

Mandates of the Special Rapporteur on violence against women, its causes and consequences and the Working Group on the issue of discrimination against women in law and in practice

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Excellency,

We have the honour to address you in our capacities as Special Rapporteur on violence against women, its causes and consequences and Working Group on the issue of discrimination against women in law and in practice, pursuant to Human Rights Council resolutions 32/19 and 32/4.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the **exclusion of women candidates from the political process in relation to ongoing elections**.

According to the information received:

Section 2.5.5 (b) of Nigeria's National Gender Policy requires that 35% of both elective and appointive political posts be filled by women, however this requirement has not been concretized in the law or implemented on the ground, including by political parties.

During recently held federal and state legislative primary elections, there were reports from a number of states of women candidates being subjected to a number of measures intended to suppress their participation in the political process. The following specific allegations were received:

- In Abia State, which currently has no women elected to the national legislature, supporters of a woman candidate were intimidated to vote for male opponents and party officials deliberately tried to undermine women candidates' electoral campaign.
- In Ekiti State, where only one woman candidate was running for 35 open seats in the federal legislature, election officials denied that woman candidate access to necessary information given to other candidates, including the names of voting delegates;
- In Ekiti State, Edo State and Anambra State, election officials cancelled and rescheduled primaries, allegedly with the sole purpose of excluding women candidates. Anambra State currently has only four women in its 30-member State House of Assembly, and only two will return.
- In Ebonyi State, which has only 3 women in its 24-member House of Assembly, a woman candidate was excluded from the candidate list by state

party officials despite having been accepted as a candidate by the national party; she and her supporters were subsequently threatened with mob violence and other forms of intimidation.

- In Bauchi State, the lone woman member of the 31-seat House of Assembly was dissuaded from running for re-election or any other elective posts because of intimidation and fears of official interference.
- In Benue State, a woman candidate was publicly assaulted during voting because her agents protested against falsification of the delegate list and irregularities in the conduct of party officials authorised to conduct the polls.

We wish to express our grave concern at these attempts, apparently based solely on their gender, to deny women their rights to participate fully and equally in political and public life, including through violence and threats of violence.

In connection with the information and concerns mentioned above, please refer to the attached **Annex which cites international human rights instruments and standards** relevant to these issues.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would therefore be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above mentioned allegations.
2. Please explain what procedures are in place to allow candidates who may have been excluded from primary elections through harmful or discriminatory tactics to contest the results of those elections.
3. Please provide detailed statistical information regarding women's representation at all levels of Nigerian Government.
4. Please provide a detailed overview of all efforts to implement the requirements of the National Gender Policy with regard to women's political participation, and particularly to ensure that such requirements are implemented at the party level.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We intend to publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate

a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Dubravka Šimonović
Special Rapporteur on violence against women, its causes and consequences

Ivana Radačić
Chair-Rapporteur of the Working Group on the issue of discrimination against women in law and in practice

Annex

Reference to International Human Rights Law

We wish to recall to Your Excellency's Government that Article 7 of the Convention on the Elimination of All Forms of Discrimination against Women, ratified by Nigeria on 23 April 1984, requires States Parties to take all appropriate measures to eliminate discrimination against women in political and public life, and particularly to be eligible for election to all publicly elected bodies. These rights are also guaranteed by Articles 25 and 26 of the International Covenant on Civil and Political Rights, ratified by Nigeria on 29 July 1993, and by Article 9 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the Maputo Protocol), ratified by Nigeria on 16 December 2005.

We also wish to recall that Article 4, paragraph 1 of the Convention on the Elimination of All Forms of Discrimination against Women, as well as general recommendations No. 23 and No. 25 of the Committee on the Elimination of Discrimination against Women (CEDAW Committee) require States to institute special measures, including quotas for women and other temporary measures to achieve equality between men and women in political and public life.

In its report on discrimination against women in public and political life (A/HRC/23/50), the Working Group on the issue of discrimination against women in law and in practice emphasized that there can be no true democracy without women's full and equal participation in all its institutions, and that women's political participation is crucial for their equality in citizenship and in ensuring that their perspective is represented in policy, and called on States to implement quotas and other necessary special measures at all levels of government in order to ensure women's equal political participation.

In addition, the African Charter on Democracy, Elections and Governance, to which Nigeria is a signatory, calls in Article 8 for State Parties to adopt legislative and administrative measures to guarantee the rights of women, while Article 5 of the African Union Solemn Declaration on Gender Equality in Africa commits Member States to expanding gender parity to the national local levels in collaboration with political parties and National parliaments.

We would like to further recall that general recommendations No. 19 and 35 of the CEDAW Committee recognize gender-based violence against women as an important manifestation of discrimination against women that can have a harmful effect on their ability to access other rights, including those related to public and political life, and that the prohibition of violence against women is enshrined in Article 4 of the Maputo Protocol.

In her recent report to the General Assembly on violence against women in politics (A/73/301), the Special Rapporteur on violence against women, its causes and consequences emphasized the harmful consequences of violence, including threats of violence, against women in the context of elections, and pointed to the commonality of

such violence being directed or orchestrated by political parties. She stressed that States have due diligence obligations to prevent, investigate and punish acts of violence against women, whether they are perpetrated by State or non-State actors. States, therefore, have a duty to eradicate and prevent acts of violence against women in politics.