

**A BILL**

**FOR**

**AN ACT TO INCORPORATE AND ENFORCE CERTAIN PROVISIONS OF THE UNITED NATIONS CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN, THE PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLE'S RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA, AND OTHER MATTERS CONNECTED THEREWITH**

*Sponsored by Hon. Uzoma Nkem-Abonta*

[ ] Commencement

**BE IT ENACTED** By the National Assembly of the Federal Republic of Nigeria as follows:

1           **1. The purpose of this Bill is to give effect to:**

Purpose of this Bill

2           **(a) Chapters II and IV of the 1999 Constitution of the Federal**  
3 **Republic of Nigeria;**

4           **(b) The International Covenants on Human Rights which affirm**  
5 **the principle of non-discrimination and proclaims that all humans are born**  
6 **free and equal in dignity and rights, and that everyone is entitled to all the**  
7 **rights set out without distinction of any kind including distinction based on**  
8 **sex;**

9           **(c) The domestication of certain provisions of the Convention on**  
10 **the Elimination of all Forms of Discrimination against Women, and the**  
11 **protocol to the African Charter on the Rights of Women in Africa.**

12           **2.-(a) No person, organ or agency of government, public or private**  
13 **institution, commercial or corporate body, community, or other entity, or**  
14 **any representative of such organ or agency of government, public or private**  
15 **institution, commercial or corporate body, community, or other entity shall**  
16 **either through words spoken, acts, inactions, omissions, laws, regulations,**  
17 **administrative procedures, policy, guideline, rules, customs or practices**

Prohibition of Discrimination

1 discriminate against any person on the ground of gender, age or disability;  
 2 (b) Any law, regulation, custom and practice, which constitute  
 3 discrimination, shall be null and void and of no effect and shall not be  
 4 enforceable against any person.

5 (c) No rule or directive of a public, corporate, social or communal  
 6 entity which is a violation of the provisions of this bill shall be enforced against  
 7 any person.

Promotion of  
 Equality, Full  
 Development and  
 Advancement of  
 all persons

8 3.-(a) Every person, body, institution, community, authority or  
 9 private enterprise whether public or private, public institution, individuals,  
 10 communities or authority and private enterprise in Nigeria shall take all  
 11 appropriate measures, including regulatory policy, fiscal and administrative  
 12 measures, to ensure the full development and advancement of all persons,  
 13 especially young women and girl children, for the purpose of guaranteeing to  
 14 them the exercise and enjoyment of human rights and fundamental freedoms  
 15 on a basis of non-discrimination and equality of all persons;

16 (b) Accordingly, every person, organ or agency of government, public  
 17 or private institution, commercial or corporate body, community, or other  
 18 entity, or any representative of such organ or agency of government, public or  
 19 private institution, commercial or corporate body, community, or other entity,  
 20 shall accord to women, children, and other persons equality before the law, and  
 21 accordingly, shall on the basis of equality:

22 (i) give women equal rights to conclude contracts and to administer  
 23 property;

24 (ii) treat women equally with men in all stages of procedure in courts  
 25 and tribunals;

26 (iii) ensure that no rule, regulation, agreement, protocol, contract or  
 27 any other public or private instruments of any kind with a legal effect shall  
 28 restrict, limit or in any way discriminate against any person in terms of legal  
 29 capacity;

30 (iv) no practices of law enforcement agency or body shall restrict or

1 limit the legal capacity of women to undertake surety or recognisance on  
2 behalf of any person;

3 (v) Desist from denying or limiting any privilege, respect,  
4 advantage or benefit due or accruable to women only on the basis that she is  
5 a woman.

6 4.-(a) Every organ or agency of government, public or private  
7 institution, commercial or corporate body, community, or other entity, shall  
8 adopt temporary special measures as set out in this Bill aimed at accelerating  
9 de facto equality of opportunity and treatment between men and women,  
10 and such measures shall not be considered discrimination as defined in the  
11 present Bill or in any other law in force, and shall in no way entail as a  
12 consequence the maintenance of unequal or separate standards or  
13 regulations between men and women in such organ or agency of  
14 government, public or private institution, commercial or corporate body,  
15 community, or other entity;

16 Provided that:

17 (i) where a position exists under the special provisions under this  
18 section, ample opportunity must be given, and information disseminated to  
19 women widely;

20 (ii) these measures undertaken pursuant to the provisions of this  
21 section shall be gradually discontinued when the objectives of equality of  
22 opportunity and treatment have been achieved, provided further that no  
23 special measure shall be in place and be enforced for a period of less than 10  
24 years or more than 25 years.

25 (b) For the purpose of the special measures provided in sub section  
26 1 of this section, it shall be mandatory for all organs or agencies of  
27 government, public or private institution, commercial or corporate body,  
28 community, or other entity to ensure:

29 (i) in the case of political and public sphere, that a minimum of 35  
30 per cent of all offices, positions, or appointments is reserved for women;

Adoption of  
temporary special  
measures to  
eliminate  
discrimination

1           (ii) in the case of employment, credit or other economic sphere in the  
2 public or private, a minimum of 35 percent of all offices, facilities, positions or  
3 appointments is reserved for women;

4           (iii) in the case of educational placement and school enrollment,  
5 including award of scholarships, bursaries, or such allocations, that parity is  
6 ensured for boys and girls, men and women;

7           (iv) In the case of primary school enrolment, mechanisms should be  
8 put in place to ensure parity in enrolment and retention of boys and girls;

9           (v) In all other cases, a minimum of 35 percent is reserved for women.

10          (c) Without prejudice to the provisions of subsections (a) and (b) of  
11 this section, all organs or agency of government, public or private institution,  
12 commercial or corporate body, community, or other entity, shall take  
13 appropriate measures to protect the maternity status and reproductive health of  
14 women, including allocation of special facilities, time, and resources aimed at  
15 protecting maternity, and such special measures shall not be considered  
16 discriminatory.

Modification  
of Socio-Cultural  
Practices

17          5. Every organ or agency of government, public or private institution,  
18 commercial or corporate body, community, or other social entity, including  
19 educational institutions shall have the responsibility to modify the social and  
20 cultural patterns of conduct of men and women, with a view to achieving the  
21 elimination of gender stereotyping, prejudices, and customary and all other  
22 practices which are based on the idea of the inferiority or the superiority of  
23 either of the sexes, or the roles for men and women, and to this end:

24           (i) every public or private educational institution shall ensure the  
25 adoption of appropriate teaching methods and curriculum including provision  
26 of facilities that emphasise the promotion of equality of all sexes in all  
27 circumstances and for all purposes, including choice of career, equal  
28 participation and inclusion of all persons in all activities of the school or  
29 institution;

30           (ii) the family as a unit of society shall ensure that values, practices or

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1 other forms of rearing of children, ward and young people in the family and  
2 community, or other forms of socialization, is not discriminatory, and  
3 promotes a proper understanding of maternity as a social function and the  
4 recognition of the common responsibility of men and women in the  
5 upbringing and development of their children;

6 (iii) Widows shall not be subjected to inhuman, humiliating or  
7 degrading treatment;

8 (iv) A widow shall automatically become the guardian and  
9 custodian of her children, after the death of her husband, unless this is  
10 contrary to the interests and the welfare of the children;

11 (v) A widow shall have the right to remarry, and in that event, to  
12 marry the person of her choice;

13 (vi) A widow shall have the right to an equitable share in the  
14 inheritance of the property of her husband and shall have the right to  
15 continue to live in the matrimonial house. In case of remarriage, she shall  
16 retain this right if the house belongs to her or she has inherited it;

17 (vii) Women and men shall have the right to inherit, in equitable  
18 shares, their parents' properties;

19 6. Every organ or agency of government, public or private  
20 institution, commercial or corporate body, community, or other entity, shall  
21 take all appropriate measures to eliminate discrimination against women in  
22 the political and public life of the country and, in particular, shall ensure to  
23 women, on equal terms with men, the right to:

Elimination of  
discrimination in  
Political and  
Public Life

24 (a) participate fully in all political activities, including the right to  
25 vote and be voted for in all elections and public referenda, and to be eligible  
26 for election to all publicly elected offices and bodies without any restriction,  
27 limitation or barriers whatsoever;

28 (b) participate in the formulation of government policy and the  
29 implementation thereof and to hold public office and perform all public  
30 functions at all levels of government;

1 (c) be given, on equal terms with men and without any discrimination,  
2 and without prejudice to the provisions of section 6 of this bill, the opportunity  
3 to represent such organ or agency of government, public or private institution,  
4 commercial or corporate body, community, or other entity, in any official  
5 capacity, or to represent the Federal Republic of Nigeria or any part of the  
6 federation at the national, regional or international level, and to participate in  
7 the work of international organizations without any restriction whatsoever.

Elimination of  
discrimination  
in education

8 7. Every organ or agency of government, public or private institution,  
9 commercial or corporate body, community, or other entity shall take all  
10 appropriate measures to eliminate discrimination against women in the field of  
11 education to ensure on the basis of equality of men and women, and without  
12 prejudice to the provisions of section 6 of this bill:

13 (a) The same conditions for career and vocational guidance, for  
14 access to studies and for the achievement of certification in educational  
15 establishments of all categories in rural as well as in urban areas; this equality  
16 shall be ensured in pre-school, general technical, professional and higher  
17 technical education, as well as in all types of vocational training;

18 (b) The elimination of any stereotyped concept of the roles of men and  
19 women at all levels and in all forms of education by encouraging coeducation  
20 and other types of education which will help to achieve this aim;

21 (c) The same and equal opportunities to benefit from scholarships,  
22 bursaries, and other study grants;

23 (d) The same opportunities for access to programmes of continuing  
24 education, including adult and functional literacy programmes, particularly  
25 those aimed at reducing, at the earliest possible time, any gap in education  
26 existing between men and women;

27 The same Opportunities to participate actively in vocational, extra curriculum,  
28 and other non-academic activities of such school private or public educational  
29 institution including in sports and physical education.

1           8. Every organ or agency of government, public or private  
2 institution, commercial or corporate body, community, or other entity shall  
3 take all appropriate measures to eliminate discrimination against women in  
4 the field of employment, occupation or profession, in order to ensure, on a  
5 basis of equality of men and women, and without prejudice to the provisions  
6 of section 6 of this bill:

7           (a) The right to work commensurate with skill, competence,  
8 expertise and knowledge, as an inalienable right of all human beings;

9           (b) The right to equal employment opportunities, including the  
10 application of the same criteria for selection, promotion and assignment of  
11 responsibilities in employment;

12           (c) The right to free choice of profession and employment, and  
13 equal treatment and consideration in the areas of promotion, job security and  
14 all benefits and conditions of service including training and retraining  
15 opportunities;

16           (d) The right to equal remuneration of persons of equal skill,  
17 competence, expertise and knowledge, including benefits, and to equal  
18 treatment in respect of work of equal value, as well as equality of treatment  
19 in the evaluation of the quality of work;

20           (e) The right to social security, particularly in cases of  
21 unemployment, sickness, physical challenges, old age and other incapacity  
22 to work, as well as the right to paid leave;

23           (f) The right of a woman in employment to maternity leave or any  
24 such leave or concession relating to her maternity needs, shall not limit or  
25 restrict her right to equal treatment as provided under this section;

26           (g) The right of everyone to the protection of the person's health  
27 including maternal health, and to the person's safety in work place,  
28 including the safeguarding of the function of, and choices in, reproduction  
29 and maternal or paternal responsibilities. Accordingly, no rule, regulation or  
30 policy of any organ or agency of government, public or private institution,

Elimination of  
discrimination in  
employment

1 commercial or corporate body, or other entity shall limit or restrict or otherwise  
2 strictly regulate the period or conditions, an employee undertaking maternity  
3 leave or other advantages in the workplace relating thereto.

Elimination of  
discrimination  
on grounds of  
marital status

4 9.-(a) Every organ or agency of government, public or private  
5 institution, commercial or corporate body, community, or other entity shall  
6 prevent discrimination against women on the grounds of marriage, marital  
7 status, or maternity; accordingly, shall:

8 (i) not dismiss, restrict or otherwise impose any disadvantage on any  
9 person in respect of employment, contract, or other occupational engagement,  
10 whether in the public or private sphere, on the grounds solely of the person's  
11 marital status, circumstances of birth, condition of pregnancy, maternity leave,  
12 or such other reasons relating to the person's maternal or paternal status;

13 (ii) ensure enforcement of maternity leave with pay or with  
14 comparable social benefits without loss of former employment, promotion,  
15 advantage, or other allowances which otherwise are due to the person;

16 (iii) provide necessary supporting social services to enable parents in  
17 employment to combine family obligations with work responsibilities and  
18 participation in public life, in particular through the establishment and  
19 development of child-care facilities in the work premises;

20 (iv) Provide special protection to women during pregnancy in types of  
21 work and practices harmful to them.

22 (b) Protective regulations, policies and practices relating to matters  
23 covered in subsection (a) of this Section and the other sections of this bill, shall  
24 be reviewed as often as necessary in the light of scientific and technological  
25 knowledge and shall be revised, repealed or extended as necessary.

Elimination of  
discrimination  
in Health

26 10.-(a) Every agency, organ, body, authority, public institution or  
27 private enterprise shall take all appropriate measures to eliminate  
28 discrimination against any person on any ground whatsoever, in the field of  
29 health care. Accordingly, every organ or agency of government, public  
30 institution, commercial or corporate body, or other entity responsible for

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1 providing public health care services shall ensure that all women who are  
 2 pregnant and within 2 years of delivery, and all children under the age of 12,  
 3 are given free and quality health care services, including provision of all  
 4 necessary medical, surgical, diagnostic, and pharmacological supplies;

5 (b) Notwithstanding the provisions of subsection (a) of this  
 6 section, all organs or agencies of government, public or private institution,  
 7 commercial or corporate body, community, or other entity shall ensure  
 8 provision and access to appropriate services and information in connection  
 9 with Health status of the spouses, the pre natal, confinement and the post-  
 10 natal period, granting free services where necessary, as well as adequate  
 11 nutrition during pregnancy and lactation;

12 (c) Every man and woman is entitled to receive the necessary  
 13 material, medical, psychological, socio and legal assistance through  
 14 governmental agencies and / or non-governmental agencies providing such  
 15 assistance; as well as being informed and availed access to legal, health and  
 16 social services and other relevant assistance.

17 **11.** Every organ or agency of government, public or private  
 18 institution, commercial or corporate body, community, or other entity shall  
 19 eliminate discrimination against women in all areas of economic and social  
 20 life in order to ensure, on the basis of equality between men and women, the  
 21 same rights, in particular:

Elimination of  
 Discrimination  
 on Socio-  
 Economic  
 Grounds

22 (a) the right to family benefits;

23 (b) the right to equal access between men and women to capital,  
 24 credit, including informal sector, small and medium scale loans, mortgages  
 25 and other forms of financial credit;

26 (c) the right to participate in recreational activities, sports and all  
 27 aspects of cultural life.

28 **12.** -(a) Every organ or agency of government, public or private  
 29 institution, commercial or corporate body, community, or other entity shall  
 30 grant to women and men equal rights to acquire, confer, change or retain

Right to choose  
 Indigenship and  
 Identity

1 their indigeneship, and in particular, shall ensure that neither marriage, divorce  
2 nor widowhood shall deny a woman the right to choose or retain her citizenship  
3 and identity and she shall have the choice, without hindrances, limitations,  
4 disadvantages or conditions, to retain her maiden name;

5 (b) Every person shall have the right to define and assert his or her  
6 identity, and accordingly, no rule, regulation or guideline shall impose on any  
7 persons, place of abode, domicile, state of origin, or name.

Right to Confer  
Citizenship

8 13. Women shall have equal rights with men to confer their  
9 citizenship on their children.

The Rights of  
persons in Rural  
Communities

10 14. Every organ or agency of government, public or private  
11 institution, commercial or corporate body, community, or other entity shall:

12 (a) Take into account the particular problems faced by rural women  
13 and the significant roles which they play in the economic survival of their  
14 families, including their work in the informal non-monetized sectors of the  
15 economy, and shall ensure the application of the provisions of this Bill to  
16 women in rural areas;

17 (b) Take all appropriate measures to eliminate discrimination against  
18 women in rural areas in order to ensure, on the basis of equality between men  
19 and women, that they participate in and benefit from rural development and,  
20 accordingly, shall ensure to such women the right to:

21 (i) participate in the identification, design and implementation of  
22 development projects at all levels;

23 (ii) benefit directly from social security programmes;

24 (iii) obtain all types of training and education, formal and non-formal,  
25 including that relating to functional literacy, as well as, inter alia, the benefit of  
26 all community and extension services, in order to increase their technical  
27 proficiency;

28 (iv) organize self-help groups and co-operatives in order to obtain  
29 access to economic opportunities through employment or self-employment.

30 (v) have access to agricultural credit and loans, marketing facilities,

1 appropriate technology and equal treatment in land and agrarian reform as  
2 well as in land resettlement schemes.

3 **15.** Every organ or agency of government, public or private  
4 institution, commercial or corporate body, community, or other entity shall  
5 take all appropriate measures to eliminate discrimination against women in  
6 all matters relating to marriage and family relations and shall ensure, to  
7 women and men.

Rights in matters  
relating to  
marriage and  
family life

8 (a) The right to enter into marriage;

9 (b) Right to freely choose a spouse;

10 (c) Rights and responsibilities during marriage and at its  
11 dissolution including choosing whether to retain maiden name or adopting a  
12 family name;

13 (d) Rights and responsibilities as parents, irrespective of their  
14 marital status, in matters relating to their children including decisions  
15 relating to welfare and upbringing of their children. In all cases the best  
16 interests of the child concerned shall be paramount;

17 (e) Rights to decide freely and responsibly on the number and  
18 spacing of their children and to have access to the information, education  
19 and means to enable them to exercise these rights;

20 (f) Complimentary and corresponding rights and responsibilities  
21 with regard to custody, guardianship, ward ship, trusteeship and adoption of  
22 children.

23 **16.** -(a) All forms of violence against women are prohibited,  
24 whether the violence takes place in private, family or public sphere,  
25 including unwanted or forced sex, or traditional, religious or cultural  
26 practices harmful to the health, well-being and integrity of the woman;

Prohibition of  
Violence Against  
Women

27 (b) All forms of violence against elderly women including sexual  
28 abuse, and discrimination based on age are prohibited;

29 (c) All forms of violence against women with disability including  
30 sexual abuse, and discrimination based on disability are prohibited;

1 (d) Every educational, school or training authority in the state shall  
 2 promote peace education through curricula and social communication in order  
 3 to eradicate elements in traditional and cultural beliefs, practices and  
 4 stereotypes which legitimize and exacerbate the discrimination against  
 5 women, persistence and tolerance of violence against women;

6 (e) All forms of trafficking in women' and children, abuse and  
 7 exploitation of women and children in any manner or way, and medical  
 8 experiments on women without their informed consent, or on children without  
 9 the informed consent of their parents or legal guardian, are prohibited;

10 (f) Any person who violates the provisions of sub-section (a) - (e) of  
 11 this section shall, without prejudice to section 20 of this Bill, be guilty of an  
 12 offence and liable to:

13 (I) imprisonment not less than one year or to a fine of not less than  
 14 Five Hundred Thousand Naira only, or to both imprisonment and fine.

Provisions relating  
 to marriage and  
 matrimonial  
 causes

15 **17.** Subject to the subsisting provisions of the Marriage Act, Child  
 16 Rights Act, and the Matrimonial Causes Act:

17 (a) No marriage shall take place without the free and full consent of  
 18 both parties;

19 (b) the minimum age of marriage for women shall be 18 years;

20 (c) every marriage shall be recorded in writing and registered in  
 21 accordance with national laws, in order to be legally recognized;

22 (d) a woman and a man shall jointly contribute to safeguarding the  
 23 interests of the family, protecting and educating their children;

24 (e) during her marriage, a woman shall have the right to acquire her  
 25 own property and to administer and manage it freely.

Provisions relating  
 to offences and  
 sentencing  
 including costs,  
 damages and  
 compensations

26 **18.**-(a) Any person, organ or agency of government, public or private  
 27 institution, commercial or corporate body, community, or other entity, or any  
 28 representative of such organ or agency of government, public or private  
 29 institution, commercial or corporate body, community or other entity, who fails  
 30 or neglects any of the duties imposed under this bill shall be liable to an offence,

1 and on conviction, to such term of imprisonment not less than one year, or  
2 such fine not less than five Hundred Thousand Naira or both imprisonment  
3 or fine as the court may impose considering the entire circumstances of the  
4 case;

5 (b) Any person who suffers violation of his or her rights, or  
6 becomes victim of any action, omission, or inaction of any organ or agency  
7 of government, public or private institution, commercial or corporate body,  
8 community, or other entity, or any representative of such organ or agency of  
9 government, public or private institution, commercial or corporate body,  
10 community or other entity shall be entitled to fair and adequate  
11 compensation as may be determined by the court, taking into consideration  
12 the special damages suffered, as well as social, psychological, emotional  
13 and health related burden suffered by such person by reason of such action,  
14 omission or inaction aforesaid;

15 (c) Any person, or official of anybody or entity, be it in a public or  
16 private institution or community who condones, aids, facilitates and abets  
17 any other person, body or entity to fail or neglect or omit in any of the duties  
18 imposed under this bill shall be liable and the provisions of sub section (a)  
19 and (b) of this section shall apply to such a person or body;

20 (d) Where a corporate body, agency, institution or community is  
21 liable under sub section (a) and (b) of this section, the chief executive,  
22 leader, or head of such corporate body, agency, institution or community  
23 shall have the primary responsibility of the punishment imposed by the court  
24 in accordance with the said section, and where there is continued failure or  
25 omission or neglect to comply with the duty imposed after the punishment  
26 prescribed in this section, such chief executive, leader, or head of corporate  
27 body, agency, institution or community shall be personally liable for such  
28 punishment as may be imposed by the court, taking into consideration the  
29 provisions of sub sections (a) and (b) of this section;

30 (e) The court may in addition order such exemplary damages,

1 public apology, or such redress or restitution as may be deemed appropriate in  
2 the circumstances by the court.

3 PART B

The Commission

4 19. The Federal Character Commission herein after called the  
5 "Commission" is hereby vested with the powers to enforce and implement the  
6 provision of the Bill.

Functions of the  
Commission

7 20. The Commission shall, in addition to the powers confers on it in  
8 the Constitution, carry out the following functions:

9 (a) Monitoring and supervision of the implementation of the Bill;

10 (b) Promote gender equity and the entrenchment of social justice in all  
11 spheres of life;

12 (c) Organize meetings, conferences, symposia and other  
13 enlightenment for the entrenchment of full rights to men and women on equal  
14 terms for the full advancement and development of Nigeria;

15 (d) Investigate and make application to the appropriate court or  
16 tribunal for an order of assessment of practices of any person, organ, body,  
17 institution, private or public organ in accordance with the Bill;

18 (e) Liaise with the National Human Rights Commission and other  
19 such bodies relating to enforcement of fundamental rights;

20 (f) Prepare and submit periodic reports on the state of implementation  
21 of the Bill to the Government and other appropriate bodies;

22 (g) Perform such other functions and activities as may be specified by  
23 any law or enactment;

24 (h) Undertake such other activities as are expedient for giving full  
25 effect to the provisions of this Bill.

Legal obligation  
to give information  
to the Commission

26 21. Any Officer of the Commission investigating the commission of  
27 an offence under this Bill may cause any person:

28 (a) To attend; and

29 (b) To produce any relevant materials or evidence before such officer  
30 for the purpose of being examined in relation to any matter, which may assist in

1 the investigation of the matter.

2           **22.** A person, representative of an organ, body, institution  
3 summoned, is obliged to appear and produce all relevant information  
4 required under the notice within his/ her knowledge or which is available to  
5 such person.

6           **23.** 1. (a) Willfully refuses to appear in response to a written notice  
7 to attend; or

8           (b) Willfully refuses to produce such materials or evidence as  
9 requested by the Commission with regards to which the officer of the  
10 Commission has reasonable grounds for suspecting or believing that an  
11 offence under this Bill or under Chapter IV of the 1999 Constitution has  
12 been or is being committed;

13           (c) Makes or procures another person to make any statement in the  
14 information which such person knows or believes to be false or misleading  
15 in a material particular; or

16           (d) Intentionally obstructs another person in the exercise of the  
17 power conferred by this Bill; commits an offence.

18           (2) An individual who commits an offence under subsection (1)  
19 above, is liable on summary conviction to imprisonment for a term not  
20 exceeding one month or a fine not exceeding fifty thousand Naira and  
21 Corporate Five Hundred Thousand or to both such fine and imprisonment.

22           (3) Any Corporate Organization that commits an offence under  
23 Sub-Section (1) above, is liable on conviction to a fine of not less than Five  
24 Hundred Thousand Naira only.

25           **24.** Where the Commission upon receipt of a complaint and after  
26 due investigation gives a direction under this Bill and an individual,  
27 community, institution, public or private enterprise fails to take any step to  
28 reverse any act of discrimination, the Commission may proceed to initiate  
29 proceedings against such person, organ, body, institution, public or private  
30 enterprise in the appropriate court.

Failure to comply  
with direction for  
reversal of  
discrimination

|                |    |   |
|----------------|----|---|
| Jurisdiction   | 1  | <b>25.</b> The High Court of the Federal Capital Territory shall have original    |
|                | 2  | jurisdiction to look into applications arising from any breach of the provisions  |
|                | 3  | of this Bill.   |
| Procedure      | 4  | <b>26.</b> Procedure shall be in accordance with the procedure under the          |
|                | 5  | Fundamental Rights (Enforcement Procedure) Rules 2009, or any other rules         |
|                | 6  | of procedure for the time being applicable to the court.                          |
| Miscellaneous  | 7  | <b>27.</b> If an offence under this Act is proved to have been committed with     |
|                | 8  | the consent or connivance or is attributed to any neglect on the part of any      |
|                | 9  | director, manager, secretary or other similar officer of a body corporate, or any |
|                | 10 | person who was purporting to act in any such capacity, such officer as well as    |
|                | 11 | the body corporate, commit an offence and are liable on conviction to             |
|                | 12 | imprisonment for not less than One Year, or to a fine of Five Hundred Thousand    |
|                | 13 | Naira or to both imprisonment and fine.   |
| Interpretation | 14 | <b>28.</b> Unless the context otherwise states or as contained in the             |
|                | 15 | Interpretation Act (Cap 123 LPN 2004), the following words are intended to        |
|                | 16 | mean:   |
|                | 17 | “Abuse” includes physical, psychological, sexual, verbal, economic, social,       |
|                | 18 | cultural or similar mistreatment or mishandling which interferes with the         |
|                | 19 | integrity of a female or male human being;  |
|                | 20 | “The Convention” means the United Nations Convention on the Elimination of        |
|                | 21 | All Forms of Discrimination against Women;  |
|                | 22 | The "Covenant" means either the International Covenant on Social and              |
|                | 23 | Political Rights or International Covenant on Economic, Social and Cultural       |
|                | 24 | Rights;   |
|                | 25 | "The Commission" means the Federal Character Commission as established            |
|                | 26 | under the Constitution of the Federal Republic of Nigeria (As amended);           |
|                | 27 | "The Chairman" means the Chairman of the Commission;                              |
|                | 28 | Introduced Newly:   |
|                | 29 | "Constitution" means the Constitution of the Federal Republic of Nigeria,         |
|                | 30 | 1999 (as amended);  |



1 "Court" means any court with jurisdiction over issues of marriage in the  
2 Federal Capital Territory;

3 "Discrimination against any person" shall mean any distinction, exclusion  
4 or restriction made on the basis of his or her sex or gender or other condition  
5 or status", which has the effect or purpose of impairing or nullifying the  
6 recognition, enjoyment or exercise by any person, irrespective of their  
7 marital status, on a basis of equality of men and women, of human rights and  
8 fundamental freedoms in the political, economic, social, cultural, civil or  
9 any other field;

10 "Women" include the girl child;

11 "Men" include the boy child;

12 "Members" mean the Members of the Commission;

13 "The Protocol" means the Protocol to the African Charter on Human and  
14 People's Rights on the Rights of Women in Africa;

15 "Staff" means the staff of the Commission;

16 "Violence" includes physical, psychological, sexual, verbal or emotional  
17 maltreatments or assault;

18 "Violence against women" means all acts perpetrated against women which  
19 cause or could cause them physical, sexual, psychological, and economic  
20 harm, including the threat to take such acts; or to undertake the imposition of  
21 arbitrary restrictions on or deprivation of fundamental freedoms in private  
22 or public life in peace time and during situations of armed conflicts or of  
23 war;

24 **29.** This Bill may be cited as Gender and Equal Opportunities Bill, Citation  
25 2015.

#### EXPLANATORY MEMORANDUM

This Bill seeks to Incorporate and Enforce certain Provisions of the United Nations Convention on the elimination of all forms of discrimination against women, the protocol to the African Charter on Human and People's Rights on the rights of women in Africa.