

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 Senator Biodun Christine Olujinmi

[] 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 organ or body, 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

