maximum of its available resources, with a view to achieving progressively the full realisation of the rights recognised in the present Covenant by all appropriate means, including particularly the adoption of legislative measures”.

We will now turn to an examination of the key phrases.

2.2.1 To the maximum of available resources: The phrase “maximum of available resources” recognises the difference in wealth and resources available to different countries in the world who are states parties to the ICESCR. In accordance with the Limburg Principles³⁵, states are obligated regardless of economic development and resources, to ensure respect of minimum subsistence rights for all and resources include what can be sourced locally and from aid and general international cooperation. Resources could be classified into different categories³⁶. For a state party failing to meet its minimum core obligations on ESC rights and freedom from violence to rely on lack of resources, it must show that every effort has been made to use all the resources at its disposal to satisfy those minimum obligations³⁷. In times of grave economic crisis, vulnerable members of society are entitled to the minimum subsistence rights by the adoption of low-cost measures³⁸. The question of prioritising the expenditure of the state has relevance here. It has been noted that corruption not only threatens development, but also absorbs large resources that could otherwise be used for vital economic and social purposes (including the realisation of ESC rights)³⁹. In the circumstances, it would be problematic for a state that its principal officers routinely indulge in corruption to plead lack of resources as a reason for the non-realisation of ESC rights while mismanaging billions of Naira.

³⁴ Paragraph 1 of General Comment No.3 of the United Nations Committee on Economic, Social and Cultural Rights.

³⁵ UN Document E/CN.4/1987/17.

³⁶ Resources have been categorized into human, technical, information, natural and financial resources; see Robert E. Robertson “*Measuring State Compliance with the obligation to Devote the “Maximum Available Resources” to Realising Economic, Social, and Cultural Rights*”, (1994) 16 HUM. RTS. Q. 693, 695-697

³⁷ Ibid, General Comment No.3 of the UN Committee on Economic, Social and Cultural Rights, para.10

³⁸ Ibid, para 12

³⁹ See General Comment No. 14 (twenty third session, 1984) of the Human Rights Committee.

2.2.2 To achieve progressively the full realization of the rights: The progressive realisation phrase is not to be interpreted to mean an indefinite postponement of action to realise ESC rights. Rather, it obliges states parties to move immediately and as quickly as possible, towards the realisation of ESC rights. The obligation exists independently of increase in resources, requiring effective use of available resources and developing societal resources for the realisation of the ESC rights⁴⁰. With available resources, some aspects of ESC rights (even in fairly poor states and communities) may be immediately implemented. The concept of progressive realisation is a recognition of the fact that full realisation of all ESC rights will generally not be achieved in a short period of time⁴¹.

2.2.3 To take steps... by all appropriate means, including particularly the adoption of legislation: This phrase recognises the need for the state to take deliberate, concrete and targeted steps which are as clear as possible towards meeting the obligation to protect ESC rights and freedom from violence⁴². It acknowledges legislation as an important step while not limiting the steps to be taken by states parties to legislation alone. It is expected that states parties either before ratification or immediately after ratification should bring their domestic legislation in line with the requirements of the Covenant. Other means to be adopted by the state may include administrative, judicial, economic, social and educational measures consistent with the nature of ESC rights⁴³. The state is also under an obligation to provide an effective remedy to persons whose ESC rights have been violated and this may include judicial remedies. States enjoy a “margin of discretion” in the selection of means and methods of implementing obligations under the ICESCR- this is also the case with civil and political rights.⁴⁴

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 removal of discrimination is an immediate state obligation that is not subject to progressive realisation.

The *obligation to respect* demands that Federal, State and Local Governments refrain from directly or indirectly taking action, that promotes violation of freedom from VAWG/SGBV/HP or obstructing action taken by women and girls in pursuit of their

⁴⁰ See Principles 21-24 of the Limburg Principles

⁴¹ Ibid, Para 9 of General Comment No.3

⁴² See General Comment No. 3 of the UN Committee on Economic, Social and Cultural Rights, para 2.

⁴³ Principle 17 of the Limburg Principles

⁴⁴ Guideline 8 of the Maastricht Guidelines.

freedom. Article 4 (b) of DEVAW mandates the state to refrain from engaging in violence against women. 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 respect⁴⁵. 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.⁴⁶

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

“Exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons”⁴⁷

The exercise of due diligence will include special rules and orders for law enforcement agencies to mainstream issues of VAWG/SGBV/HP/SRHR 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 sensitise and educate citizens that VAWG/SGBV/HP is an offence and unacceptable - advertising special hotlines, emails, WhatsApp contacts to help survivors get justice, etc.

The *obligation to fulfil* requires governments to take appropriate legislative, judicial, administrative, budgetary, economic and other measures, to the maximum of available resources, to ensure freedom from violence to women and girls. This is a positive obligation that involves the appropriation of government’s expenditure towards its priorities and these priorities should and must include freedom from VAWG/SGBV/HP. Article 4 (h) of DEVAW mandates the state to include in government budgets adequate resources for their activities related to the elimination of violence against women. Furthermore, the African Charter on Human and Peoples’ Rights on the Rights of Women in Africa mandates the state to provide adequate budgetary and other resources for the implementation and monitoring of actions aimed at preventing and eradicating violence against women.⁴⁸

⁴⁵ Article 16 (1) (e) of CEDAW.

⁴⁶ Article 16 (1) (e) of CEDAW.

⁴⁷ 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.

⁴⁸ Article 4 (2) (i) of the Protocol.

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 and not just tokenistic, as a step towards the realisation of freedom from violence. 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.⁴⁹

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 GBV. In any State where women and girls are constantly battered, trafficked, deprived of access to SRHR, etc., and the State fails to respond, such a State will, *prima facie*, be failing to discharge its obligations under national and international standards⁵⁰. 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 law⁵¹. Such retrogression must be accompanied by compensatory mechanisms.

State legislative obligations include the enactment of laws that prescribe a minimum age of marriage - not less than 18; marriage to be with the free, full and informed consent of the spouses; prohibition of forced marriages and guaranteeing equal rights and responsibilities during marriage and its dissolution⁵². 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 of either of the sexes or on stereotyped roles for men and women, boys and girls.⁵³

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

⁴⁹ 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.

⁵⁰ 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.

⁵¹ This would be almost impossible to justify considering that freedom from violence is emerging as a non derogable right.

⁵² Article 16 of CEDAW.

⁵³ Article 5 (a) of CEDAW.

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.⁵⁴

2.3 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:

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(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 inter alia that; *“no person shall be subjected to torture or to inhuman or degrading treatment”*. Practices such as female genital mutilation (FGM) amounts to torture; wife battering amounts to inhuman and degrading treatment⁵⁵. The Constitution is the

⁵⁴ Adapted from paragraph 7 of the Maastricht Guidelines on Violations of Economic, Social and Cultural Rights adopted on the occasion of the 10th anniversary of the Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights.

⁵⁵ 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.

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.⁵⁶

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 contempt⁵⁷. 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 and the FCT to augment their investments in basic education. The Act seeks inter alia to take care of, through appropriate forms of complementary approaches, the promotion of basic education, for the learning needs of young persons who for one reason or another, have had to interrupt their schooling. It criminalises any act or omission by parents or guardians which prevent children from accessing basic education. Furthermore, 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 rates; advocate for the support of key stakeholders; and enabling environment for planning, implementation and achievement of the goals. To support this policy, the Federal Ministry of Education further designed the National Framework on Girls and Women in Education which is aimed at increasing the quality of education accessible to girls through amongst other techniques, a rights-based approach.⁵⁸

The *Violence Against Persons (Prohibition) Act (2015)* is a legislation targeted at eliminating violence in private and public life, prohibit all forms of violence against persons and to provide maximum protection and effective remedies for victims and punishments of offenders, and for related matters. The Act inter alia prohibits and penalises rape,⁵⁹

⁵⁶ S.1 (1) (3) of the Constitution.

⁵⁷ *Isenalumhe v Amadin* (2001); Cases on Human Rights, 458.

⁵⁸ Adamawa State has no laws and policies on this theme and as part of the Nigerian Federation, the policy applies in the State.

⁵⁹ S.1 of the Act.

female genital mutilation,⁶⁰ forceful ejection from home,⁶¹ inflicting physical injury on a person,⁶² coercion,⁶³ wilfully placing a person in fear of physical injury,⁶⁴ depriving a person of his liberty,⁶⁵ damage to property with intent to cause distress,⁶⁶ forced financial dependence or economic abuse.⁶⁷ Other offences include forced isolation and separation from family and friends,⁶⁸ harmful widowhood practices,⁶⁹ abandonment of spouse, children and other dependants without sustenance,⁷⁰ spousal battery, etc.⁷¹

The Child Rights Acts (2003) which is the domesticated version of the UN Convention on the Rights of the Child provides for the rights of a child to health and health services including immunisation;⁷² free, compulsory and universal primary education;⁷³ prohibits child marriage and child betrothal⁷⁴ as well as tattoos and skin marks on children.⁷⁵ It places the minimum legal age for marriage at 18 years.⁷⁶ It also prohibits exploitative labour,⁷⁷ sexual intercourse and other forms of sexual abuse of children,⁷⁸ etc.

The National Health Act (2014) establishes a Basic Health Care Provision Fund with a government annual grant of not less than one percent of the Consolidated Revenue Fund which is to be used *inter alia*; 50% of the fund is to be used for the provision of minimum package of healthcare services to citizens, in eligible primary or secondary health care facilities through the National Health Insurance Scheme; 20 per cent for essential drugs, vaccines, and consumables for eligible primary health care facilities; 15 per cent for the provision and maintenance of facilities, equipment and transport for eligible primary health care facilities whilst 10 per cent is to be used for the development of human resources for primary health care.⁷⁹ It also makes provisions for grants to states and local government who will be required to provide counterpart funding of not less than 25 per cent of the total

⁶⁰ S.6 of the Act.

⁶¹ S.9 of the Act.

⁶² S.2 of the Act.

⁶³ S.3 of the Act.

⁶⁴ S.4 of the Act.

⁶⁵ S.10 of the Act.

⁶⁶ S.11 of the Act.

⁶⁷ S.12 of the Act.

⁶⁸ S.13 of the Act.

⁶⁹ S.15 of the Act.

⁷⁰ S.16 of the Act.

⁷¹ S.19 of the Act.

⁷² S.13 of the CRA.

⁷³ S.15 CRA. It also states in subsection (5) that a female child who becomes pregnant before completing her education shall be given the opportunity after delivery to continue with her education on the basis of her individual capacity.

⁷⁴ Sections 21-23 of the CRA.

⁷⁵ S.24 CRA.

⁷⁶ S.21 CRA

⁷⁷ S.28 of the CRA.

⁷⁸ Sections 31 and 32 of the CRA.

⁷⁹ S.11 of the National Health Act.

cost of the project. It strengthens the authority of the National Primary Health Care Development Agency over Local Government Health Authority and it can withhold funds due to the later, if it is not satisfied that the money earlier disbursed was applied in accordance with the provisions of the Act.⁸⁰ The primary health care bias of the Basic Health Care Provision Fund makes it a matter of interest to women and girls who to a great extent use these facilities more. At the federal level, the one per cent dedications have been met in 2018, 2019, 2020 and 2021 approved budgets of the Federal Government of Nigeria (FGN).

The National Gender Policy seeks inter alia to combat all forms of violence against women and girls. The main goal of the National Gender Policy is to;

“build a just society devoid of discrimination, harness the full potentials of all social groups regardless of sex or circumstance, promote the enjoyment of fundamental human rights and protect the health, social, economic and political wellbeing of all citizens in order to achieve equitable rapid economic growth; evolve an evidence based planning and governance system where human, social, financial and technological resources are efficiently and effectively deployed for sustainable development.”

Some of the key principles upon which the policy is premised are:

- Commitment to gender mainstreaming as a development approach and tool for achieving the economic reform agenda, evidence-based planning, value re-orientation and social transformation.
- Recognition of gender issues as central to and critical to the achievement of national development goals and objectives and a requirement for all policies to be reviewed to reflect gender implications and strategies as contained in the gender policy and implementation modalities specified in the National Gender Strategic Framework.
- Realisation that effective and results focused policy implementation demands a cooperative interaction of all stakeholders; and
- Promotion and protection of human rights, social justice and equity.

The National Gender Policy has inter alia as its core strategies: Policy, partnership and programme reforms through mainstreaming of gender concerns at all levels; Gender education and capacity building to enhance necessary technical expertise and positive gender culture; Legislative reforms to guarantee gender justice and respect for human rights; Economic reforms for enhanced productivity and sustainable development, especially that which addresses the needs of women and children, and other vulnerable

⁸⁰ S.11(5) and (6) of the NHA.

groups; Information and communication, research and data; as well as Monitoring and Evaluation as supportive strategies for achieving the policy goal.

The National Gender Policy was followed by an implementation plan called the National Gender Policy Strategic Framework (2008-2013). The Strategic Framework was developed from the priorities within the National Gender Policy based on the challenges that could be addressed within the period 2008-2013. There are 16 key thematic areas. These key policy areas are focused around 5 critical core areas including: Culture re-orientation and sensitisation to change gender perceptions and stereotypes; Promotion of women's human rights and in particular focusing on sexual and gender-based violence (SGBV) and in supporting new legislations and legal rights of women. Others are promoting the empowerment of women and integrating gender within key sectors as highlighted within the NGP. The key sectors are Agriculture/Rural Development; Environment/Natural Resources; Gender and HIV/AIDS; Health and Reproductive Health/Rights; Education/Training; Labour/Employment); Women's political participation and gendered governance including gender and conflict management; as well as Supporting institutional development including the use of Information and Communication Technology (ICT) and building strategic partnerships, including identifying new partnerships with men's organisations, Faith-Based Organisations (FBOs) and traditional institutions.

The Federal Ministry of Women Affairs and Social Development embarked on a Community Level Advocacy and Social Mobilization on all forms of violence against Women in September 2009 for each of the six (6) geo-political Zones in the country. The social mobilisation and advocacy campaigns were mainly carried out through Guided Open Space Technology (GOST) methods whereby participants were given permission to moderate and drive group discussions to encourage ownership and interaction. In addition to the use of IEC materials, media activities were also employed through the television and radio. Overall, the impact and feedback received from each of the zones was positive. Local Government Areas (LGA) were expected to set up Community Change Agents (CCAs) who will work to implement agreed action steps and carry out additional advocacy visits to stakeholders such as Local Government Councillors, Chairmen and Traditional Rulers to raise more awareness and support. The focus is to ensure that these efforts and post programme activities are sustained by ensuring continuous support and follow up with the CCAs.

There is a Rehabilitation of Perpetrators of Violence against Women (2011-date) programme targeted at reducing violence against women and girls. The correction system in Nigeria including the FCT is currently undergoing positive reforms especially in rehabilitation of offenders to ensure that they do not return to their previous way of life after serving their term. Currently, this process encourages that once released from

correctional facility, offenders are counselled, empowered by way of capacity building, and assisted to acquire the right skills that will facilitate their reintegration into the society.

There is the Trafficking in Persons (Prohibition) Enforcement and Administration Act (2015). It seeks to provide an effective and comprehensive legal and institutional framework on trafficking and establishes the National Agency for Prohibition of Traffic in Persons and Other Related Matters (NAPTIP) for the prohibition, prevention, detection, prosecution and punishment of human trafficking in Nigeria. NAPTIP also has functions related to awareness raising, information dissemination, training and capacity building and research.⁸¹ It has departments that focus on investigation and monitoring, legal issues, public enlightenment, counselling and rehabilitation, research and programme development, training and human resource development, etc.⁸² The Act creates several offences including importation and exportation of persons,⁸³ procurement of a person for sexual exploitation,⁸⁴ procurement and recruitment of a person under the age of 18years for pornography and prostitution,⁸⁵ forced labour,⁸⁶ employment of a child as a domestic worker and inflicting grievous harm,⁸⁷ trafficking in slaves and slave dealing,⁸⁸ etc.

⁸¹ S.5 of the Act.

⁸² S.11 of the Act.

⁸³ S.14 of the Act.

⁸⁴ S.15 of the Act.

⁸⁵ S. 16 and 17 of the Act respectively.

⁸⁶ S.22 of the Act.

⁸⁷ S.23 of the Act.

⁸⁸ S.24 and 25 of the Act respectively.

Chapter Three

CRITICAL INTERVENTION POINTS

3.1 The Budget Cycle

This Chapter reviews the various stages of the budget cycle and process and shows the interventions opportunities at each stage of the budgeting process. The cycle is graphically presented in Chart 1.

Chart 1: Illustration of the Budget Cycle



Budgeting is a process. It is more appropriately called a cycle and it is continuous because fiscal governance is a continuum. When one budget cycle is winding down, another begins. At the federal level, the cycle starts from the determination of priorities at the overall and sectoral levels through the medium term expenditure framework (MTEF) and

the medium term sector strategies (MTSS).⁸⁹ It proceeds to sending out the budget call circular by the Ministry of Finance, preparation of sectoral budget proposals, technical support and budget bilateral discussions between ministries, departments and agencies of government (MDAs) and the Budget Office/Ministry of Finance and approval of the executive budget by the Federal Executive Council. Thereafter, the President submits the estimates to the National Assembly⁹⁰ who consider and approve of same. This is followed by presidential assent for the Appropriation Bill to become law. Implementation, monitoring, evaluation and reporting follows while audit⁹¹ is the last stage of the cycle. The same process is repeated at the state level between the respective ministries in charge of budgeting, the governor, State House of Assembly and MDAs.

3.2 Gender Statistics and Sex Disaggregated Data

Sex disaggregated data and statistics is very relevant as the empirical basis of gender transformative budgeting for the eradication of GBV.⁹² Such data will provide information on the prevalence of particular types of GBV in a state, community or overall national prevalence. Secondly, it will provide information that assesses the impact of previous budgetary expenditure on the struggle to eradicate GBV as well as the challenges inherent in the system which demands budgetary attention. An effective monitoring and evaluation framework focused on freedom from GBV requires sex disaggregated data. Gender statistics will reveal differences and inequalities in access to and enjoyment of rights by women and men in the field of freedom from GBV. In providing evidence of gender inequalities, gender gaps and challenges in key areas of GBV, gender statistics helps to make gender inequalities visible, which in turn informs budgeting to address identified gender gaps.

⁸⁹ See S.11-14 of the FRA.

⁹⁰ S.80 (2), (3) and (4) as well as S.81 of the Constitution at the federal level and S.120 (2), (3) and (4) of the Constitution at the state level.

⁹¹ S.85 of the Constitution.

⁹²See Strategic Objective H.3 of the Beijing Declaration which provides inter alia a) Ensure that statistics related to individuals are collected, compiled, analysed and presented by sex and age and reflect problems, issues and questions related to women and men in society; (b) Collect, compile, analyse and present on a regular basis data disaggregated by age, sex, socio-economic and other relevant indicators, including number of dependants, for utilization in policy and programme planning and implementation; and (c) Involve centres for women's studies and research organizations in developing and testing appropriate indicators and research methodologies to strengthen gender analysis, as well as in monitoring and evaluating the implementation of the goals of the Platform for Action.

Sources of information and gender statistics would include the National Demographic and Health Survey,⁹³ and Multiple Indicators Cluster Survey.⁹⁴ Others are the Nigerian Education Indicators,⁹⁵ data from the Police,⁹⁶ NAP TIP⁹⁷ and Ministry of Justice⁹⁸ on reported cases, investigations, prosecutions and convictions and the Gender Based Violence Dashboard of the Ministry of Women Affairs.⁹⁹

Gender statistics on GBV will facilitate the raising of posers and findings answers to them. Such posers will include:

- ❖ Did the budget address gender differentials in GBV risks, access to preventive and remedial services?
- ❖ Did the budget perpetuate gender biases?
- ❖ Will the budget facilitate the reduction of inequalities that make women and girls vulnerable to GBV?

A proper deployment of gender statistics will lead to gender mainstreaming in budgeting for GBV. Gender mainstreaming has been articulated by the 1997 Agreed Conclusions of UN Economic and Social Council (ECOSOC) as:

“The process of assessing the implications for women and men of any planned action, including legislation, policies or programmes, in all areas and at all levels. It is a strategy for making women’s as well as men’s concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated. The ultimate goal is to achieve gender equality.”

⁹³ NDHS is a national sample survey that provides up-to-date information on the background, characteristics of respondents on issues including domestic violence, FGM, HIV/AIDS, maternal and child health, mortality and morbidity, family planning and nutritional status, etc.

⁹⁴ MICS is an international household survey programme developed by UNICEF and the Nigerian version provides detailed information on children and women and measure key indicators that allows countries to monitor progress towards the SDGs.

⁹⁵ Nigerian Education Indicators is published by the Federal Ministry of Education and provides information including gender parity index, gender gap, percentage of female pupils/ students, enrolment and completion rates in education, teacher student ratios, quality and effectiveness of education, etc.

⁹⁶ The Police are usually the first point of contact for many survivors considering that the Police is found in every part of Nigeria and have the statutory mandate of maintaining law and order and investigation all crimes.

⁹⁷ NAP TP has been officially designated as the agency in charge of the implementation, monitoring and reporting on the VAPP Act.

⁹⁸ The Ministry of Justice prosecutes crimes under the authority of the Attorney General of the Federation or a State. The Attorney General is charged with initiating prosecutions and even has the power to terminate prosecutions through a *nolle prosequi*.

⁹⁹ The data is collected by the Situation Room of the Federal Ministry of Women Affairs; <http://reportgbv.ng/>

3.3 Opportunities for Intervention

The opportunities for intervention at each level of the cycle will now be discussed seriatim.

3.3.1 Medium Term Expenditure Framework: By S.18 of the Fiscal Responsibility Act (FRA), the MTEF is the basis for the preparation of the budget, being the estimates of revenue and expenditure required to be prepared and laid before the National Assembly under section 81(1) of the Constitution. The sectoral and compositional distribution of the estimates of expenditure (the budget) shall be consistent with the medium-term developmental priorities set out in the MTEF. The MTEF is made up of five parts. They are the macroeconomic framework,¹⁰⁰ a fiscal strategy paper¹⁰¹ and a revenue and expenditure framework.¹⁰² Other parts are a consolidated debt statement¹⁰³ and a statement on quasi fiscal activities of government, contingent liabilities and measures to prevent the crystallisation of such liabilities.¹⁰⁴

The purpose of the MTEF is to:

- ❖ Achieve macroeconomic stability without compromising economic development.
- ❖ Direct the bulk of spending to the state's strategic priorities.
- ❖ Predictability of both policy and funding so that MDAs can plan ahead and programmes can be sustained.

¹⁰⁰ A macro-economic Framework setting out the macro-economic projections, for the next three financial years, the underlying assumptions for those projections and an evaluation and analysis of the macroeconomic projections for the preceding three financial years.

¹⁰¹ A Fiscal Strategy Paper setting out - the Federal Government's medium-term financial objectives; the policies of the Federal Government for the medium-term relating to taxation, recurrent (non-debt) expenditure, debt expenditure, capital expenditure, borrowings and other liabilities, lending and investment; the strategic, economic, social and developmental priorities of the Federal Government for the next three financial years; and an explanation of how the financial objectives, strategic, economic, social and developmental priorities and fiscal measures set out earlier relate to the economic objectives set out in section 16 of the Constitution.

¹⁰² An expenditure and revenue framework setting out- estimates of aggregate revenues for the Federation for each financial year in the next three financial years, based on the predetermined Commodity Reference Price adopted and tax revenue projections; etc.

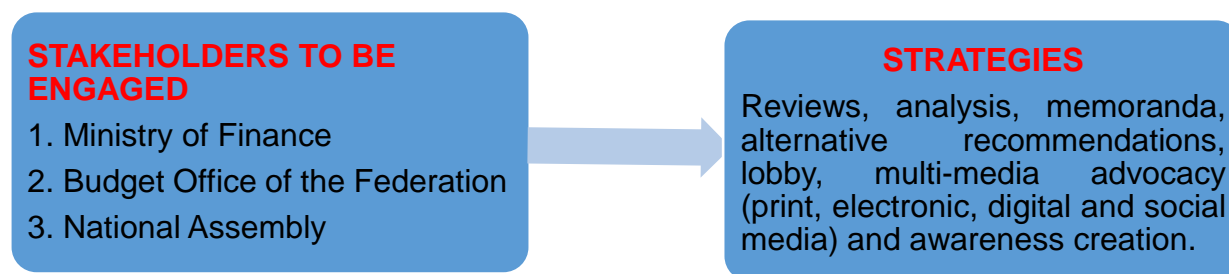
¹⁰³ A Consolidated Debt Statement setting out and describing the fiscal significance of the debt liability of the Federal Government and measures to reduce any such liability.

¹⁰⁴ A statement describing the nature and fiscal significance of contingent liabilities and quasi-fiscal activities and measures to offset the crystallization of such liabilities.

- ❖ Financial discipline in line agencies as well as autonomy to increase incentives for efficient and effective use of public funds.

The MTEF is prepared by the executive and sent to the legislature for approval. It is a policy framework with details of aggregate expenditures and revenues and allocations to sectors. On a superficial review of the MTEF, it may seem that there are no opportunities for interventions related to GBV. However, the MTEF determines expenditure priorities and its projections of the goals of fiscal policy will relate to the decisions of policy makers to invest in sectors that are critical to the eradication of GBV. For instance, it could point in the direction as to whether there are provisions for key social investments such as the Basic Health Care Provision Fund of the National Health Act and any special funds for reducing the gender disparity in health and education. Fiscal policy will reveal issues related to taxation of goods, services and materials relevant for the protection of the SRHR of women and girls. The MTEF could also show the level and prioritisation of funding for key law enforcement agencies involved in the prevention, investigation and prosecution of GBV offences. Chart 1 shows the critical stakeholders and intervention strategies on MTEF.

Chart 2: Stakeholders and Strategies for MTEF Engagement



Intervention strategies for the executive and legislature include position papers and memorandum, alternative recommendations based on empirical evidence, awareness creation and sensitisation using a multi-media approach, lobby, etc.

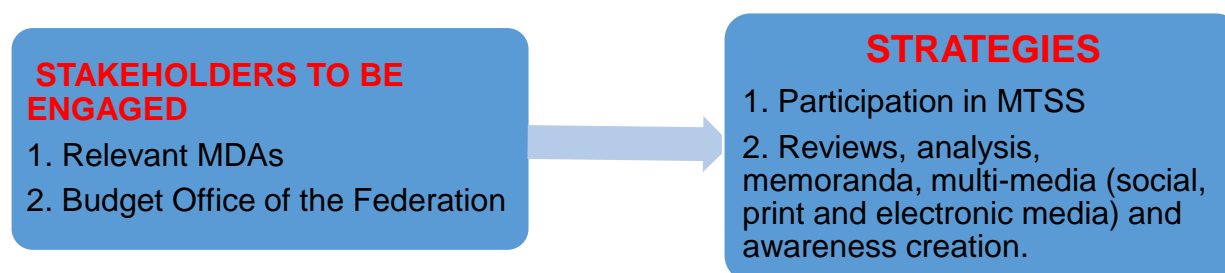
3.3.2 Medium Term Sector Strategies: The MTSS is the MDA/sectoral expenditure plan that has the following objectives:

- ❖ Articulates medium-term (three years) goals and objectives against the background of the overall goals of overarching high level policies, the attainment of the SDGs, etc.
- ❖ Identifies and documents the key initiatives (that is, projects and programmes) that will be embarked upon to achieve the goals and objectives.

- ❖ Costs the identified key initiatives in a clear and transparent manner.
- ❖ Phases implementation of the identified initiatives over the medium-term.
- ❖ Defines the expected outcomes of the identified initiatives in clear measurable terms; and
- ❖ Links expected outcomes to their objectives and goals.

The road map for the MTSS includes the formation and composition of Sector Planning Teams (SPT), followed by the identification and collation of high-level policy documents, a review of existing budgetary commitments will be followed by the top-down indicative envelope. The third stage is the Strategy Session where the SPT members review and agree on goals and objectives based on the review of high-level policy documents, agree on initiatives to deliver goals taking into account the review of existing budget commitments. The strategy session will develop broad based outputs and outcomes and prioritise the initiatives within the context of the goals. The documentation stage involves costing and phasing of the initiatives over the three-year horizon, fitting the initiatives into envelopes based on costing and prioritisation. It documents the log frame and finally generates the MTSS report.

Chart 3: Stakeholders and Strategies for MTSS Engagement



Civil society should intervene at key MDAs working on GBV. The MDAs would include the Ministries of Women Affairs, Education, Health, Justice, the Police, NAPTIP, etc. Representation by a gender sensitive civil society organization in the SPT will be an advantage that should be utilised to push a gender transformative MTSS. The interventions would include evidence-based position papers and memorandum, lobby, etc.

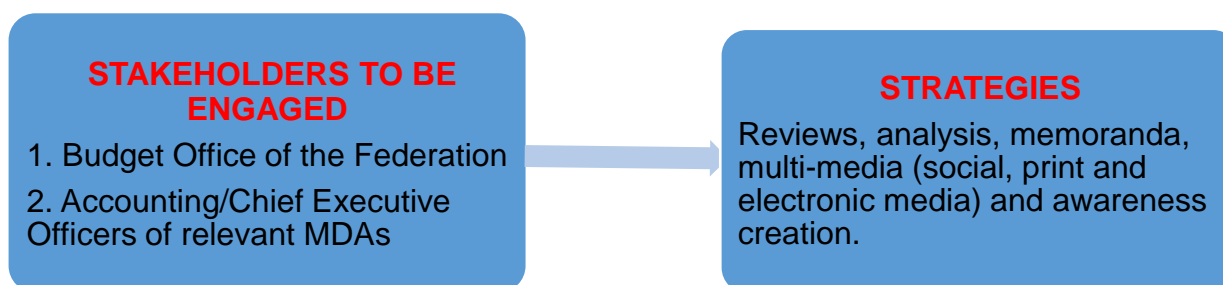
3.3.3 Call Circular and Actual Budget Preparation: It is a circular defining guidelines and steps to be taken for the preparation of the estimates of revenue and expenditure at

the level of respective MDAs and spending agencies. It sets out the requirements and instructions that must be satisfied and followed in the preparation of the budget estimates.¹⁰⁵ It has been more appropriately defined as:

*“Budget Call Circular means a circular (i) requesting the submission in a prescribed form, of the revenue and expenditure estimates of Ministries, Extra-Ministerial Departments, and other executing Agencies of Government for the next financial year; and (ii) giving detailed guidelines and instruction on the preparation of the estimates and expenditure in a manner consistent with the medium term developmental priorities set out in the Medium Term Expenditure Frame Work”.*¹⁰⁶

The contents of a Budget Call Circular could play a definitive and key role in the gender responsiveness of a budget as it could set detailed guidelines on how to make a budget gender responsive. Advocacy for ensuring that a Budget Call Circular takes cognisance of gender dimensions is imperative for the formulation of gender transformative estimates.

Chart 4: Stakeholders and Strategies for Call Circular Engagement



Such advocacy could be extended to ensure that the fuller details of a gender responsive template is made part of the returns from MDAs.¹⁰⁷ The actual budget preparation at MDAs provides a critical opportunity for public officials to walk the gender talk and incorporate the provisions of fundamental gender policies into the estimates. Furthermore, a review of emerging estimates to determine whether they mainstreamed gender in proposals for eradicating GBV will be imperative. In targeting lobby and advocacy points, it is imperative

¹⁰⁵ See FGN Budget Call Circulars 2021 and 2022.

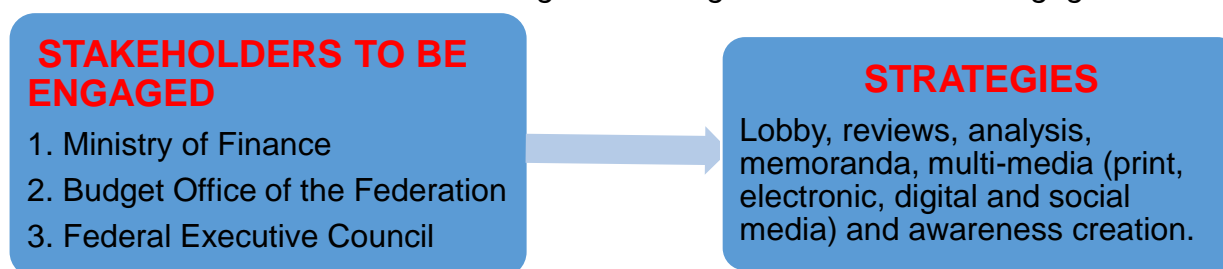
¹⁰⁶ <https://www.lawinsider.com/dictionary/budget-call-circular>

¹⁰⁷ The 2022 Federal Budget Call Circular states that: “MDAs should be further guided by the Federal Government’s commitment in the Medium-Term National Development Plan MTNDP 2021-25, to protect the most vulnerable segments of our society. As a reminder, the MTNDP requires that all MDAs adopt the use of gender disaggregated data to show beneficiary distribution, and adopt strategies that target different social groups, especially women and children”.

to note that it is the duty of the Accounting Officer/Chief Executive to ensure that the stipulations of the Call Circular and other government policies and directives are complied with in the preparation of the estimates.

3.3.4 Budget Office/Ministry of Finance and National Executive Council: It is at this stage that MDAs go for bilateral discussions with Budget Office officials after using the template provided in the Call Circular to prepare their estimates. The meetings are held to finalise the proposals and to ensure compliance with the Call Circular.

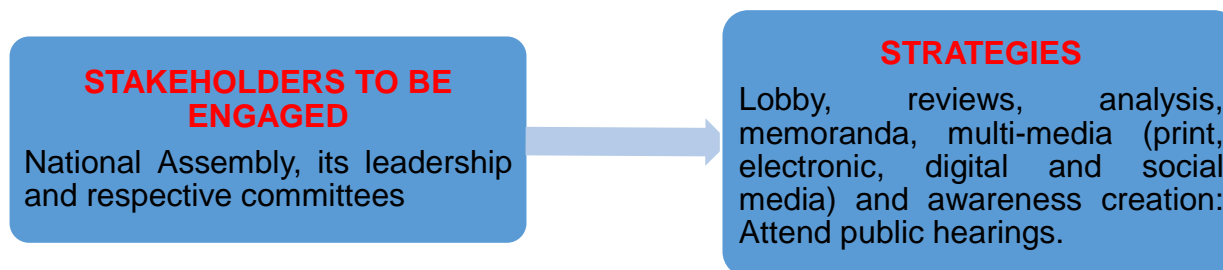
Chart 5: Stakeholders and Strategies for Budget Office and NEC Engagement



The finalised proposal is thereafter compiled and sent for approval to the Federal Executive Council. Thereafter, the FEC approved proposal is forwarded to the National Assembly by the President in accordance with S.81 of the Constitution.

3.3.5 Approval by National Assembly: Upon presentation by the President to the National Assembly, there is usually a debate on the general principles of the budget before the respective estimates of MDAs is committed to the committees exercising oversight over them.

Chart 6: Stakeholders and Strategies for NASS Engagement

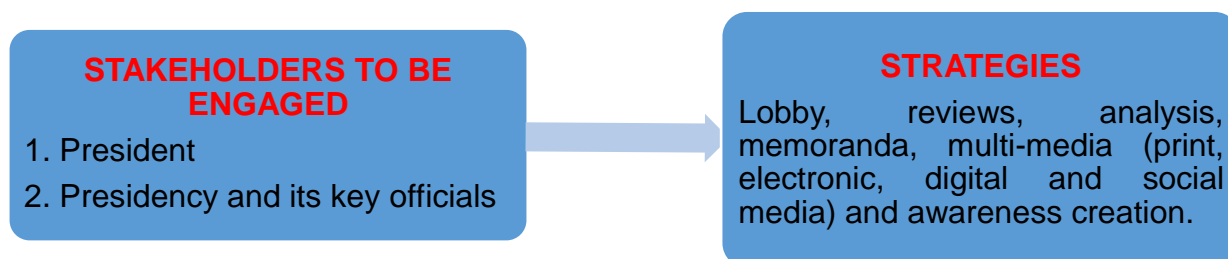


There are several opportunities for intervention before the legislature. The first would be interventions at the public hearing if a hearing is held. At the respective committees, there are opportunities to submit memoranda and position papers which may recommend realignment of specific estimates, increase or reduction in votes as well as weeding out frivolities, illegal and improper votes. Critical evidence-based information and recommendations from authoritative and knowledgeable stakeholders is required to move

legislators to action. Lobbies at the committee stage, the coordinating Appropriation Committee and to the leadership of the legislature may be the critical action points.

3.3.6 Assent by the President: The Appropriation (Budget) Bill like other bills requires the assent of the President to become law after it has been approved by the legislature.

Chart 7: Stakeholders and Strategies for President's Engagement



The President under S.59 (4) of the Constitution has 30 days to signify or decline assent to the Appropriation Bill. S.59 (4) of the Constitution states that:

“Where the President, within thirty days after the presentation of the bill to him, fails to signify his assent or where he withholds assent, then the bill shall again be presented to the National Assembly sitting at a joint meeting, and if passed by two thirds majority of members of both houses at such joint meeting, the bill shall become law and the assent of the President shall not be required”.

There is an opportunity to seek to influence estimates and budget policy at the stage of assent if there are proposals that retard the protection of freedom from GBV. Advocacy encouraging the President to withhold assent to negative provisions or to fast-track assent to positive provisions can be deployed.

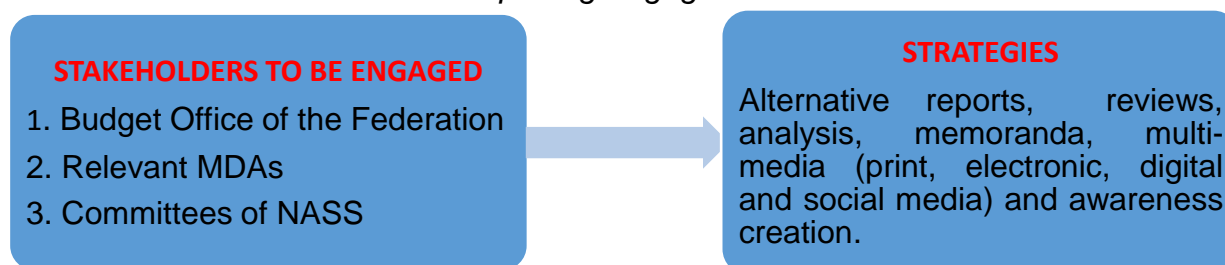
3.3.7 Budget Implementation, Monitoring and Reporting: Assent to the budget bill paves the way for the bill to become an Act of the National Assembly which will be implemented by MDAs through the facilitation of the Ministry of Finance and Budget Office. The Budget Office monitors and evaluates the implementation of the annual budget, assesses the attainment of fiscal targets and reports thereon on a quarterly basis to the National Assembly and Fiscal Responsibility Commission.¹⁰⁸

The reports provide an opportunity for stakeholders to determine whether budget implementation is on course; whether money has been released and the extent of usage

¹⁰⁸ S.30 (1) of the FRA.

of released funds. There is also the opportunity for independent or alternative monitoring and reporting.

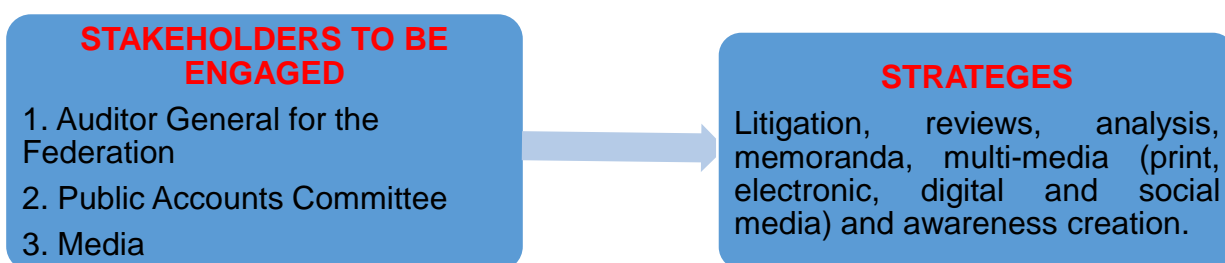
Chart 8: Stakeholders and Strategies for Budget Implementation, Monitoring and Reporting Engagement



The emerging report can be used to engage MDAs and legislative committees for course correction. It can also be used in the media for awareness raising and information dissemination.

3.3.8 Audit: The Lima Declaration of Guidelines on Auditing Precepts states that the concept and establishment of audit is inherent in public financial administration as the management of public funds represents a trust. Audit is not an end in itself but an indispensable part of a regulatory system whose aim is to reveal deviations from accepted standards and violations of the principles of legality, efficiency, effectiveness and economy of financial management early enough to make it possible to take corrective action in individual cases, to make those accountable to accept responsibility, to obtain compensation, or to take steps to prevent - or at least render more difficult such breaches.¹⁰⁹

Chart 9: Stakeholders and Strategies for Audit Engagement



Audit, being a post mortem exercise provides the opportunity to review budget implementation with a view to providing information and knowledge that can be used for

¹⁰⁹ Adopted at the IX Congress of the International Organisation of Supreme Audit Institutions (INTOSAI).

course correction in subsequent budget cycles. There are opportunities for intervention with MDAs and at the Public Accounts Committee of the legislature to ensure that there is follow up on recommendations of the Auditor General and audit recommendations are implemented.

Chapter Four

STRATEGIES FOR CIVIL SOCIETY INTERVENTION

4.1 The Choice of Strategies

A number of strategies can be used for effective civil society participation in budgeting. They include analysis, advocacy, capacity building and networking. But it needs to be noted that strategies should be based on the prevailing circumstances of the particular state, society or MDA. What works in Society A may not necessarily answer the same question in Society B. The social milieu, interlocking power structures, policy matrix, and resource profile may demand different approaches in different locations. For any strategy or combination of strategies chosen, it will involve engaging policy makers and implementers.

Resources are ordinarily very scarce while corruption, mismanagement, misappropriation and lack of prudence in resource management play a critical role in denying citizens access to basic rights in Nigeria. It is pertinent to point out that apart from resource scarcity, corruption has contributed in no small measure to Nigeria's fiscal challenges, which manifest in the lack of basic infrastructure, services and denial of the freedom from GBV.¹¹⁰

The discussion of the strategies will follow.

4.2 Budget Analysis

This is used in the sense of analysing previous or extant budgets with a view to confirming whether they reflect gender equity, take care of vulnerable groups and tally with the commitments made under the Constitution, CEDAW, ICESCR, etc., to abolish discrimination in fact and in law through equality before the law and equal protection of the law. The analysis also enquires into whether the state is using the maximum of available resources for the progressive realisation of economic and social rights relevant to GBV eradication. The analysis is done with a view to its use for advocacy. Thus, it proceeds from research that should lead to action. Two key methodologies include the "public incidence revenue analysis" and the "benefit incidence analysis". The former is used to determine how much of the revenue, taxes or user fees come from different

¹¹⁰ Nigeria has been repeatedly rated by Transparency International as one of the most corrupt countries in the world based on Transparency International's Corruption Perception Index.

categories of individuals and households while the latter is focused on who benefits from government services. The latter is of more interest to budgeting to eradicate GBV. The result of the analysis needs to be publicised and brought to public attention, particularly to the attention of the public policy authorities.

The fine point to note here is the distinction between provisions in the budget document and the actual disbursements and implementation. Reasons for such discrepancies may be worth noting particularly if there were virements.

First, most budgets have objectives, which they proclaim to be their central concerns. It may be a good starting point to reconcile the objectives with the actual appropriations as they relate to GBV. Assuming there was a logical and necessary harmony between objectives and appropriations, the second stage may be to question the wisdom in the objectives for which the appropriations were made. Were the objectives the most pertinent against the background of the poverty profile of the country or the prevalence of GBV/rights violations? Are there alternative mixes of objectives that could have delivered more value for money in a bid to reduce GBV?

GBV budget analysis must seek to answer the questions; whether revenue targets were met? Did implementation on GBV proceed in accordance with plan? If any part of the budget remained unimplemented, what were the reasons? Were the targets for reduction of GBV met? Were there changes not authorised by the legislature or extra budgetary expenditure? And did the Auditor General perform his constitutional duties in accordance with the law? How did legislative committees exercise the oversight function on the management and allocation of funds dedicated to GBV?

Budgets are supposed to have direct relationships with a state's development plan. In the instant case, federal and state governments are expected to have a costed GBV Response/Eradication Plan. This plan itemises the key challenges, intervention issues, stakeholders and their responsibilities, resources required for action and expected deliverables. Budget analysis tries to establish the nexus between the costed Response Plan and the resource outlay. If there is no nexus, then the basis for planning is defeated and it would appear that the state is merely embarking upon a random selection of projects that are not harmonised and coordinated. It is pertinent to note that planning identifies the output desired while budgeting identifies the input required¹¹¹. In other words, budgets implement GBV Response Plans.

¹¹¹ Phyr A, (1973) *Zero Based Budgeting*.

If there is no costed Response Plan but an Accountability Framework which allocates roles and responsibilities to different stakeholders and provides a mechanism of coordination among the stakeholders, budgets are supposed to respond to the Framework and allocate resources on the basis of identified responsibilities.¹¹²

Recalling our previous analysis on the nature of a state's obligation, questions will be raised on whether enough sums have been appropriated and disbursed for the respect bound obligations, the protection bound obligations and the fulfilment bound obligations. For instance, under the right to health; did the state vote resources to enable it engage in action that violates the sexual and reproductive rights and health of women and girls. For the obligation to protect, are there adequate provisions for the Police, NAPTIP and other law enforcement agencies to perform their duties under VAPP, thereby guaranteeing investigations and prosecutions under the law. For the obligation to fulfil, are there adequate provisions to meet the minimum core obligation/content of freedom from GBV, for instance shelters and safe spaces for battered women and girls' recovery through structured rehabilitation and reintegration services.

The starting point is a deep knowledge of the content of the particular set of rights being researched. This will include the domestic provisions in the constitution, VAPP and other laws, policies, international treaties and their general comments, concluding statements of international conferences, etc. The research provides the opportunity to compare the actual resource outlays and the ideals stated in laws and policies. A typical research on GBV will combine process and thematic focus approaches. It can have the objectives of determining:

- ❖ The relationship between the allocations and costed policies and Accountability Frameworks.
- ❖ The relationship between the allocations and the challenges identified through gender disaggregated data.
- ❖ The sufficiency within the national and international context and available state resources, of allocations made for GBV.
- ❖ Whether those allocations were disbursed according to the Appropriation Act and whether the disbursements were timely.

¹¹² See the Nigerian National Accountability Framework for Addressing Gender Based Violence - Ministry of Women Affairs, Spotlight Initiative and Foundation for Resilient Empowerment and Development.

- ❖ Whether the disbursements were actually used for the purposes budgeted.
- ❖ Whether there was value for money in the implementation of the budget.
- ❖ Whether the budgeted sums were programmatically tied to targets and benchmarks on GBV.
- ❖ Identification of flaws and recommendations with a view to correcting the flaws.

The research tools to be used include questionnaires, structured interviews, focused group discussions and desktop research. Key action points and questions raised to address the challenges posed by the objectives are detailed below in Box 1.

Box 1: Desktop Research

- ❖ Get the budgets for three years to determine whether the votes covered all aspects of GBV and all stakeholders identified by the National Accountability Framework got votes in the budget.
- ❖ Any retrogression in appropriations? Any programmes or activities discontinued without alternatives or when their ends have not been met?
- ❖ What are the resources available to the state? Did it increase or decrease over the period?
- ❖ Increase in target population versus rate of increase in available resources.
- ❖ Programmatic performance based GBV budgeting; any set goals and clearly articulated indicators and implementation mechanisms? Any performance reports?
- ❖ Allocative efficiency versus operative efficiency; any value for money audits. Any forensic audits?
- ❖ What were the actual sums released as against the appropriated sums?
- ❖ Starting from a base year, the difference between the real and nominal values of the appropriated sums using inflation rates to deflate nominal rates.
- ❖ National policies and laws on GBV; how were they integrated in the GBV budgeting process?

The research results will lead to a more informed or scientific advocacy.

4.3 Budget Tracking and Monitoring

Related to budget analysis is budget tracking. The idea here is to ensure that allocations are disbursed and applied to the priority GBV expenditure items recognised in the Appropriation Act. This is particularly important in a developing country like Nigeria with fragile systems and institutions. The approach is to ensure that the budget is implemented and that value is got for expended resources.

Monitoring will help to identify when the budget is about to derail. Late or non-timely release of appropriated funds, diversion of funds through misappropriation and misapplication will be identified. Also, there could be cases where the benchmarks, objects and targets set in the budget are not being realised (even though funds are disbursed) due to the neglect, acts or omissions of some institutions or persons. When any of these are identified, budget tracking has a duty to blow the whistle and to demand an explanation from those responsible for implementation. A well-researched and documented report could provide evidence of derailment. Bringing the derailment to public attention through the media can blow the whistle. The moral power of popular opinion can bring pressure to bear on the responsible officers¹¹³. Another option is to report the derailment to the appropriate legislative committee and lobby for their response.¹¹⁴ In tracking a budget, the attempt is to follow the budget from formulation, implementation to evaluation.

4.4 Budget Advocacy

Advocacy could be broken into a number of sub parts.¹¹⁵ This will include drawing up of parallel budgets, canvassing for realignments of budget figures and estimates or the inclusion of needed but overlooked expenditure heads, legislative advocacy, litigation challenging unbudgeted expenditure, fraud in the system or the abuse of the budget process, etc. It may also be in the form of issuing press releases or informed opinion articles about budgeting.

4.4.1. Parallel Budgets on GBV: Civil society groups draw up parallel budgets with a view to show the budget mix that is gender sensitive and takes on board considerations of the rights of all segments of society. It seeks to proffer what should constitute the ideal

¹¹³ See S.22 of the Constitution; this will be in fulfilment of the obligation of the mass media to uphold the Fundamental Objectives of State Policy contained in Chapter 11 of the Constitution.

¹¹⁴ The request here will be for the legislature to exercise its power under S128 (2) (b) to expose corruption, inefficiency or waste in the disbursement or administration of funds appropriated by it.

¹¹⁵ Advocacy is the art of pleading for, supporting or recommending active espousal. See: *Gitlow v People of State of New York*, 268 U.S. 652, 45 S.Ct 625, 626, 69 L.Ed 1138; Blacks' Law Dictionary, Centennial edition, 1990.

and the alternative to the official plan against the background of national and international standards. The alternative budget recognises the fact that the budget is always a political compromise and the product of intense horse-trading by competing interests. This becomes necessary because most times, the authorities usually accuse CSOs of criticising without offering alternative plans.

Given the fact of expected revenues based on official projections, alternative budgets can be drawn up and submitted to the legislature. On the basis of the quantum of available resources, the legislature allocates it to the various sectors on different considerations. The parallel budget now becomes the basis of civil society's lobby for change or alteration to the official budget. It has the advantage of providing an alternative, which public officials can consider as a basis for measuring government's fulfilment of GBV obligations. The parallel budget is geared to sensitise public officials and the public on the rights implications of budgets and the possible alternatives to government's proposals. It also provides an opportunity for entering into debate and dialogue on the means and modes of securing and fulfilling the freedom from GBV. It further highlights certain mistakes of the past with a view to their being avoided in future budgets.¹¹⁶

Care must be taken to access adequate information and statistics before embarking on alternative budgeting. This is particularly critical because of the paucity and dearth of official information in Nigeria. In drawing up a parallel budget, the model of budgeting used in the state must be noted. For example, most states in Nigeria use incremental budgeting. Thus, projects and programmes that have been started but are yet to be completed may not be jettisoned, particularly if they are relevant to eradicating GBV. Provision must therefore be made for continuity. The language of the parallel budget must ensure its accessibility to a wide audience. It should restrict the use of statistical codes and technical jargons, which serve the purpose of alienating majority of the reading public. Finally, the parallel budget should be timely and be able to respond to critical issues of engagement between civil society and the state in the official budget proposal.

4.4.2. Realignments: Canvassing for realignments in proposed appropriations can also be a legitimate strategy for intervention. It is likely that when CSOs request for example, for an increase in the health and education budgets relevant to GBV, they will be met with the tailor-made answer of lack of resources.¹¹⁷ All that needs to be shown as a basis for

¹¹⁶ These objectives for parallel reports were adapted from Guidelines of the Committee on Economic, Social and Cultural Rights on parallel reporting by non-governmental organisations before the Committee; Document E/1994/23, para 354 adopted at its Eight Session in May 1993.

¹¹⁷ States usually hide under the polemics associated with article 2 (1) of the Covenant on Economic, Social and Cultural Rights (ICESCR) (which demands implementation of obligations under the ICESCR

canvassing for realignments is the areas of either wasteful or inappropriate spending¹¹⁸ or expenditure that will not have great impact (or will even have a negative impact) on human rights and human welfare. For instance, a cut in security votes, in the perks of high office or funds set aside for frivolities may be proposed to provide more funding for primary health care. ¹¹⁹ Duplicated projects in the estimates will also be identified and the resources reprogrammed.

CSJ's recent experience in pulling out frivolous, inappropriate, wasteful and illegal expenditure proposals in 2019, 2020 and 2021 federal budgets led to savings in the sums of N45.928billion, N75.1billion and N54.402billion respectively. Previous budgets have made little or no provisions for shelters for battered women, specific funding for gender units in Police and other law enforcement agencies as well as clinical and psychosocial support for survivors. Paucity of resources have also been partly responsible for the non-implementation of a survivor centred approach in the official response to GBV. The savings found in civil society's review could be realigned to more productive spending heads that will respond to GBV.

Budgetary provisions for "development projects¹²⁰" that actually hinder development and threaten economic and social rights could be attacked with a view to using the resources liberated to meet pressing social needs that reinforce the capacity of vulnerable groups to overcome GBV. CSOs should also look deep into the budget proposal because a lot of money could be for instance, under the health budget but a large chunk of it may go into official cars, payment of estacode and trips while leaving primary health care with little or no funding. In such cases, enough resources will not be available for child and maternal health and basic health infrastructure. The approach is to lobby to get the right mix that does not leave any subhead lagging behind while others enjoy a lot of unnecessary resources. FCT recorded 22.4% of females getting married before the age of eighteen. How should the budget respond to this incredible statistics?¹²¹ Thus, great

progressively to the maximum of available resources) whenever requests are made for resource involving programmes.

¹¹⁸. Prestige and white elephant projects come under this heading of wasteful spending.

¹¹⁹. The Philippines Free Legal Assistance Group challenged in *Guingona, Jr v Carague* (196 SCRA 221, 1991) the massive allocations to debt servicing which totalled 20.83% as against 7.63% for fundamental and basic services. Although the Philippines Supreme Court ruled in favour of the state, the suit at least raised awareness and public debate on the subject.

¹²⁰. The concept of development has become problematic because states that embark of projects that clearly violate communal, individual and environmental rights do so in the name of development while communities seeking to forestall the projects also do so in the name of development. Development is a fancy word which stakeholders on all sides of the divide lay claim to.

¹²¹. See Multiple Indicator Cluster Survey 2016 on Prevalence of Early Marriage and Teenage Motherhood.

attention should be paid to budgetary provisions that will reduce the high rates of early marriage.

4.4.3. Litigation and Engaging International Redress Mechanisms: This can be used to advance the interest of civil society in budgeting. It can challenge obnoxious budgetary provisions by trying to show them in their proper light, as against the objective of freedom from GBV. Here the concept of the Public Impact Litigation (PIL) is pertinent. It is viewed as a collaboration between the petitioner, the state and the court to secure observance of constitutional and legal rights and to reach social justice¹²². Sometimes, these cases are filed, not from the point of view that the lawyer is sure he will get the relief asked for in his originating process but because, he needs to make a statement and get the hidden facts to public attention. This can be the case where the allocations are seriously lopsided or where there is non-implementation of budgeted projects and there is evidence to show that projected revenue to implement the budget was realised within the year. It can also be successfully used to challenge misapplication of budgeted funds or the outright misappropriation of budgeted funds. The central idea is to energise the law to serve its social engineering role¹²³ that seeks to resolve the conflicts arising from societal interactions.

States parties to the ICESCR, CEDAW and other international standards are under obligation to report to oversight Committees periodically. The Committees examine the reports and issues concluding observations pointing out areas of strengths, weakness and recommendations for change. Civil society groups are usually welcomed by the Committee to present parallel reports that puts the facts and issues as they are, if the state had tried to present an “all is well” picture. Budget analysis helps in presenting the proper picture to the Committee because the allocations and expenditure patterns will define the government’s priorities and how it has used the scarce resources at its disposal for the realisation of freedom from violence.

4.4.4. Involvement of Survivors, Communities, Rights Holders and Stakeholders: It is of utmost importance to involve survivors, communities or rights holders to anchor demands that certain provisions be made in the budget, or that projects already provided in the budget and paid for be executed, etc. But the basic condition for this participation is access to budgetary information. Communities or groups of rights holders need to be seen to speak for themselves and to make specific demands for provisions, which will

¹²². Per Justice Bhagwati in *Peoples Union for Democratic Rights v The Union of India* (1992) ALSC 1473 at 1477-78.

¹²³. The sociological school of jurisprudence of Dean Roscoe Pound in “The Philosophy of Law” 1954 at p.47; Rudolf von Jhering “Law As A Means To An End” (Trans by I. Husik) 1924.

facilitate their enjoyment of basic rights. They are also in the best position to identify their rights and needs rather than someone identifying it for them. Thus, the rights group should play the role of a catalyst and facilitator, to provide technical information and give direction to survivors (actual and potential survivors) on possible strategies for engaging the formal structures of government. It will in the long run build local capacity; the survivors, communities and individuals can subsequently take up similar issues in future.

Communities and rights holders can be very useful in budget tracking when provisions have been made in the budget for specific projects. The community can follow up the implementation and report deviations to the authorities for remedial action. Survivors and communities can also be involved in monitoring contracts for budget implementation and presenting their findings to the authorities. Getting the Bar Association and the Medical Association, in association with the users of their services to champion justice and health issues will lend more credence to the campaign. However, there is the need for caution so that a rights group does not get bogged down in purely professional and technical demands of the associations.

4.4.5. Lobby and Participation in Legislative Hearings: There is the need to influence budgetary outcomes through the lobby of institutions and persons in positions of authority. The central idea is to bring the challenges and needs of actual and potential survivors to their attention and to convince them of the need to take a certain course of action favourable to the rights holders. Visits and meetings by leaders of communities to executive and legislative functionaries to lobby them over certain issues could be arranged. Communities and rights holders should also make proper use of the office of their elected representative in the legislature through demanding regular briefings and updates. This will enable communities to know the appropriate time to make requests from the state and what opportunities that exist within the system. Thus, there is the need for CSOs, communities and rights holders to have a good working relationship with policy makers.

In working with policy makers, the following strategies have been identified as apposite to wit; plan the research materials and strategy in a coordinated fashion early on, identify the key policy decisions makers and opportunities for changing policy, design of materials for a particular audience, use of creative and proactive approaches to inform the process, build long term relationships with policy makers and with members of the press. Others include informing media and opinion leaders (and therefore public opinion) integral to

informing policy makers, choosing appropriate spokesperson, understanding and answering competing arguments and following through.¹²⁴

At the legislative level, attending public hearings on the budget and presenting position papers will be imperative. However, groups and persons appearing before the legislature must have a unique value to add or expertise to offer that will assist the legislature in arriving at the right budgetary mix. Participation in hearings will be relevant after the appropriate homework has been done. The background work may include community mobilisation, identification of provisions that obstruct the realisation of rights and how such appropriated funds may be utilised for the protection and promotion of rights in other sectors.

¹²⁴. See pp.29 and 30 of *A Guide to Budget Work- A Systematic Overview of the Different Aspects of Effective Budget Analysis* by Stefan Falk and Isaac Shapiro, the International Budget Project of the Centre on Budget and Policy Priorities, September 1999.

Chapter Five

RESPONDING TO GBV THROUGH THE BUDGET

5.1 Approach

The approach of this Chapter focused on responding to GBV through the budget is to present broad GBV manifestations and propose responses to them through recommended activities and projects in the votes of key relevant MDAs. It assumes that salaries and overheads will be made available as routine expenditure of government. The focus of the recommendations is on capital expenditure and overheads to fight GBV. Budgeting is expected to be based on evidence and data, take cognisance of the survivor centred approach and the best interest of the child when children are involved. It ought to recognise the overwhelming need for inter-agency collaboration considering the multiplicity of actors involved in the response to GBV and proceed from the need to fulfil the human rights of survivors to freedom from violence.

The objectives of budgeting for GBV include the following:

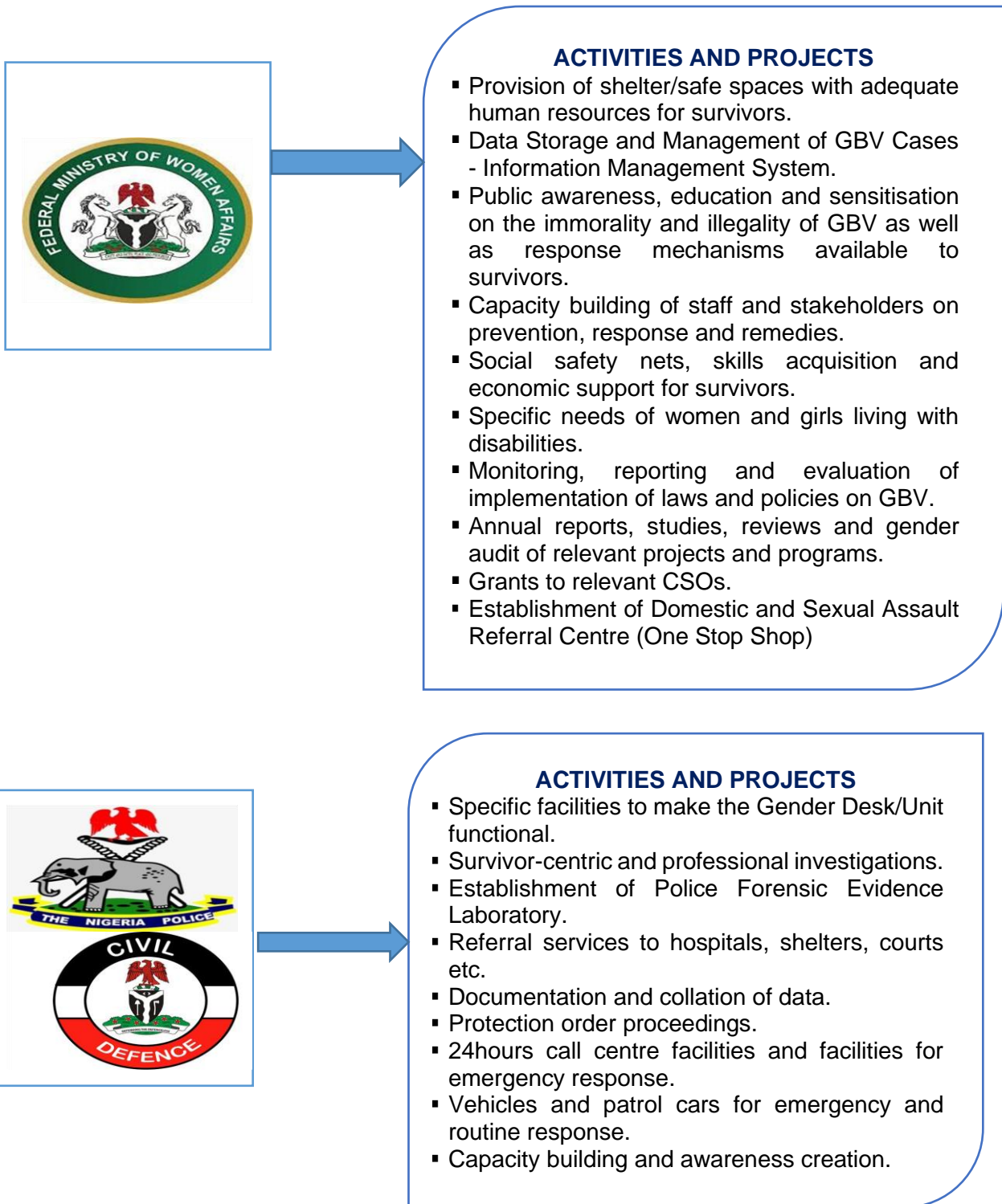
- ❖ Identify possible areas of intervention and effectively respond to GBV through resources provided in the budget.
- ❖ Ensure enforcement of GBV related laws and policies.
- ❖ Identify underlying and systemic causes of GBV and provide appropriate response measures for mitigation.
- ❖ Strengthen the capacity of relevant institutions for prevention, investigation and prosecution of GBV related offences.
- ❖ Establish and maintain safe spaces and shelters for GBV survivors and provide programmes for the elimination of GBV and promote the management and response to GBV.

Broad manifestations of GBV and the expected budget action of relevant MDAs responding to or preventing violations will be reviewed.

5.2 VAWG and SGBV

This includes sexual violence, physical violence and emotional violence. These are still key challenges in the FCT and in other parts of Nigeria. The specific offences in the VAPP Act and similar laws include rape, inflicting physical injury on a person, coercion, spousal battery, offensive conduct, forceful ejection from home, harmful practices such as FGM and early marriage, etc. Figure 1 on VAWG and SGBV show the responsible agencies and the budget action points.

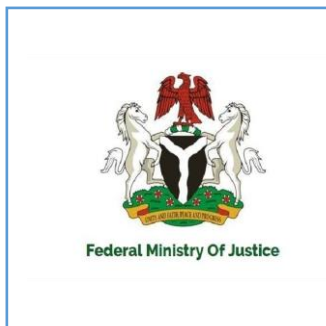
Figure 1: Budgeting for VAWG and SGBV





ACTIVITIES AND PROJECTS

- NAPITIP's areas of coverage includes VAPP and human trafficking.
- Investigation; Prosecution of accused persons.
- Provision of shelters.
- Coordination of SPARC and SPOs.
- Rehabilitation, counselling and reintegration.
- Capacity building of staff and stakeholders
- Public enlightenment and promotional activities.
- Research, studies and reports
- Maintenance and regular update of Sex Offenders Register.



ACTIVITIES AND PROJECTS

- Prosecution of offenders.
- Witness and victim protection.
- Improvement on GBV case management
- Legal aid services.
- Capacity building for Law Enforcement Agencies.
- Law and policy reform and design of Standard Operating Procedure for Law Enforcement Agencies.
- Establishment of special courts.
- Establishment of Domestic and Sexual Assault Referral Centre (One Stop Shop).



ACTIVITIES AND PROJECTS

- Review and investigate GBV complaints.
- Activate App for reporting GBV cases.
- Activate toll free telephone lines on GBV.
- Special Rapporteur/Work Group/Teams on GBV.
- Capacity building of staff and stakeholders.
- Promotional activities and public education.
- Provision of remedies to survivors.
- Collaboration for training of justice sector partners.



ACTIVITIES AND PROJECTS

- Ensure response and treatment of GBV survivors is classified under S11 (3)(e) of the National Health Act.
- Provide support to public and private health facilities on GBV response.
- Standardisation and regulation of hospitals rendering GBV response services.
- Establishment of Sexual Assault Referral Centres.



Legal Aid Council



- ACTIVITIES AND PROJECTS**
- Advice and litigation assistance to GBV survivors.



NJI



- ACTIVITIES AND PROJECTS**
- Provide continuing education for judicial officers and officers of inferior courts on GBV.
 - Publication of books, journals and reports on GBV from a legal/judicial perspective.



Public Hospitals



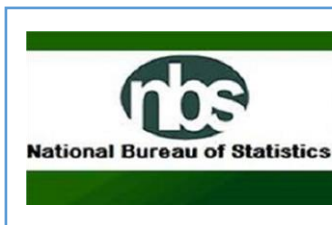
- ACTIVITIES AND PROJECTS**
- GBV survivors treated free of charge.
 - Support for investigations by law enforcement agencies.
 - Support the judicial system through testimonies and presentation of relevant evidence.
 - Referral services for psychosocial and other support.



FEDERAL MINISTRY OF EDUCATION



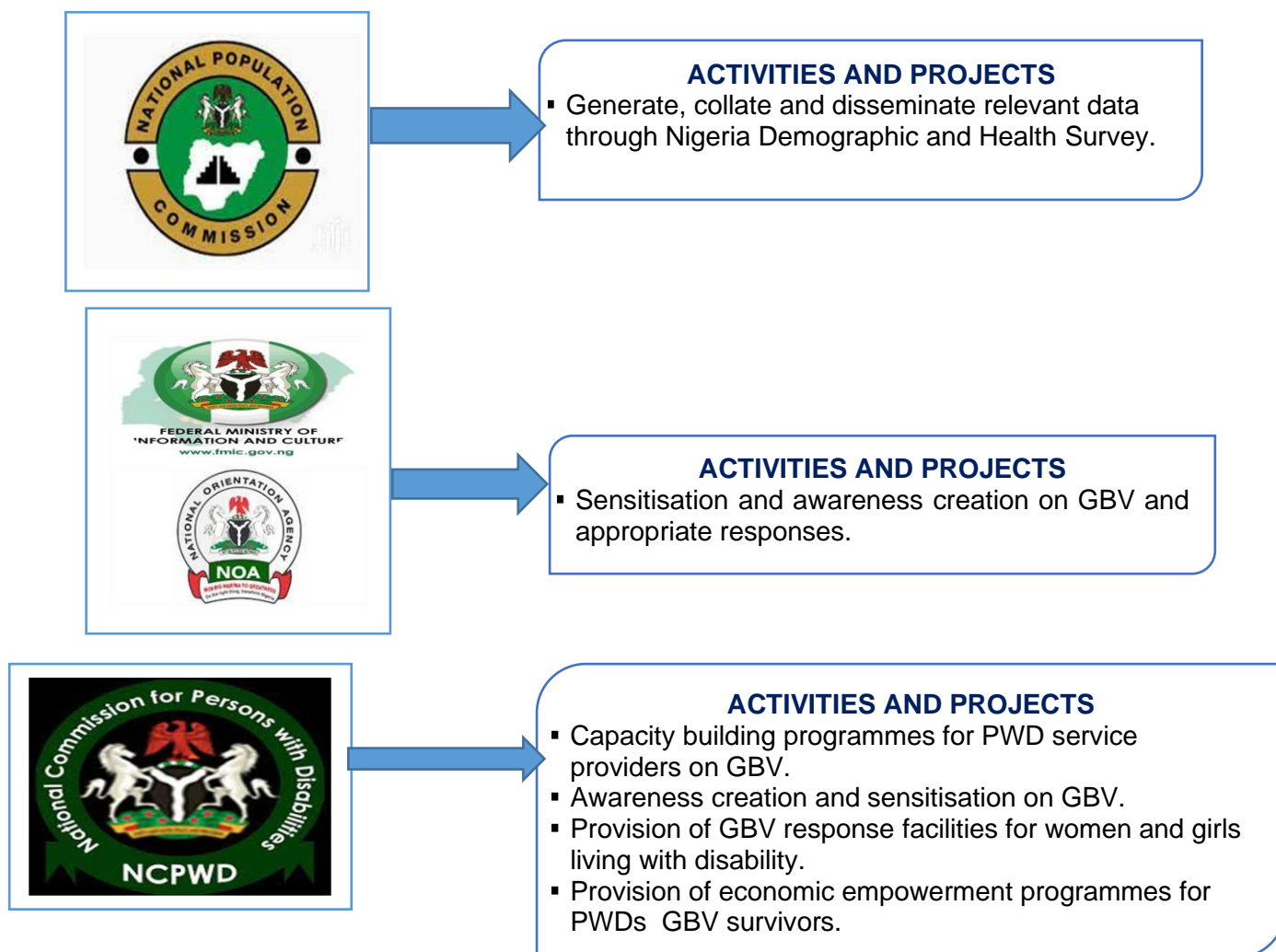
- ACTIVITIES AND PROJECTS**
- Sensitisation and enrichment of school curriculum to inculcate proper knowledge on GBV.
 - Capacity building of teachers on responses to GBV.



National Bureau of Statistics



- ACTIVITIES AND PROJECTS**
- Generate, collate and disseminate data on GBV.



5.3 Education as a Counterpoise to GBV

Education in itself is a human right and also an indispensable means of realising other fundamental freedoms. Education equips women and girls to know their rights and the means and methods of claiming and vindicating the rights in the event of violation or taking steps to prevent violations.¹²⁵ Female school enrolment, completion rate and educational attainment across the primary, secondary and tertiary levels of education is lower than the male enrolment in the FCT as well as in other parts of Nigeria. Figure 2 shows the responsible agencies and the budget action points.

¹²⁵ See General Comment No.13, 31st Session 1999, of the UN Committee on Economic, Social and Cultural Rights.

Figure 2: Budgeting for Education as a Counterpoise to GBV



ACTIVITIES AND PROJECTS

- Awareness creation on benefits of girl child education, CRA and UBE.
- Building of new girls schools at the secondary level and equipping existing secondary schools with relevant library and laboratory materials.
- Opportunities for second chance education for girls who get pregnant while attending primary and secondary education.
- Data generation, collation and dissemination.
- Toll free telephone lines and apps to report parents/guidance who withdraw the girl child from school in violation of the CRA.
- Post basic education scholarships for the girl child.
- Mobilisation for public-private partnerships for girl child education.
- Capacity Building of staff and teachers on the rights of the child.
- Specific needs of women and girls living with disabilities.



ACTIVITIES AND PROJECTS

- Advocacy for girl child education.
- Studies, monitoring, reports, etc., on factors militating against girl child education.
- Female adult literacy/education projects/campaigns.



ACTIVITIES AND PROJECTS

- Investigation and prosecution of cases where parents/guardians limit the right of the girl child to basic education.
- Documentation and collation of data on violations of girl child education.
- Capacity building of personnel on the relationship between GBV and denial of education.



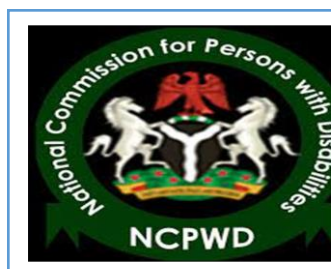
- ACTIVITIES AND PROJECTS**
- Prosecution of offenders under the CRA and UBEC.
 - Law and policy reform.



- ACTIVITIES AND PROJECTS**
- Generate, collate and disseminate data on girl child education.



- ACTIVITIES AND PROJECTS**
- Generate, collate and disseminate relevant data through Nigeria Demographic and Health survey.



- ACTIVITIES AND PROJECTS**
- Provision of inclusive education materials and access to schools.
 - Capacity building of staff and teachers.

5.4 Sexual and Reproductive Health and Rights

GBV is inextricably linked to women's sexual and reproductive health and rights. This includes the right to control fertility, to decide whether to have children and the timing and spacing of children as well as the right to have access to information, services and goods that will facilitate the overall enjoyment of SRHR. Figure 3 on budgeting for SRHR for the eradication of GBV shows the details.

Figure 3: Budgeting for SRHR as a Counterpoise to GBV



ACTIVITIES AND PROJECTS

- Family planning services.
- Antenatal care services.
- Delivery by skilled service providers.
- Post-natal services.
- Capacity building of medical personnel on emergent family planning techniques.
- HIV prevention, treatment and management.
- Rehabilitation, treatment and reintegration of VVF victims.



ACTIVITIES AND PROJECTS

- Service Delivery.



ACTIVITIES AND PROJECTS

- Advocacy for respect of the SRHR of women and the girl child.
- Studies, monitoring, reports, etc., on improving protection of the SRHRS of women.



ACTIVITIES AND PROJECTS

- Sensitisation and enrichment of school curriculum to cover SRHR.
- Capacity building for teachers on SRHR.



ACTIVITIES AND PROJECTS

- Generate, collate and disseminate data on SRHR of women and girls.



ACTIVITIES AND PROJECTS

- Generate, collate and disseminate relevant data on SRHR through Nigeria Demographic and Health Survey.

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