



The Impact of the Violence Against Persons (Prohibition) Act and Related Laws in Nigeria

Report of a Research Commissioned
by the Westminster Foundation for
Democracy (WFD)

MARCH 2021



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Acknowledgements

This research titled “The Impact of the Violence Against Persons (Prohibition) Act and Other Related Laws in Nigeria” was commissioned by the Westminster Foundation for Democracy (WFD), with funding support from the Foreign, Commonwealth and Development Office (FCDO). The research was undertaken in twelve focal states across the six geo-political zones, including the Federal Capital Territory (FCT) by a team of independent experts to assess the implementation of the Violence Against Persons’ (Prohibition) Act which was enacted by the Nigerian government in 2015 to reduce the incidence of violence against citizens particularly women and girls.

The research team comprises the Lead Researcher, Bunmi Dipo-Salami and the State Experts - Mary Ikoku (Abia), Florence Bassey (Akwa Ibom), Ogugua Ikpeze (Anambra), Aisha Tijjani (Bauchi), Anne Ikpeme (Cross River), Dorothy Njemanze (Edo), Sylvia Abanah (Enugu), Brenda Anugwom (FCT), Hannatu Ahuwan (Kaduna), Josephine Effah-Chuwuma (Lagos), Deborah Collins (Osun), and Mary Izam (Plateau).

The project was coordinated in Nigeria by Edidiong Idang, under the overall supervision of Adebowale Olorunmola, the WFD Country Director for Nigeria. Technical, administrative and ICT supports were provided by other WFD staff members, including Sola Folayan, Yejide Akintola and Emmanuel Bawa. Mention should also be made of the support provided by the WFD Headquarters led by Anthony Smith and the team, including Zoe Oliver-Watts, Sophia Fernandes, Charlotte Egan, and Keerti Rajagopalan. The WFD team is grateful to all those who participated in the Focus Group Discussions (FGD); the key informants who accepted the interviews; and the survey respondents who gave their time, knowledge, and experiences to the process. To the various stakeholders – government agencies, civil society organisations, community members and leaders who participated in the hybrid validation meeting and provided the much-needed advice and support, we say a big Thank You.

Sincere appreciation to the Lead Researcher who transformed the reports from the twelve (12) study states into this National Report, and the State Experts who undertook the research at such short notice.

Final gratitude to the country office of the FCDO and to the Development Director, Chris Pycroft, for supporting the process.

Acronyms

ACJL	Administration of Criminal Justice Law
AMAC	Abuja Municipal Area Council
CAN	Christian Association of Nigeria
CBOs	Community Based Organizations
CDAs	Community Development Associations
CDC	Community Development Committees
CFRN	Constitution of the Federal Republic of Nigeria
CMC	Citizens' Mediation Centre
CRA	Child's Rights Act
CRL	Child's Rights Law
CSOs	Civil Society Organizations
DSVRT	Domestic and Sexual Violence Response Centre
DSS	Department of Security Services
DV	Domestic Violence
FBOs	Faith Based Organizations
FCDO	Foreign and Commonwealth Development Office
FCT	Federal Capital Territory
FEYReP	Family Empowerment and Youth Re-orientation Path Initiative
FGD	Focus Group Discussion
FGM	Female Genital Mutilation
FGN	Federal Government of Nigeria
FIDA	Internal Federation of Women Lawyers
FMoH	Federal Ministry of Health
FMoJ	Federal Ministry of Justice
FMoWASD	Federal Ministry of Women Affairs and Social Development
GBV	Gender Based Violence
GEO	Gender and Equal Opportunity
GEO Law	Gender and Equal Opportunity Law
HoR	House of Representatives
HTP	Harmful Traditional Practices
J4A	Justice for All
JDPM	Justice Development and Peace Makers
JSRM	Justice Sector Reform Team
KII	Key Informant Interview
LACVAW	Legislative Advocacy Coalition for Violence against women
LASUTH	Lagos State University Teaching Hospital

LGA	Local Government Area
MDA	Ministries, Departments and Agencies
MHSSD	Ministry of Human Services and Social Development
MMCA	Matrimonial Causes Act
MOI	Ministry of Information
MoJ	Ministry of Justice
MoWA	Ministry of Women Affairs
MOWASD	Ministry of Women Affairs and Social Development
M&E	Monitoring and Evaluation
MWAPA	Ministry of Women Affairs and Poverty Alleviation
NAPTIP	National Agency for the Prohibition of Trafficking in Persons
NASS	National Assembly
NAWOJ	Nigerian Association of Women Journalists
NBA	Nigerian Bar Association
NCWS	National Council of Women Societies
NGF	Nigeria Governors' Forum
NGOs	Non-Governmental Organizations
NHRC	National Human Rights Commission
NNPC	Nigerian National Petroleum Corporation
NOA	National Orientation Agency
NPF	Nigeria Police Force
NSCDC	Nigeria Security and Civil Defence Corps
NUJ	Nigeria Union of Journalists
OVC	Orphans and Vulnerable Children
PCL	Penal Code Law
PHC	Primary Health Care
PLWD	People Living with Disability
PPRO	Police Public Relation Officer
RoLAC	Rule of Law and Anti-Corruption
RRS	Rapid Response Squad
SARC	Sexual Assault and Referral Centre
SGBV	Sexual and Gender Based Violence
SIDCA	Swedish International Development Cooperation Agency
SOAR	Sexual Offences Awareness & Response Initiative
SOP	Standardized Operational Procedure
SPARC	Service Provider Accountability Resource Committee
TIPPLEA	Trafficking in Person Prohibition Law Enforcement Administration Act
UKAID	United Kingdom Agency for International Development
UN	United Nations

UNFPA	United Nations Population Fund
USAID	United States Agency for International Development
VAPP	Violence Against Persons Prohibition
VAPP Act	Violence Against Persons Prohibition Act
VAWG	Violence Against Women and Girls
WACOL	Women's Aid Collective
WFD	Westminster Foundation for Democracy
WHO	World Health Organization



Executive Summary

The Violence Against Persons (Prohibition) Act is a law that guarantees protection of the rights of citizens from all forms of violence in Nigeria. The main thrust of the Law is to eliminate violence in private and public life; prohibit all forms of violence against persons, particularly women and girls who are disproportionately affected; provide maximum protection and effective remedies for victims; the punishment of offenders and for other related matters.

This research reports presents the findings from a study of the Impact of the Violence Against Persons Prohibition Act 2015 and related laws in Nigeria. The object of this research is to examine the implementation status of the VAPP Act as well as other anti-violence against women legislations in the Federal Capital Territory (FCT) and the focal states. It focuses, specifically, on an assessment of the level of citizen engagement in the adoption and implementation processes of the VAPP Act, highlighting the challenges, successes, and the limitations of the Act and related laws in the FCT and in the states where the Act has been adopted into law. The study also sets out to identify best practices and generate recommendations to fast-track the implementation of the Act and /or its adoption by the states yet to domesticate it, while contributing to existing body of knowledge on the impact of anti-violence against women laws in Nigeria.

The research was designed to undertake the assessment of the VAPP Act in the FCT and in eleven (11) out of the seventeen (17) states that were reported to have adopted that critical piece of legislation to protect women and girls from violence in all its forms as at the time of the study. Based on information from various secondary sources, the assumption was that the VAPP Act had been in force in Abia, Akwa Ibom, Anambra, Bauchi, Benue, Cross River, Ebonyi, Edo, Ekiti, Enugu, Kaduna, Kwara, Lagos, Ogun, Osun, Oyo, and Plateau as of January 2021. However, it was discovered during the inaugural planning meeting for the national research that contrary to reports, four (4) of those states – Cross River, Osun, Oyo and Plateau - had not concluded the domestication process, while one state – Lagos - had not even commenced the process at all.

The inaccurate data on the uptake of the Act caused a review of the

framework of the research concept to assess:

- the implementation of the VAPP Act of 2015 in the FCT and in seven (7) states where the Act has become law. These are: Abia, Akwa Ibom, Anambra, Bauchi, Edo, Enugu, and Kaduna;
- the implementation status of various protective legislations in place to combat violence against women and girls, as well as the process of domestication of the Act in four (4) states - Cross-River, Lagos, Osun, and Plateau.

Thus, the investigation was carried out along two major categories of states: those in which the VAPP Act 2015 had been domesticated and those which, though having not domesticated the Act do have in place the legal and policy frameworks to address the hydra-headed phenomenon of violence against women and girls.

The study generally adopted a mixed-method approach involving the quantitative and qualitative methods for data collection, analysis, and interpretation. This was done to ensure an in-depth examination as well as a broad understanding of the issues in focus.

The key findings show that:

- The VAPP Act does not offer a universal coverage to all Nigerian women and girls as the uptake by states is generally low across the country.
- Some of the reasons for the inability to effectively fight violence against women and girls include the culture of silence and concealment; stigmatisation; trivialisation; threats and intimidation; and inadequate funding of necessary structures and mechanisms for implementing anti-VAWG legislations, among others.
- More VAWG cases are reported and taken up in places where the relevant implementation structures are put in place.
- Although the Law seems to have helped in the decrease in the incidence of VAWG in some states, the implementation can still be observed, from this study, to be largely weak.

- The Sexual Offenders Register is an effective deterrent to perpetrators in states where such has been established and publicised.
- The VAPP Act and related laws are more effectively implemented in states where the First Ladies take a keen interest in and contribute to efforts aimed at eliminating violence against women and girls.
- The intersection of disabilities, violence and gender is not often considered in the implementation of the VAPP Act and related laws. As such, response mechanisms do not prioritise persons with disabilities who may experience VAWG differently.
- Institutions and personnel expected to be involved in the implementation include the police, the judiciary, desk-officers, relevant ministries and agencies. However, they are challenged by lack of capacity in terms of training, funding, effects of corruption, and corrupt practices.
- Though some level of awareness of some of the anti-VAWG laws has been created, many of the research participants do not know of their existence and the mechanisms to implement them.
- Lack of political will, ignorance, cultural beliefs and practices, misinterpretation of the major religions, misinformation, poor socialisation, and poverty are the major barriers to the effective implementation of the anti-VAWG legislations.
- There is a general satisfaction with the VAPP Act as an all-encompassing legal instrument. However, they largely fault the implementation within the FCT and in states where it is in force for reasons of lack of political will, paucity of funds, lack of infrastructure, and low capacity among implementing officers.
- The simplification and popularisation of the VAPP Act and related laws help keep children, especially the girl-child, in school.
- Active collaboration between state actors and non-state actors enhances the level of effectiveness of the VAPP Act and related laws.

- The VAPP Act and related laws are rarely used to promote women's political participation.
- The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) is not adequately resourced to solely lead the implementation of the Act in the FCT effectively.
- There are still gaps in the laws, specifically relating to who to enforce the law in some of the states, and what specific penalties are attached to specific violations. These need to be reviewed and clearly designated.
- The challenges to the implementation structures set up by the government ranged from lack of synergy, intimidation, slow judicial process, to inadequacy of interventions specific to various needs or categories of victims.
- Poverty remains one of the factors that heightens the vulnerability of women and girls to all forms of sexual and gender-based violence.

From the research findings, the study concludes and recommends that:

- National and state governments must make provisions for and approve gender-responsive budgeting by providing the much-needed resources and infrastructure to critical agencies.
- Government should develop an emergency response policy with broad definition of emergency situations to include SGBV during public health crises like the COVID-19 pandemic.
- Government at all levels should initiate and sustain intentional engagement with critical non-state actors such as traditional and religious leaders, civil society actors, and with both traditional and new media to improve collaboration and cooperation between state and non-state actors.
- The role of First Ladies of states as advocates/champions of the VAPP Act and related anti-VAWG laws should be acknowledged and supported.
- Government agencies tasked with implementing the VAPP Act/Law and/or related laws at the national and state levels should collaborate with the agencies saddled with poverty alleviation to ensure that survivors have access to economic empowerment opportunities.
- State governments should expedite the establishment of family courts where such are not currently in place to take on cases and reduce the

burden on high courts.

- There must be a multi-pronged approach to alleviate women's poverty to reduce their vulnerability to all forms of sexual and gender-based violence.
- Shelters should be provided across the three senatorial districts of each state, listing the various emergency service providers, including the NGOs rendering such services.
- Advocacy initiatives should highlight the linkages between women's freedom from all forms of violence and their increased participation in political processes.
- Government and CSOs should enhance the capacity of critical stakeholders through training and re-training of relevant agencies and ministries, judicial and law enforcement personnel, media personnel, service providers, among others.
- There is need for sensitisation of the citizens through awareness campaigns and the interpretation of the VAPP Act, including its simplification for citizens to understand.
- Government through the relevant agencies of the Ministry of Education should integrate the VAPP Act/Law in the school curriculum to broaden the minds of children and young people.
- For ease of monitoring and evaluating accountability for protecting women and girls across the country, there must be accountability for domestication and implementation by all states, including those with robust anti-VAWG legislations, without further delay.
- Development partners should support relevant state and non-state actors in the areas of strengthening reporting systems and GBV response; sensitisation and advocacy; enhancing response capacities; and promoting women's inclusion in decision-making processes, among others.

PART

01

Introduction



The conversation around combatting gender-based violence (GBV) has become more urgent globally with the recent outbreak of the COVID-19 pandemic. This is because of the upsurge in cases of sexual violence, even with measures put in place at different levels to address the silent pandemic of GBV.

This report which presents the findings of the national research on “The Impact of the Violence against Persons (Prohibition) Act and Related Laws in Nigeria” is an equality promotion project of the Westminster Foundation for Democracy. The project is in line with WFD’s objective to promote inclusion by ensuring gender equality and protecting women and girls from violence.

The aim of the study is to assess the adoption, successes, and challenges of the implementation of the Violence Against Persons Prohibition Act (VAPPA) which was enacted in 2015. The research identified factors that make or mar the implementation of the Act, as well as the gaps that need to be addressed to ensure the Act achieves its objective of prohibiting violence against citizens, especially women, and promoting gender equality in the Nigerian society.

The research was designed to focus on implementation of the VAPP Act in the Federal Capital Territory (FCT) and in eleven (11) out of the eighteen (18) states across the six geo-political zones where the Act had been domesticated. These are Abia, Akwa Ibom, Anambra, Bauchi, Cross River, Edo, Enugu, Kaduna, Lagos, Osun, and Plateau States. However, it was discovered during the methodology workshop which was organised to plan for fieldwork that contrary to available data, three (3) of the selected states - Cross River, Osun, and Plateau - were only in the process of domesticating the VAPP Act, while Lagos State had not even commenced the domestication process as of January 2021. It was also revealed that although those four states did not have the VAPP Act in place yet, they had various legislations to protect women and girls from violence. Therefore, for ease of analysis, the study integrated related anti-VAWG laws into the research framework.

This report provides evidence from qualitative and quantitative data to understand the status of implementation, enabling factors, and limitations of the VAPP Act in states where it has been adopted. It also presents the findings of same on related anti-VAWG laws in states where the VAPP Act

has not yet been domesticated.

It is structured into five parts: Part One. This introductory part of the report provides information on the context of the study – a global overview of GBV and violence against women and girls; the status of violence against women and girls in Nigeria; VAWG and women’s political participation; combatting VAWG through legislation; the Violence Against Persons Prohibition Act (VAPP Act); and Citizen Engagement as a strategy for achieving successful development outcomes. The research framework presents the objectives of the research; the guiding questions; the research methodology; and limitations in Part Two of the report. The Analysis of data and discussion of findings are presented in Part Three, focusing attention on the success, gaps, barriers to the implementation, effectiveness of the laws, issues related to the participation of stakeholders, and best practices. Part Four highlights the research conclusions, while in Part Five, the study proposes to various actors some recommendations, which are expected to contribute to improving the implementation of the VAPP laws and the uptake of the VAPP Act in those states where it has not been domesticated, in the best interest of Nigerian women and girls.



Overview of Gender-Based Violence (GBV)

Gender-based violence (GBV) is defined as “any harmful act that is perpetrated against a person’s will and that is based on socially ascribed differences between males and females”¹. It is also referred to as Sexual and Gender-Based Violence (SGBV) to underscore the magnitude of sexual violence as a serious health problem which occurs in both private and public spheres.

It has been noted that GBV is no respecter of social, cultural, and economic backgrounds as all women and girls, regardless of whether they live in developed or developing countries, rich or poor, educated or not, are vulnerable to GBV. Around the world, women and girls are more vulnerable to various forms and manifestations of GBV due to deeply entrenched unequal power relations, enabled by misogyny and patriarchal cultures, and resulting in oppression and discrimination. Although men and boys experience GBV, there is limited global data because victims

¹ Inter-Agency Standing Committee. 2015. *Guidelines for Integrating Gender-Based Violence Interventions in Humanitarian Action: Reducing risk, promoting resilience and aiding recovery.*

hardly access support services or seek justice².

GBV has also been identified as a social mechanism that hinders the advancement of women and limits their full participation in the life of society, especially in decision-making processes at all levels. What this implies is that there is a huge cost of GBV to women beyond the actual act of violence, as it often affects their ability to participate actively and meaningfully in political processes. Consequently, there is a focus on the elimination of violence against women and girls (VAWG) for intervention of local, national and international actors for the overall good of society.⁴

1.1.1. Violence Against Women and Girls

The UN Declaration on the Elimination of Violence Against Women defines violence against women as: “any act of gender-based violence that results in, or is likely to result in physical, sexual, or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life”³. According to the Declaration, violence against women includes but is not limited to “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; 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; physical, sexual and psychological violence perpetrated or condoned by the State, wherever it occurs”.

²United Nations Children's Fund, *Hidden in Plain Sight: A statistical analysis of violence against children*, UNICEF, New York, 2014.

³UN General Assembly, *Declaration on the Elimination of Violence against Women*, 20 December 1993, A/RES/48/104, available at: <https://www.refworld.org/docid/3b00f25d2c.html> [accessed 10 February 2021]

According to the World Bank, violence against women is a global pandemic that affects 1 in 3 women in their lifetime; 35% of women worldwide have experienced either physical and/or sexual intimate partner violence or non-partner sexual violence; as many as 38% of murders of women are committed by an intimate partner globally; 7% of women have been sexually assaulted by someone other than a partner; 200 million women have experienced female genital mutilation/cutting; and violence against women is estimated to cost countries up to 3.7% of their GDP – more than double what most governments spend on education.⁴

1.1.2. Status of Violence Against Women and Girls in Nigeria

The literature shows that about 30 per cent of Nigerian women and girls experience physical, emotional and/or sexual abuse in their lifetime, with about 55% of the survivors not accessing any form of support to end the violence.⁵ Similarly, 24.8% of female respondents aged 18 – 24 in a recent national survey had experienced sexual abuse before they attained the legal age of 18 years, compared to 10.8% of male respondents.⁶ The commonly documented forms of GBV in Nigeria include harmful traditional practices like female genital mutilation (FGM); obnoxious widowhood rites, child and/or forced marriage; physical assault; sexual abuse such as harassment, rape, incest, and defilement; trafficking in women and girls for forced labour and/ or prostitution; economic violence, and emotional, psychological violence; among others. VAWG is very prevalent, with sexual and domestic violence ranking first and second respectively. It was revealed in a 2017 report that sexual violence had assumed epidemic proportions, with child sexual abuse accounting

⁴World Bank. 2019. *Gender-based Violence (Violence against Women and Girls)* <https://www.worldbank.org/en/topic/socialdevelopment/brief/violence-against-women-and-girls>

⁵National Population Commission (NPC) [Nigeria] and ICF. 2019. *Nigeria Demographic and Health Survey 2018 Key Indicators Report*. Abuja, Nigeria, and Rockville, Maryland, USA: NPC and ICF

⁶National Population Commission of Nigeria, UNICEF Nigeria, and the U.S. Centers for Disease Control and Prevention. *Violence Against Children in Nigeria: Findings from a National Survey, 2014*. Abuja, Nigeria: UNICEF 2016.

for 70% of reported cases.⁷ Furthermore, violence which targets women and girls because of their gender can also take the forms of online sexual violence and intimidation.

It has been established that women and children in conflict-affected contexts are more at risk of GBV and Nigeria has had her fair share of conflicts in the past decade. The major form of insecurity in the country currently is the Boko Haram insurgency in the North-East which has left more than 37,000 people dead, rendered over 2.5 million displaced and 244,000 estimated Nigerians have become refugees since May 2011⁸. Others are different types of criminality such as banditry, which has left thousands of people dead and rendered millions of residents of the north-western part of the country homeless; armed robbery; kidnapping; as well as herders /farmers conflicts around the country. These forms of insecurity have increased the risk of VAWG drastically in Nigeria. For instance, it has been reported that an estimated 79% of internally displaced persons are women and children⁹. Similarly, “women and girls are targeted for abduction by Boko Haram and are often raped, forced into labour, marriage, or religious conversion, abused, exposed to sexually transmitted infections and are often pregnant upon escaping captivity... some adolescent girls reported engaging in survival sex to meet their basic needs”¹⁰.

Violence against women and girls is further aggravated by the COVID-19 pandemic in Nigeria, as with many countries around the world. The impact of the pandemic, like other crises is not gender neutral, and with Nigeria being number one on the World Poverty Clock by overtaking India¹¹, more women have become poorer, more vulnerable, and more dependent on men for survival. This exposes them to many forms of abuse hence the upsurge in the number of VAWG cases during the lockdown in 2020. Response measures and occurrences at national and state levels such as the lockdown, non-designation of GBV support as an essential service, and the economic meltdown aggravated the incidence of VAWG significantly. There was an upsurge in VAWG cases in Nigeria in the wake of the COVID-19 outbreak in 2020, with an estimate of at least 100 cases per state (3,600 cases across the country), according to the MoWASD, despite the existence of the VAPP Act

⁷Project Alert (2017). *A Silent Epidemic: Sexual Violence in Nigeria*

⁸<https://www.cfr.org/global-conflict-tracker/conflict/boko-haram-nigeria> (accessed on 19th February 2021).

⁹Displacement Tracking Matrix. (2017). *Displacement Tracking Matrix: Nigeria Round XV Report 2017*. Retrieved from <https://data2.unhcr.org/en/documents/download/56254> (assessed on 19th February 2021)

¹⁰<https://reliefweb.int/report/nigeria/results-baseline-survey-gender-based-violence-borno-state-nigeria>

¹¹<https://www.endpoverty.org/blog/nigeria-poverty-capital-of-the-world/> (accessed on March 21, 2021)

1.1.3. VAWG and Women's Political Participation

As earlier noted, violence against women has implications for women's full and meaningful participation in the life of society, especially in public leadership and political processes. It is therefore not unexpected or inexplicable that compared to regional and international averages, women's participation in politics and decision-making is very low in Nigeria. Currently, available records show that despite their active work on political campaigns, prominence at political rallies and demonstrations, mobilisation of voters, and constituting most voters at elections, women currently represent only 3.38% of elected officials; the highest since the return to civil rule in 1999 being 7.00% in 2010¹². This under-representation of women in political leadership impacts the ability of governments to respond to and prevent violence against women.

It is expedient to acknowledge the intersection between VAWG and women's leadership. Apart from being a gross violation of women's rights, violence obstructs women's access to leadership roles and limits their ability to participate in and influence political processes. Gendered acts of violence are used to deter, restrict, and undermine the participation of women in political activism and decision making at all levels¹⁴.

It should be noted, however, that apart from reference to political violence as a barrier to women's inclusion in party politics, the literature does not do justice to the linkage of the huge gap between men and women in political processes due to their experiences of other forms of violence at different times of their lives.

1.2. Combating Violence Against Women and Girls Through Legislation

Legislation provides a solid foundation for effective and coordinated legal action against violence against women. While being only a part of the solution, it offers the positive attributes of sustainability, and providing a foundation that can survive successive governments. The lack or poor implementation of protective laws and policies is one major challenge to

¹²Inter-Parliamentary Union (IPU) (www.ipu.org)

¹³<https://iwda.org.au/resource/violence-against-women-is-a-barrier-to-womens-leadership/> (accessed on February 20, 2021)

¹⁴Report of the Special Rapporteur on Violence against Women (2018), *Violence against women in politics*, A/73/301, August 2018, <http://iknowpolitics.org/sites/default/files/n1825100.pdf>

the efforts geared towards the elimination of violence against women around the world.

The Committee on the Elimination of Discrimination against Women recommended that State parties: *“Take all legal and other measures that are necessary to provide effective protection of women against gender-based violence, including effective legal measures, including penal sanctions, civil remedies and compensatory provisions to protect women against all kinds of violence”*¹⁵. The Committee also recommended that State Parties must *“Ensure that laws against family violence and abuse, rape, sexual assault and other gender-based violence give adequate protection to all women and respect their integrity and dignity”*¹⁶.

The then UN Secretary-General, Ban Ki-Moon’s campaign “UNITE to End Violence against Women” a multi-year effort aimed at preventing and eliminating violence against women and girls around the world launched in 2008 not only focused on the adoption and effective implementation of legislation to address all forms of violence against women and girls, it was also aimed at enforcing appropriate punishment for perpetrators¹⁷. It is important to note that although many countries have adopted anti-violence against women and girls’ legislation, there are still significant gaps in the areas of implementing such laws, coordinating response, and monitoring and evaluation of such legislations.

1.2.1. Status of Violence Against Women and Girls in Nigeria

Passed into law in 2015, the Violence Against Persons (Prohibition) Act (VAPP Act) was enacted to “eliminate violence in private and public life, prohibit all forms of violence against persons and to provide maximum protection and effective remedies for victims and punishment of offenders; and for other related matters”¹⁸. It is the most comprehensive and progressive law for addressing the silent pandemic of violence against

¹⁵Committee on the Elimination of Discrimination against Women *supra* note 5 para. 24(t).

¹⁶Committee on the Elimination of Discrimination against Women *supra* note 5 para. 24(b).

¹⁷<https://www.unwomen.org/en/what-we-do/ending-violence-against-women/take-action/> (Accessed on 14th February 2021)

¹⁸Violence against Persons Prohibition Act, 2015

women and girls in Nigeria. The Act guarantees maximum protection to all citizens by prohibiting all forms of violence and harmful traditional practices against women or men, boys or girls occurring in private and / or public spaces.

Prior to the enactment of the VAPP Act, there was no comprehensive legislation on violence against women at the national level. Nigeria only had disparate pieces of legislation, which did not address violence against women or gender-based violence uniformly across the country. A few states had passed legislation on domestic violence, harmful traditional practices, or gender-based violence. A few others had attempted to do so unsuccessfully. Much of the existing legislation was outdated, not sufficiently comprehensive, not specifically directed to this grave problem, and not adequately enforced. The coming together of more than fifty-five (55) different groups and individuals under the umbrella of the Legislative Advocacy Coalition on Violence Against Women, (LACVAW), eventually helped mobilise action to improve the legislative landscape for violence against women in Nigeria in 2002. The result of that activism was the signing into law of the Violence Against Persons Prohibition Act on May 25, 2015, after about thirteen (13) years in the legislative process.

The Act is the first criminal legislation which expanded Nigerian criminal jurisprudence by recognising various forms of related crimes hitherto unacknowledged. Accordingly, the definition of rape was expanded beyond penetration of the female genitals and mouth, to forced sexual action on a male. It addresses a broad-spectrum of violence - physical, verbal, emotional, sexual, economic, and psychological abuses, as well as discrimination against persons, particularly women and girls. These include child abandonment, rape, incest, defilement of minors, forced eviction of a spouse and children, harmful widowhood laws and practices, female genital mutilation (FGM), forced financial dependence, attacks with harmful substance, political violence, among others. It also sets appropriate punishment for convicted perpetrators. For instance, the offence of rape may attract life imprisonment, subject to the circumstance and the discretion of the judge. The offender will also be listed in the sexual offenders' register as a deterrent to others. Similarly, the Act makes provisions for effective remedies for victims of violence – rehabilitation support, and compensation, among others.

According to Section 38 (1) of the Act, victims of violence are entitled to material, medical, psychological, and legal assistance from governmental

and non-governmental agencies providing such services. Additionally, they are afforded opportunity to acquire skills in any vocation of their choice and access to micro credit facilities.

Although the Act is highly celebrated for its expanded definition of rape as well as for its benefits, it does not offer universal coverage to all Nigerian women and girls. This is because apart from the FCT where acts enacted by the Federal Government become law wholesale, states must adopt and pass such acts into law before such can be binding at that level of government. According to Section 12 of the Nigerian Constitution of 1999 (as amended), the adoption/domestication of the Act by two-thirds (twenty-two) of the thirty-six (36) States is required for its enforcement as a national law.

Six years after it became law, the uptake of the VAPP Act is rather low, with domestication by less than 50% of the 36 States. As at the commencement of this research in January 2021, the Act had only been domesticated in twelve (12) States. These are Abia, Akwa Ibom, Anambra, Bauchi, Benue, Ebonyi, Edo, Ekiti, Enugu, Kaduna, Kwara, and Ogun States. However, the number had increased to fifteen (15) by the time the research wound down in March 2021, with the signing of the VAPP Bills into law in three (3) more states - Jigawa, Oyo and Niger.

Given the limitations of VAWG on women's ability to participate fully in politics, and the far-reaching guarantee of protection from all forms of violence which the VAPP Act offers citizens, particularly women and girls, it is regrettable that the Act is rarely used to promote women's active participation and inclusion in political processes in advocacy efforts by state and non-state actors.

The spike in cases of violence against women and girls during the period of lockdown occasioned by the COVID-19 pandemic in 2020 despite the existence of the VAPP Act and related laws in Nigeria is a clear indication that there are barriers to the effective implementation and achievement of the objectives of the protective legislation under review. This was one major motivation for this research.

Understanding the level of engagement of stakeholders; the legislative processes that brings the VAPP Law to bear; and the implementation challenges in the states where the Act has been domesticated, will provide a guide for other states in Nigeria which are yet to domesticate the Law.



Categories of Offences Addressed by the VAPP Act



Sexual Violence

1. Rape
2. Incest



Physical Violence

1. Female circumcision or genital mutilation.
2. Spousal battery, Depriving a person of his/her liberty.
3. Attack with harmful substance.
4. Administering a substance with intent.
5. Forceful ejection from home.
6. Inflicting physical injury



Emotional Violence

1. Abandonment of spouse, children and other dependants without sustenance



Psychological Violence

1. Forced isolation or separation from family and friends.
2. Stalking.
3. Emotional, verbal, and psychological abuse.
4. Intimidation.
5. Coercion.
6. Offensive conduct.
7. Indecent exposure.
8. Wilfully making false statements
9. Harmful widowhood practices.
10. Wilfully placing a person in fear of physical injury.
11. Harmful traditional practices



Political Violence

- 1. Violence by state actors.
- 2. Intimidation.
- 3. Frustrating investigation.



Economic Violence

- 1. Forced financial dependence or economic dependence.
- 2. Damage to property.



Legislation provides a solid foundation for effective and coordinated legal action against violence against women.



The VAPP Act Theory of Change

The Impact	People (especially women and girls) are free from all forms of gender-based violence and from the threat of such.		
The Outcome	Government and service providers are accountable to citizens (especially to women and girls who are disproportionately affected by violence in both public and private spheres) for prevention, protection, and response.	Women and girl survivors safely access adequate and appropriate support services – medical, legal, economic, and psychosocial.	Women and girls safely access justice at all levels including within customary and religious laws.
The Intervention	The Violence Against Persons (Prohibition) Act was enacted in 2015 to eliminate violence in private and public life, prohibit all forms of violence against persons, provide maximum protection, effective remedies for victims and punishment of offenders, and for other related matters.	State-level adoption of the VAPP Act activating the prevention and response mechanisms and ensuring they are active and effective.	
The Problem	Gender-based violence (GBV) is one of the most prevalent human rights violations in Nigeria. It is defined as any act directed at a person because of their gender, which causes them physical, sexual, psychological, or mental harm. Although men, women, boys, and girls are targets of gender-based violence, women and girls are most at risk of GBV.		

1.2.2. Engaging Citizens for Effective Implementation of the VAPP Act

Citizen engagement is very critical for the effectiveness of development initiatives of government. It is a two-way interaction between the government and the citizens, which can take place at any stage of the development or implementation of government policy and the delivery of public services. It can also be triggered by events in local areas, leading to a wide range of outcomes, including more effective services and more responsive and accountable state¹⁹. Studies have shown that given the right conditions, citizens do play a vital role in making development efforts effective. As the ultimate beneficiaries of all development interventions and efforts, citizens do have a lot to gain (or lose) if an intervention succeeds (or not).

In Nigeria, citizens whether acting as individuals or collectives - non governmental organisations (NGOs), women's groups, trade unions, faith-based organisations (FBOs), social movements, community-based organisations (CBOs), academic associations, research institutes and others organise to proffer innovative solutions to development challenges, demand effectiveness, transparency, and accountability from the Nigerian government in all the intertwined areas of development – social, political, economic - almost on a daily basis. They have also focused attention on strengthening citizens' capacity to engage, and tried to stimulate state actors' willingness and capacity for engagement

Evidentially, citizens engagement can be affected by social, political, economic, environmental, cultural and gender dynamics and it is highly dependent on citizens' willingness to engage. As key actors in the enactment of the VAPP Act and beneficiaries of the legislation, women's organisations, groups, and associations have played and continue to play an important role in ensuring the domestication and effective implementation of the Act.

¹⁹<https://www.participatorymethods.org/glossary/citizen-engagement> (Accessed on February 10, 2021)

PART

02

The Research Framework

The national research was conceptualised to address the spike in gender-based violence in Nigeria in the context of COVID-19 despite the availability of the VAPP Act.

2.1.

Research Objectives

The study has four objectives. These are to:

1. Assess the legal and policy frameworks for protecting women and girls from gender-based violence.
2. Review the impact of the VAPP Act and other related laws on women's political participation.
3. Appraise the level of citizen engagement in the implementation of the VAPP Act and related anti-violence against women and girls' legislations.
4. Generate recommendations and best practices to fast-track the implementation of VAPP Act/Law and the adoption of the Act by the states yet to domesticate it.
5. Contribute to existing body of knowledge on anti-VAWG laws in Nigeria.

2.2. Guiding Research Questions

The following questions guided the research:

1. To what extent have the VAPP Act and related anti-VAWG laws been implemented in each of the focal states and the FCT?
2. What are the successes recorded so far?
3. What are the challenges to its adoption and implementation?
4. Are there any emerging issues /gaps from the implementation?
5. How actively are state and non-state actors engaged in the adoption and/or implementation of the VAPP Law?
6. How can the VAPP Act and other related laws enhance the active and meaningful participation of women in political processes?
7. What are the key lessons to deepen and strengthen implementation as well as advocate for adoption in the remaining states?

2.3. Research Methodology

The research employed a mixed method approach which combined data from secondary and primary sources. In addition to the desk review of relevant literature, qualitative and quantitative tools were deployed to mine, analyse and discuss primary data. This ensured an in-depth examination as well as a broad understanding of the impact of national and state-level legislations in curbing the menace of violence against women and girls.

From the information harvested from the literature, questions for qualitative (Key Informant Interviews, and Focus Group Discussions) and quantitative (in-person and online survey) data collection were developed. Data collection tools were designed to assess the citizens' knowledge, the role of stakeholders, implementation challenges and opportunities, as well as the impact of the VAPP Act and related laws. The use of more than one data collection method ensured triangulation

of data as information culled from the FGDs and KIIs were corroborated with the data from the questionnaires. The multi-methodological approach involved the participation of a wide range of state and non-state actors and stakeholders such as civil society actors such as NGOs, youth groups, women's groups, community leaders; government - executive and legislature, among others.

2.3.1. Sampling methods

The research employed both the purposive and stratified sampling methods to identify study participants.

The purposive method which is also known as judgement, selective or subjective sampling was adopted for selecting the participants for the qualitative data through FGDs and KIIs. This involves the researcher using her expertise to select a sample that is most useful to the purposes of the research. This method is often used in qualitative research, where the researcher wants to gain detailed knowledge about a specific phenomenon and also where the population is specific. Based on the judgement of each expert, the population was further sub-divided to ensure that major subgroups are represented in the sample to engender more precise conclusions. A small sample was taken from each of the five (5) categories of stakeholders identified during the methodology meeting - community groups, CSOs, youth groups, government (executive and legislature) and women's groups. Persons with disabilities (PWD) were included in the groups.

The stratified random sampling method was adopted for gathering quantitative data through surveys. This method entailed dividing the population into subgroups based on the relevant characteristics.

2.3.2. Sample Size

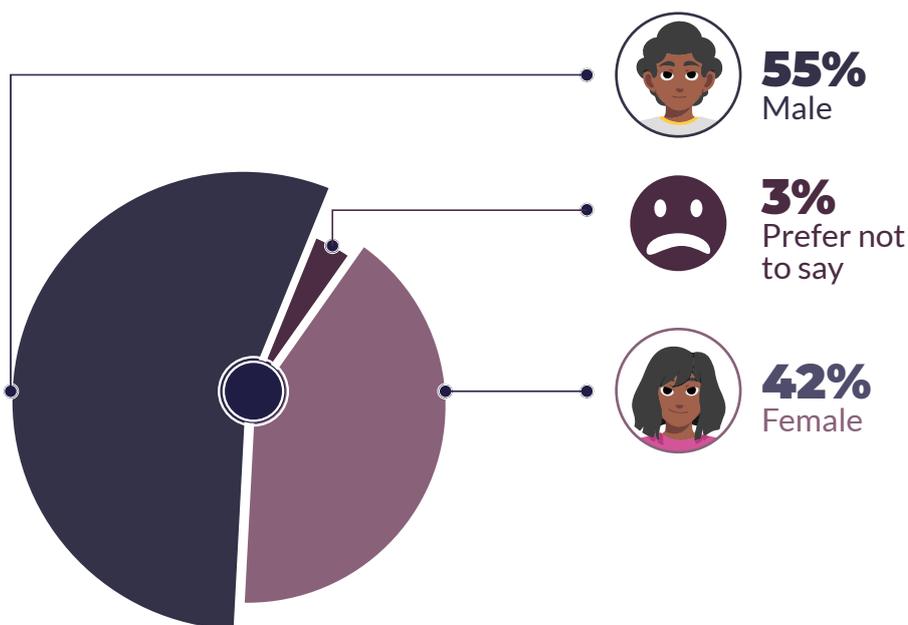
A total of one thousand, five hundred and ninety-nine respondents (1,599) participated in the study:

-
- » For each focal state, 120 questionnaires were deployed physically and remotely via Google Docs. Online survey was employed because of the high incidence of COVID-19 especially in the FCT and in some of the states under investigation. That helped to reduce physical

interaction to the barest minimum. Out of the total number of 1,440 questionnaires administered in the twelve (12) states, 1,245 representing 86.5% were completed and returned.

- » Each State Expert also conducted what the research described as a '5-in-1' Focus Group Discussion each. This is because each FGD was made up of twenty (20) participants from five (5) distinct categories from across the three (3) senatorial districts of each state. However, due to logistics reasons, Cross River State had seventeen (17) FGD participants. Physical FGDs were conducted in eleven (11) states while a virtual discussion took place with state and non-state actors via the Zoom online platform in the FCT. Overall, the research held discussions with a total of 234 participants²⁰.
- » Ten (10) key informants were interviewed per state. These are leaders in their respective groups with knowledge of the issue as it affects their group. Two persons were selected from each of the five groups that participated at the FGD. Thus, two government officials were interviewed; two CSO leaders; two community leaders; two women group leaders; and two youth leaders. A total of 120 people were interviewed²¹.

Gender Distribution of Respondents



²⁰See a breakdown of the FGD participants by State in Appendix II

²¹See the full list of the Key Informants in Appendix III

2.3.3. Data Collection Procedure

The in-depth Key Informant Interviews (KII) were scheduled over the telephone and through 'request for interview' letters. The questionnaires were self-administered randomly to members of the public in communities and CSO gatherings by the researchers. Based on the probability that not all targeted would respond, the link for the online questionnaire was shared via email, WhatsApp, and other social media channels, depending on the peculiarities of each state. Data was collected in a systematic way and the process involved was to record all relevant information as and when the data was obtained. Manual data entry was double checked for errors. The survey questionnaire was anonymised to safeguard the data.

2.3.4. Data Analysis and Reporting

Qualitative and quantitative methods of data analysis were adopted. The KIIs and FGDs were transcribed, and data entered in a systematic way to minimise distortion. The raw data was presented in tables and themes based on the research objectives. Data in this research was analysed using simple descriptive statistics - frequency, percentages, and tables, as well as content analysis which involved use of themes and sub-themes that emerged from interviews conducted during the field work based on objectives. Data collected from the questionnaires was analysed using the Excel Spreadsheet tool and reported in numeric format as well as disaggregated to show their ranges and presented in charts. The reports from the twelve study locations were subsequently collated and transformed into clear and insightful analysis.

2.3.4. Research Activities

The study was designed to ensure active interaction among the researchers at sub-national and national levels. As such, in addition to data collection and reporting, there were series of meetings to share knowledge and experience to enrich the process. These meetings, which were organised in strict compliance with national COVID-19 protocols are discussed below:

a. Methodology Meeting

A hybrid methodology meeting was organised for briefing at the initial phase to ensure a common understanding of the project. Some of the

experts were physically present and those based outside Abuja joined via the Zoom online platform for proper briefing. The Lead Researcher facilitated the meeting which discussed the objectives of the research, fine-tuned the methodology and indicators, and agreed on the deliverables. Researchers were exposed to the key concepts as well as paper-based, assisted personal administration questionnaire to support the research. The set of elements that the research focused on and to which result was obtained was generalised. This technique enabled the selection of respondents who were relevant to the study and contributed to the quality of the research. The experts were thereafter deployed to the field for primary data collection for three days.

b. Zonal Review Meeting

A one-day review meeting was organised at the zonal level in designated states. Physical meetings took place in Enugu (South-East), Calabar (South-South), Abuja (North-Central). The South-West and North-East/North-West held virtual zonal review meetings for logistical and security reasons. At the meetings, experts shared fieldwork experiences; assessed the effectiveness of the data collection tools; and presented the key findings from their focal states. Furthermore, they harmonised the findings from each zone to (i) identify best practices in the focal states in the zone – what and how the states in the zones can learn from one another; and (ii) produce a zonal report.

c. Report Review Meeting

Also, the experts were brought together for a peer review of the first draft of their reports. It was also an opportunity to collate the zonal reports, identifying the implementation successes, challenges, as well as best practices.

d. Validation meeting

WFD hosted a hybrid validation meeting for a wide range of relevant external stakeholders such as representatives from national and the focal states – relevant government agencies, media, civil society organisations. The donor community was also represented at the meeting. The objectives of the meeting were to present the key findings of the research and recommendations to the stakeholders for their information and input.

Research Timeline

S/N	Activity	Format	Date
1.	Methodology meeting	Hybrid	Jan 28
2.	Data Collection tools finalised and distributed	Remote	Jan 30
3.	Fieldwork	Interviews and Surveys	Feb 2 - 3
		Surveys and FGDs	Feb 4
4.	Zonal Review Meetings	Physical and Hybrid	Feb 5
5.	State Expert Report	Holistic, Well-written and Publishable	Feb 12
6.	Review Meeting - Final Report (Research Team Experts & WFD)	Physical	Feb 18
7.	Presentation/ Validation Meeting (Research Team and Stakeholders)	Hybrid (physical and virtual)	Feb 19

2.3.

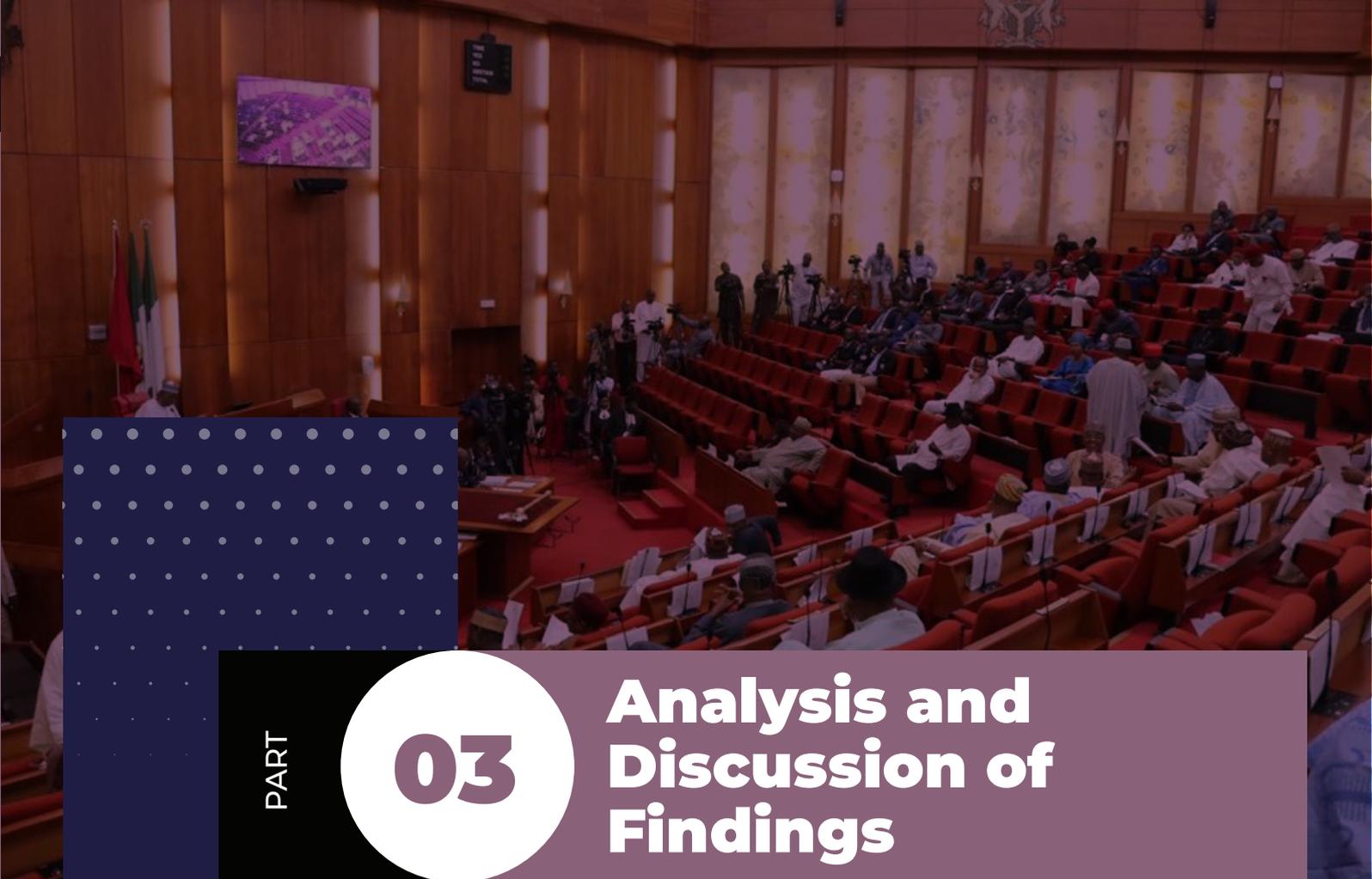
Limitations of The Study

The following are some of the limitations to the study:

- Inaccurate data on uptake of the VAPP Act caused a review of the concept to:
 - » an assessment of the implementation of VAPP Act in the FCT and seven (7) States that have adopted the Law - *Abia, Akwa Ibom, Anambra, Bauchi, Edo, Enugu, and Kaduna.*
 - » an assessment of the implementation of anti-VAWG legislations and the process of domestication of VAPP Act in the remaining four (4) states - *Cross-River, Lagos, Osun, and Plateau.*
- Time constraints which made fieldwork a bit tedious as it affected planning and mobilisation of participants. The limited time did not allow for in-depth search for information, especially data from relevant stakeholders regarding the status of VAWG in the states.
- The reality of the second wave of COVID-19 which minimised contact during fieldwork.
- The dearth of data and documentation on cases of SGBV. Reports were not easily available to paint an accurate picture of the status of violence against women and girls in most of the states.
- Lack of baseline survey to show the status of VAWG prior to the enactment of the Law in states where the VAPP Act has been domesticated.



The Law is all encompassing and is applicable in all forms of violence – physical, political, emotional, economic, and sexual violence.



PART

03

Analysis and Discussion of Findings

This section presents the findings from the fieldwork. It is divided into three parts. The first part discusses the implementation status of the VAPP Act/Law as well as the protective legislations in states where the Act has not been adopted. The second part presents issues related to the participation of stakeholders, while the last part presents best practices.

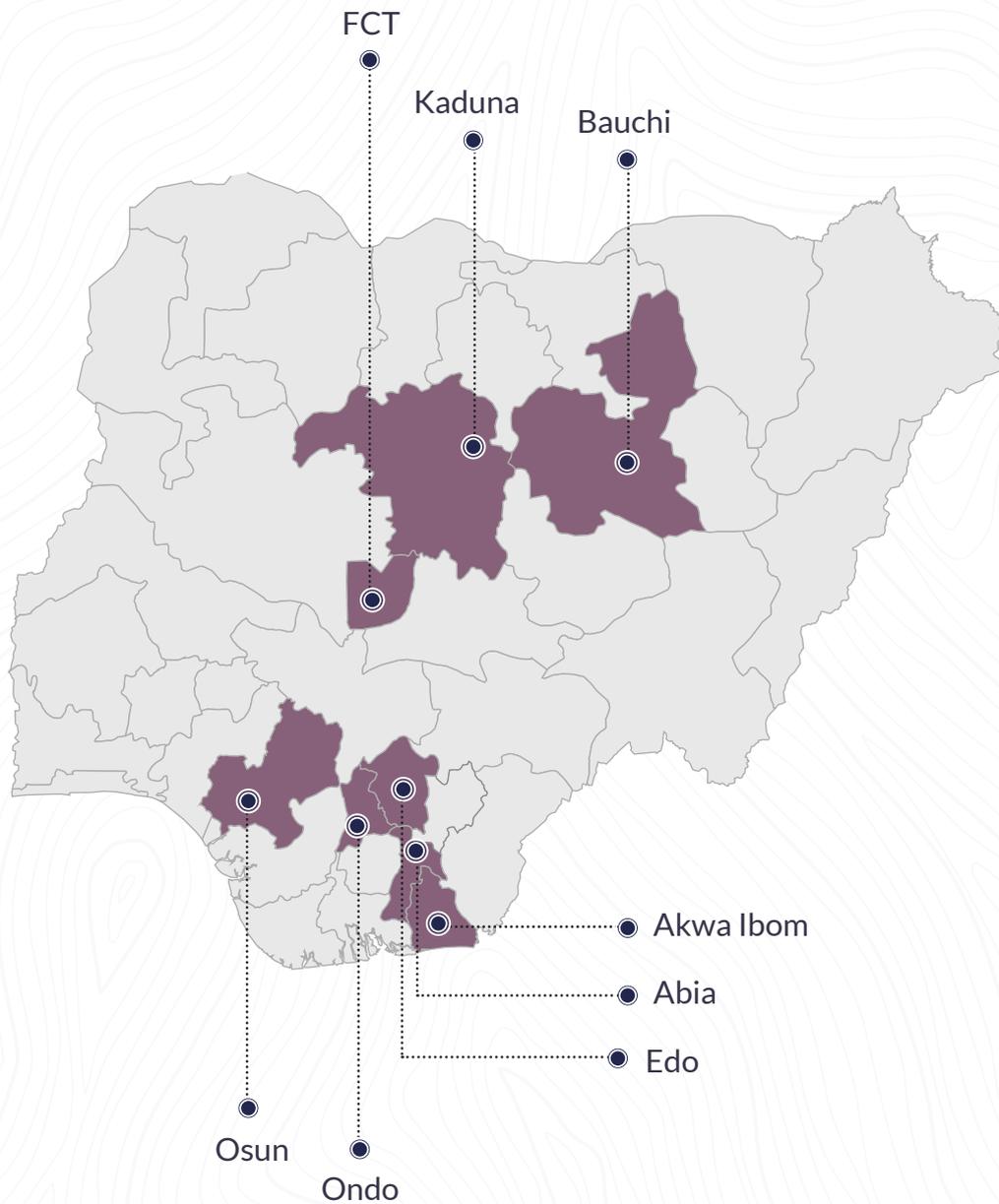
3.1.

Implementation Status of the VAPP Act and Related Laws

As noted earlier in 1.1, preliminary investigations revealed that apart from the FCT where the Act is in full force, there are VAPP laws in only seven (7) out of the 12 focal states. The remaining four states have different pieces of legislation aimed at protecting women and girls from all forms of violence, and three (3) of them are in the process of domesticating the VAPP Act as at the time of this study. However, although one (1) state has pieces of legislation against VAWG, there are no plans to domesticate the Act anytime soon.

A States with the VAPP Act/Law

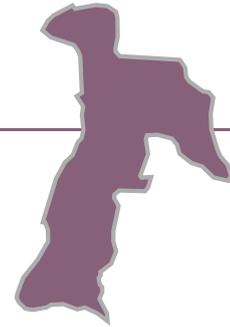
Investigations revealed the following on the implementation status from the FCT and the seven states that have adopted the VAPP Act, namely: Abia, Akwa Ibom, Anambra, Bauchi, Edo, Enugu, and Kaduna:



States with the VAPP Act/Law

S/N	State	Year of adoption	Implementation Status	Implementing agency
1.	Abia	2020	In force	Ministry of Justice through the Office of the Attorney-General and Commissioner for Justice
	Akwa Ibom	2020	In force	Ministry of Justice through the Office of the Attorney General and Commissioner for Justice
3.	Anambra	2017	In force	Ministry of Justice
4.	Bauchi	2020	Not yet in force	Not yet in place
5.	Edo	2019	Not yet in force	Not yet in place
6.	Enugu	2019	Not yet in force	Not yet in place
7.	Federal Capital Territory (FCT)			NAPTIP
8.	Kaduna	2018	In force but not yet in use	Ministry of Women Affairs and Social Development (now Ministry of Human Services and Social Development)

Abia State



The VAPP Act was signed into law in October 2020. Known as the VAPP Law of Abia State, 2020, the Law aims to “prohibit all forms of violence against persons in private and public life and provide maximum protection and effective remedies for victims and punishments for offenders”. The Act also provides protections against offences that affect women disproportionately, including the prohibition of FGM, forceful ejection from home, forced financial dependence or economic abuse, forced isolation, emotional, verbal, and psychological abuse, harmful widowhood practices, spousal battery amongst others. The inclusion of violence in public places and even at political rallies is one of the advantages of the VAPP Law as it will now enhance more women participation and engagement in politics and elections. From the day it was signed, it became enforceable with rights and privileges. The VAPP Law empowers the High Court of Abia State with jurisdiction to hear and grant applications brought under the Law. Although it had only been in place for three months at the time of the study, discussions with research participants show that it is fast taking on full implementation status as it has in place the necessary mechanisms for implementation as provided under the Law.

After the signing of the VAPP bill into law, the implementation began in earnest, through the efforts of various stakeholders including the First Lady of Abia State; CSOs including FIDA and some other women groups and organisations like the Catholic Women Organisation; the Ministry of Justice through the Director of Public Prosecutions; the Ministry of Women Affairs and Social Development through the Gender Department; and security agencies such as the Police and the Nigeria Security and Civil Defence Corps (NSCDC).

The VAPP Law is implemented through the Office of the Attorney-General and Commissioner for Justice, in coordination with other Agencies like the Police, FIDA and the Office of the First Lady of Abia State. The Law strengthens collaborations between government agencies and confers responsibilities on the Police, relevant ministries and CSOs.

Since its implementation began, the Law has been closely monitored by the Action and Technical Working Group which has as its members

representatives from security agencies, Ministry of Justice, FIDA, CAN, NCWS, CSOs and the Ministry of Health. The role of the Committee is to sensitise and create public awareness, use advocacy as a tool to further deepen the response strategy and implement strategies that can prevent or mitigate effects of violence when they occur.

Despite the successful domestication of the VAPP Act in Abia State, there are issues that are affecting its full implementation. Cultural context and backlashes constitute hindrances to the implementation of the Law. It is also worthy of note that the Law is relatively new, and it is still, according to the study participants, at learning stage. In addition, secondary data on the VAWG situation in Abia was difficult to come by. It was difficult reviewing the VAPP Law of the State as it could not be found in either a hard or soft copy. Police records on incidences of violence and abuse in Abia State were also hard to find. Obtaining official documents from the security agencies was difficult as they did not have authority to release documents, neither could they trace them in some instances.

The research respondents were hopeful that the first quarter of 2021 will however see greater stakeholder involvement, government at all levels inclusive of local governments, CSOs and relevant agencies coming together to synergise and strengthen the implementation of the VAPP Law.

Akwa Ibom State



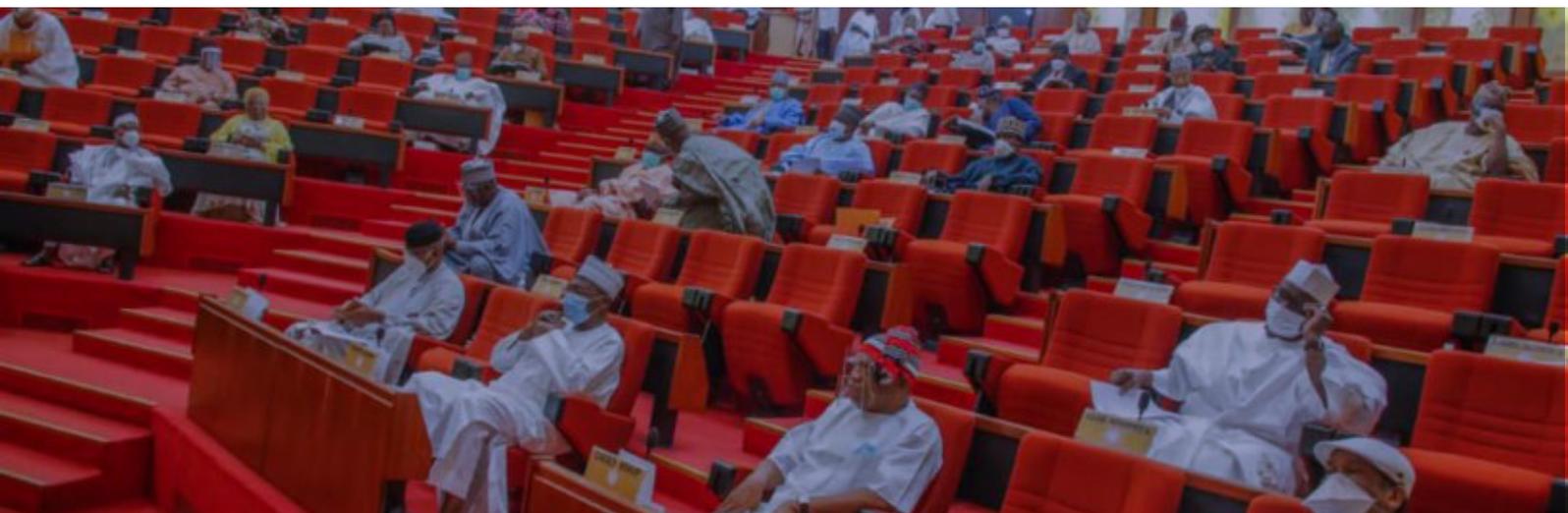
The VAPP Law of Akwa Ibom State came into force in 2020 in the wake of the upsurge in sexual violence occasioned by the outbreak of the COVID-19 pandemic. It is in full implementation as government has put a mechanism in place to coordinate, facilitate and network with service providers and non-state actors to see to the successful implementation of the Law.

From the in-depth interviews conducted with key informants, it was revealed that the government has put in place a robust implementation mechanism for the effective implementation of the VAPP Law. The Ministry of Justice is the regulatory body through the Office of the Attorney

General and Commissioner for Justice. A Sexual and Gender-Based Violence Response Unit was put in place to respond to cases of SGBV in the State in real time. Similarly, there is a toll-free helpline that victims can call from anywhere in the State and be directed to nearby service centres to receive support. The unit also coordinates, facilitates, collaborates, and networks with all relevant ministries, service providers, NGOs, law enforcement personnel, the media, healthcare providers, different coalitions, and others to respond to cases of gender-based violence in the State as well as to realise the objectives of the VAPP Law. In addition, the unit follows through on sexual violence cases, from when a report is made to when the perpetrator is arrested, arraigned, and is prosecuted, with a focus on getting justice for the survivor. It is also responsible for entering the name of the convict into the Sexual Offenders' Register. In essence, the government has provided a platform for the participation of relevant stakeholders to ensure the effective implementation of the Law in Akwa Ibom State.

Findings from fieldwork show that the lack of gender-responsive budgeting is a major challenge to the effective implementation of the VAPP Law. This is because CSOs, families of survivors of sexual violence, or the line ministries through the support of development agencies and organisations bear the costs of healthcare, representation, and reintegration of survivors of SGBV. This makes the process of seeking justice burdensome and not encouraging. In the opinion of the study participants, with adequate budgetary allocation in place, more women and girls would be willing to come forward and report cases if they realise the process would not be an expensive venture.

Although the Akwa Ibom State Law provides for the protection of persons from political violence, the implementation does not incorporate the use of the Law to promote women's inclusion in political processes. Women can still be prevented from taking part in politics using means other than political violence.



Anambra State



The VAPP Act was domesticated as the Anambra State Violence Against Persons (Prohibition) Law in 2017, just two years after the Act was enacted at the national level, with jurisdiction given to magistrate and state high courts. The Law provides more protection from violence than any other single piece of legislation. For instance, with the Law, rape is no longer restricted to vaginal penetrations as it is defined as non-consensual penetration of the victim's orifices -mouth, vagina, or anus with the penis or any of the perpetrator's body parts or even an object. The Law also recognises forced financial dependence or economic abuse - denial of inheritance or succession rights, unreasonable deprivation of economic or financial resources to which any person is entitled or which any person requires out of necessity. The Law also criminalises emotional, verbal, or psychological abuse. The VAPP Law of Anambra supersedes any other provisions on similar offences in the criminal legislation of the State.

The study shows that although the State is one of the earliest to domesticate the VAPP Act, the implementation is still very low. During the FGD and interviews with key informants, it was noted that violence against women and children is on the rise, with low rate of convictions, even with the mechanisms in place for ensuring that the Law fulfils its purpose of protecting citizens, especially women and girls from all forms of violence. These mechanisms include the Sexual and Gender-Based Violence Response Team, and the VAPP Implementation Committee. Similarly, the state has a shelter for abused women as well as a Sexual Assault Referral Centre (SARC) located within the premises of the General Hospital Enugwu-Ukwu. It is worthy of note that the state had not set up the VAPP Law Commission and the Monitoring Committees as provided for in Sections 44 and 45. This means that there is no provision for monitoring and gathering data for statistical and improvement purposes.

It is pertinent to state, however, that regardless of the limitations, the coalition of CSOs and groups such as the Nigerian Bar Association, FIDA, women's groups and organisations are using the Law to access justice for survivors of VAWG through the courts; sensitising the public to its existence; monitoring its efficiency; and encouraging victims, especially

survivors of SGBV to seek justice. The research revealed that the citizens are willing to utilise the Law to assist one another. Some towns were reported to have amended their laws to include women in decision making bodies like the king's cabinet in Umueri town. In Ebenebe and Anaku towns, the age of marriage has been increased to 22 and 20 respectively. The coalition of CSOs (NGOs) also goes to show the citizens' willingness to ensure the implementation of VAPP Law in Anambra State.

In addition to the VAPP Law, the State has other laws to stem violence especially against women and children (girls). These laws are utilised in synergy to prosecute offenders and achieve justice for survivors, in the spirit of the VAPP Law of Anambra State. Apart from the Constitution of the Federal Republic of Nigeria 1999 (as amended) and the Criminal Code, the following are the other anti-VAWG legislations:

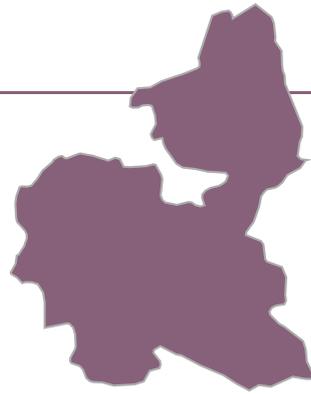
- Child's Rights Law (2004)
- Anambra State Widowhood and Widowerhood Law (2005)
- Administration of Criminal Justice Law 2010.
- Criminal Code

Findings show that whereas many are aware of the VAPP Law of Anambra State 2017, it is yet to be impressively implemented. The status of implementation is low due to cultural factors as observed by participants. Ignorance on the part of the citizens and lack of will on the part of government have limited the effective implementation of the Law. In the opinions of many of the study participants, much still needs to be done to ensure implementation of the VAPP Law. The research reveals that the penalties for some of the offences are too weak to deter perpetrators of violence against women and girls in the State. Respondents opined that the sentence of 14 years for the crime of rape is too mild. Similarly, they believe that four years jail term is too weak a deterrent for the crime of FGM. It is believed that the enactment of more rigorous penalties for offenders would instigate more caution amongst residents.



Bauchi State

The process of domestication of the VAPP Act took about four years before it was signed into law in July 2020. Thereafter, the Action Committee on Violence Against Women and Girls which was hitherto domiciled in the Office of the First Lady was renamed as the Standing Committee on Violence Against Women and Girls in the Office of the Secretary to the Bauchi State Government as provided for in the VAPP Law. This was done to institutionalise the Committee to enable the State Government to continue to investigate and follow up on VAWG cases. Aside that, the State Governor directed the Chief Judge to establish a special court that would deal specifically with SGBV cases. In the absence of the special court, specific courts have been temporarily assigned to deal with issues of VAWG. Furthermore, the research showed that the Bauchi State Government has commenced the construction of shelters for survivors of SGBV.



According to the research participants, the mechanisms set out for the implementation of the Law, including the Standing Committee on VAWG made up of all relevant stakeholders like the Judiciary, Ministry of Justice, Ministry of Women Affairs, and other stakeholders including the CSOs, CBOs, CDAs, and FBOs will play a significant role in the implementation of the VAPP Law. It is expected to serve as a monitoring and evaluation mechanism. In addition, the Office of the First Lady of Bauchi State which serves more like a response team, is regarded as invaluable to the effective implementation of the VAPP Law.

However, although there are structures for implementation in place, the VAPP Law of Bauchi is not being implemented yet. This is because there are some gaps identified in the Law. For instance, rape was not included in the Law, and some provisions were found not to be culturally sensitive. The Law was subsequently presented to the Bauchi State House of Assembly for amendment.

Edo State



The Edo State Violence Against Persons (Prohibition) Bill was assented to in February 2019. However, when copies of the VAPP Law went public, there were errors discovered in the document. It was realised that the Law is not justiciable in Edo State in its present form because NAPTIP, a federal agency was named the regulatory body in Part IV of the document. The law mandated the agency to administer its provisions instead of an Edo State body. Furthermore, Part V – Consequential Amendment - referenced federal laws as contained in the federal VAPP Act, instead of citing the existing laws of Edo State. These, among other oversights necessitated a request for an amendment of the Law which was presented to the Edo State House of Assembly. FIDA was spearheading the process as at the time of this research.

It was gathered that due to COVID-19 restrictions, the legislative advocacy process for the VAPP Law (as amended) by the Edo State House of Assembly and subsequent passage and transmission to the Governor for assent was disrupted.

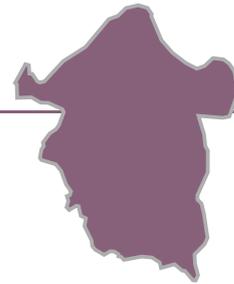
Apart from the VAPP Law, Edo State has several anti-VAWG laws. These include:

- i. Child's Rights Law
- ii. Female Genital Mutilation Prohibition Law
- iii. Administration of Criminal Justice Law
- iv. Criminal Code of Edo State which has been revised and has had sections that address sexual violence reviewed.

Although the Edo State VAPP Law is not yet in force, there are mechanisms in place for the protection of women and girls from gender-based violence. For instance, a Sexual and Gender-Based Violence Response Team (SGBVRT) was instituted by the Commissioner of Justice in response to the significant increase of SGBV in Edo State in the wake of the outbreak COVID-19 pandemic in 2020. With support from RoLAC, a Sexual Assault Referral Centre (SARC) named the Vivian Centre which serves as a one-stop centre for response to sexual violence was established in 2020. It offsets the cost of medicals for survivors brought from all parts of Edo

State. The State also has a Returnees' Shelter for repatriated indigenes of the State, as well as the only Sex Offenders' Register that is connected to the National Sexual Offenders' Database managed by NAPTIP. Furthermore, there is in existence a Sexual Assault Response Committee / Management Team.

Enugu State

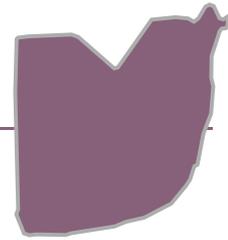


The State domesticated the VAPP Act in 2019. However, the Law has not been gazetted. The implication of this is that until that happens, it cannot be implemented. Operational structures and the mechanisms for effective implementation as enshrined in the provisions of the VAPP Law cannot be activated, while the structures aimed at ensuring effective coordination of monitoring and evaluation, such as the appointment of a woman to chair the monitoring of the implementation of the VAPP Law, and the establishment of a trust fund for the award of remedies and compensation for victims are put on hold.

Research participants highlighted the fact that despite the inactive status of the Enugu State VAPP Law, there are some existing anti-VAWG laws which victims and survivors rely on to access justice in the State. These include:

- i. 1999 Constitution of the Federal Republic of Nigeria
- ii. Criminal Code.
- iii. Anti-Stigmatisation and Discrimination Law.
- iv. Matrimonial Causes Act.
- v. Prohibition of Infringement of Widows and Widowers Fundamental Rights Law.
- vi. Sexual Health Reproductive Rights Law.
- vii. Prohibition of Child Marriage Act.

Federal Capital Territory (FCT)



By virtue of Section 44 of the VAPP Act of 2015, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) has the mandate to implement the provisions of the Act. The agency does this in collaboration with relevant stakeholders including CSOs – NGOs, women’s groups, CBOs, FBOs, among others.

Section 1(4) of the VAPP Act provides for the Sexual Offender Register (SOR), which is a digital tool which exists online and contains a documentation of reported, arraigned or convicted cases of sexual violations or abuse. It is accessible to members of the public and security agencies. In addition to the SOR, the Service Providers Register and Background Check Service are available on the NAPTIP website to enable individuals and other entities conduct research on anyone that they may want to have dealings with. There is in existence a Sexual Assault Referral Centres (SARC) to provide victims with the support and assistance they need to recover from the impact of abuse. Similarly, the Service Provider Accountability Resource Committee (SPARC) was established to coordinate with non-actors providing service to victims.

The analysis of the data collected from both online and physical survey/questionnaires showed that only 31% of the respondents were satisfied with the implementation of the VAPP Act in the FCT while 69% were unsatisfied and 67% of survey respondents believed that the Act could help improve women’s political participation. There are some mechanisms to monitor and evaluate the effectiveness of its implementation, which include: (a) a database of the number of complaints of domestic abuse within the FCT (b) database of the number of arrests, prosecutions, and convictions of offenders (c) the establishment, maintenance, and public accessibility of an FCT Sex Offenders Register and (d) the records of the number and rate of compensation that has been paid to victims of offences under the Act. Concerning the monitoring and evaluation coordination component of the mandate, the FGD participants highlighted the gaps and major set-back of the VAPP Act as the lack of data management.

Though the Act provides under Section 38 that every victim of violence is entitled to receive the necessary medical, psychological, social, and legal assistance through governmental and non-governmental agencies

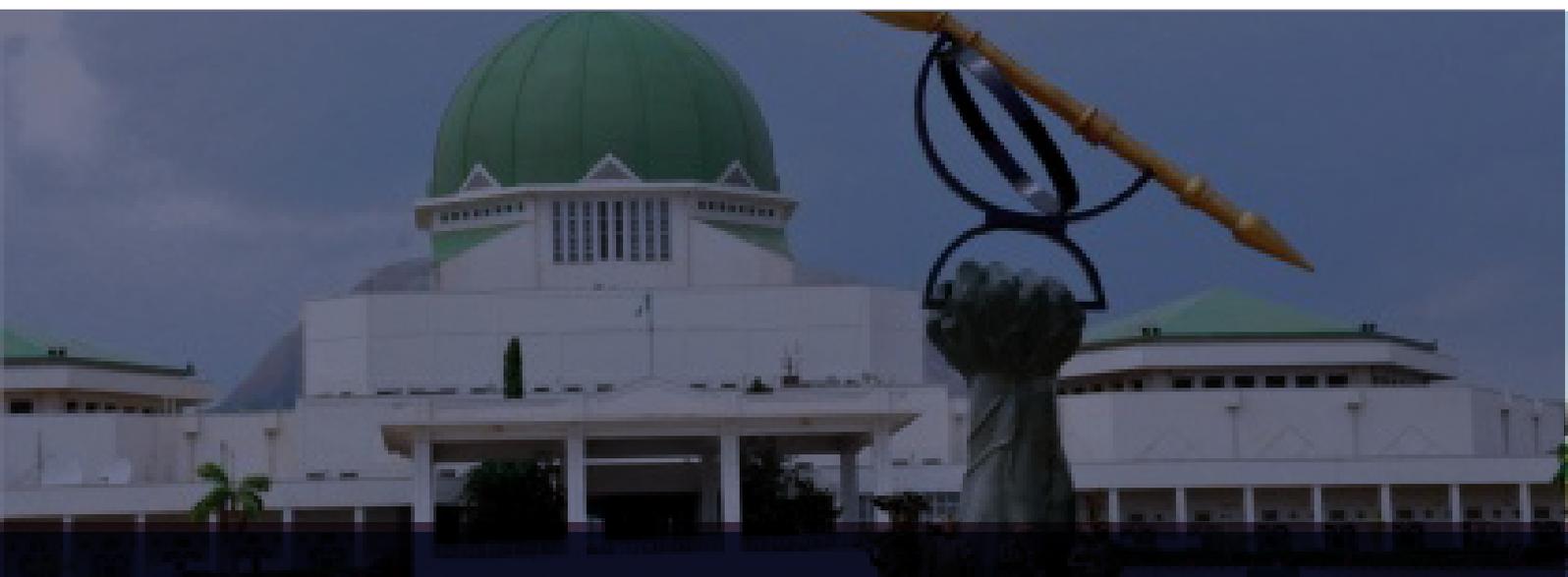
providing such assistance, in reality, the cost of healthcare, transportation, legal representation, among others are borne by the survivor's family, NGOs or goodwill donors.

In its efforts to curb VAWG, NAPTIP provided evidence to show a list of mechanisms that they have put in place, including the following:

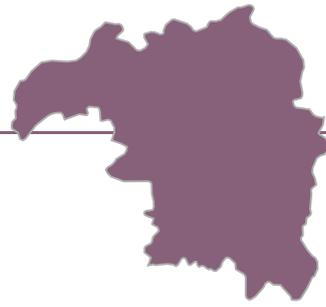
- Creation of a Nigerian Sexual Offenders and Service Provider Register in November 2019. The Sex Offenders Register is available online on the NAPTIP website with the names and pictures of sex offenders. It serves as a database to provide the public with information during a background check. The service provider as defined under Section 40(1) of the VAPP Act is any voluntary association registered under CAMA or any other law in force with the objective of protecting the rights and interests of victims of violence by lawful means.
- Establishment of a Sexual and Gender Based Violence Unit within the agency to deal with issues of violence against persons. This Unit collates information regarding SGBV across the area councils of the FCT, and coordinates response to each case.
- Sensitisation and awareness creation on radio and social media (Facebook and Twitter). NAPTIP has campaigns on social media to reach the public, especially young people. This is a good initiative as 44% of persons who responded to the survey/questionnaire, said they learnt about VAPP Act on social media.
- Creation of educational materials (flyers, clips, posters, animations, etc.) on SGBV. NAPTIP created awareness video clips as part of their sensitisation campaign to the public on what constitutes sexual and gender-based violence. The clips are posted on their social media handles and sometimes are aired on TV. Face-to-face campaigns have been able to reach communities in the area councils as women and youths interviewed confirmed learning about the VAPP Act from protection and welfare officers.
- Establishment of a Rapid Response Squad (RRS) which was created to respond to emergency situations in communities, arrest perpetrators, quell an ongoing violent abuse, and rescue the victim or survivor.
- Development of a NAPTIP Gender Policy as an update of the 2006 National Gender Policy. The document has been completed but has not been officially launched as of February 2021.
- Conducting a High-Level Multi-Agency Team (HiMAT) engagement

made up of FMOJ, NPF, FBOS, FMH, FMoWA, etc. The HiMAT is geared towards strategy development and information sharing among the agencies.

- Conducting Service Providers Accountability Resource Committee (SPARC) meetings, to disseminate information for the improvement of the implementation of the VAPP Act.
- Collaborating with FCT Sexual and Gender Based Violence Response Team to render assistance to victims or survivors.
- Supporting neighbouring Nasarawa State to adopt the VAPP because a lot of workers in the FCT reside in neighbourhoods like Mararaba, Karu, Masaka, and other settlements in Nasarawa State.
- Engagement with critical stakeholders, including development partners to run activities to mark the annual 16 Days of Activism Against Violence Against Women.
- Collaborating with other partners through webinars and virtual meetings such as FCT summit on Access to Justice for survivors of SGBV. This is geared towards proffering solutions to the challenges that implementing agencies encounter while trying to get justice for victims or survivors.
- Advocacy to schools, on TV, radio, and all platforms of social media. Respondents to the survey largely believe that SGBV education should be part of the school curriculum, so that girls can build confidence earlier in life to speak up whenever anything uncomfortable is done to them.
- Creation of SGBV Hotlines for reporting cases and online counselling



Kaduna



Since the passage of the Kaduna State VAPP Law in December 2018, the State Government has rolled out its implementation. It is commendable that the state has put in place four (4) Sexual Assault Referral Centres (SARC) across the three senatorial zones; provided a shelter for survivors of SGBV; put in place a platform of SGBV actors for providing ad hoc coordination of service providers; set up a Register of Sexual Offenders; and put in place a forensic laboratory to aid in criminal investigations. Moreover, the State has amended the Penal Code to provide a stiffer punishment for rapists of children below 14 years amongst others.

Even though the Law does not explicitly indicate an Implementation Committee, some sections of Part IV of the Law refer to the responsibilities of the Ministry of Women Affairs and Social Development (now Ministry of Human Services and Social Development) as well as service providers. The responsibilities of the Ministry are outlined thus:

- keep a register of all accredited service providers and circulate same to all police stations, protection officers and the courts.
- draw up guidelines for the operation of the accredited service providers.
- appoint adequate number of protection officers²² (in this instance, Social Welfare Officers) to assist the court in the discharge of its duties under the Law.
- coordinate the activities of the police and the accredited service providers in his/her area council to ensure that the victims/survivors of violence receive all the assistance needed and have seamless access to justice.²³
- submit annual reports on the implementation of the Law to the Governor as well as deposit a copy with the Kaduna State Bureau of Statistics.²⁴

²²Section 32 (1) (a-e) of KD. S Law No. 32 of 2018 – The Kaduna State Violence Against Persons (Prohibition) Law, 2018

²³Section 32 (2) of KD. S Law No. 32 of 2018 – The Kaduna State Violence Against Persons (Prohibition) Law, 2018

²⁴Section 33 of KD. S Law No. 32 of 2018 – The Kaduna State Violence Against Persons (Prohibition) Law, 2018

Section 31 (1- 4)²⁵ refers to service providers expected to be involved in the implementation of the Law, with details of responsibilities by voluntary organisations willing to provide services such as medical, financial, legal aid or any form of assistance. In tandem with this provision, the MHSSD has gone ahead to put in place a platform of Sexual and Gender Based Violence (SGBV) actors towards a seamless coordination of the implementation of the Kaduna State VAPP Law. These actors are mostly CSOs/NGOs who are providing SGBV services and representatives of some government agencies. The SGBV Actors Platform meets periodically but mostly through WhatsApp to share experiences, put up reported cases for advice on how to proceed with such cases as well as access training opportunities.

In Kaduna State, the agencies involved in the implementation of the VAPP Law include the Ministry of Human Services and Social Development, Ministry of Justice, the Nigerian Police Force and the Nigerian Security and Civil Defence Corps. According to study participants, these agencies collaborate with one another in addressing issues of violence against women and girls, but the collaboration is not without its challenges.

The Sexual Assault Referral Centres (SARCs) are designed as one-stop shops for provision of medical care, counselling, and psycho-social care to survivors of violence, especially rape and any form of sexual violence. Prior to the passage of the VAPP Law in Kaduna State, the government established one (1) SARC centre in 2016. This was facilitated by the British Council-supported Justice for All (J4A) programme as the takeaway outcome of a cross-learning from Lagos State, as part of the initiatives of the Justice Sector Reform Committee. This was later followed up with the establishment of three (3) additional SARCs by the State Government in 2019, one in each of the senatorial zones. Through the MHSSD, the Kaduna State Government has also facilitated the setting up of a shelter as a transit camp for victims of VAWG. Plans are underway to establish a much bigger shelter which will also house a skills acquisition centre for the survivors geared towards supporting their reintegration.

The Government also enacted the Kaduna State Penal Code (Amendment)

²⁵Section 31. (1-4) of KD. S Law No. 32 of 2018 – *The Kaduna State Violence Against Persons (Prohibition) Law, 2018*

Law 2020 to introduce a more severe sentence for child rapists. The Law prescribes surgical castration and removal of fallopian tubes for male and female rapists convicted of raping children under 14 years.²⁶ The State also launched a Sex Offenders' Register for naming and shaming of perpetrators.

From the assessments conducted, the responses elicited from the respondents gave pointers to the factors hindering the effective implementation of the law since its passage in December 2018. In as much as the Kaduna State VAPP Law is being celebrated, this research work brought to the fore the fact that the law is yet to be applied to any case of VAWG in the State. Prosecutors and counsels do not make reference to the law as they continue to refer to the Penal Code which has similar offences and the Administration of Criminal Justice Law (ACJL). No example could be found of a case that was charged with the VAPP Law.

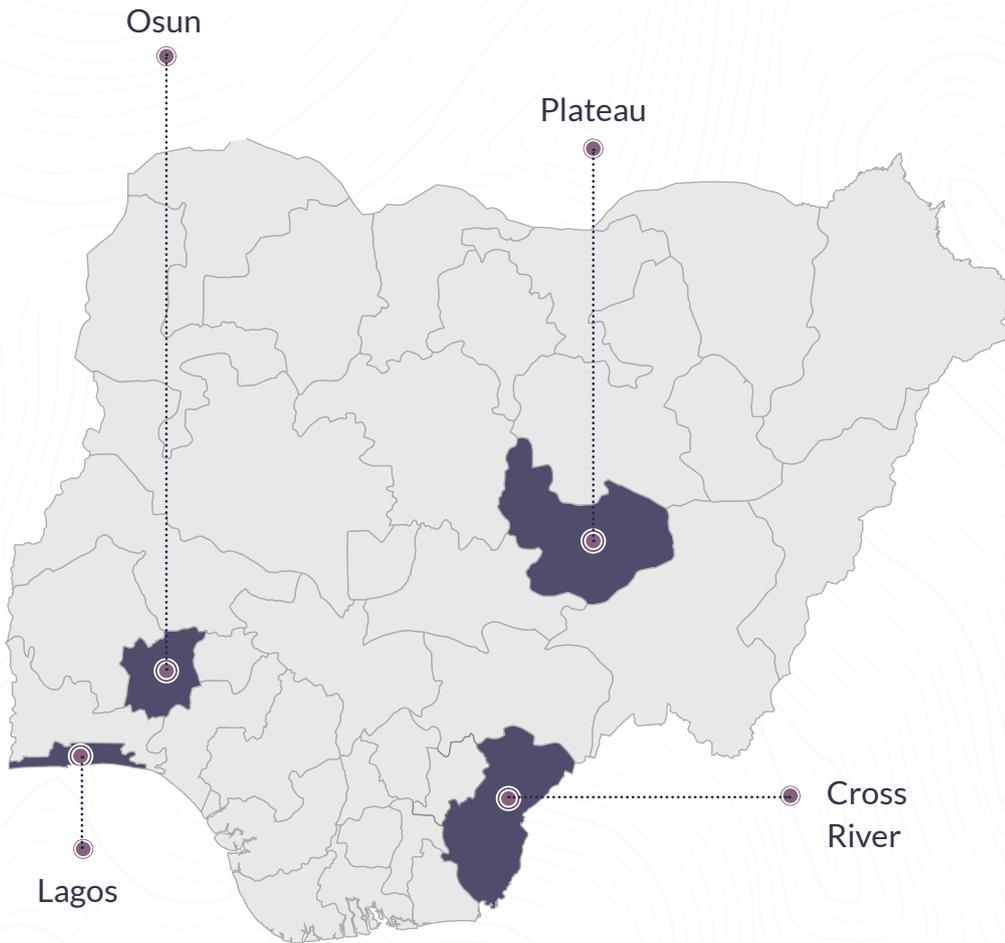
Apart from the non-application of the VAPP Law by prosecutors and counsels, survivors of SGBV and their families give in to pressure from the community to settle cases out of court. An example is a certain case of Mrs. A's daughter who was raped by a neighbour. She reached out to an NGO, which immediately referred them to the SARC closest to them for onward referral to security operatives. A few days later, the community leaders approached the family and pressured them into dropping the case. They were also threatened by community members who made them feel like outcasts for wanting to get justice for their daughter. Religious leaders are not left out in this act as they also preach forgiveness in these situations. This is also frustrating to service providers who give their all in support of the victims/survivors, only for the survivors to back down from proceeding with their cases.

One major perceived challenge, according to study participants, is the slow pace of adjudication of cases of VAWG which may be due to several factors. These may include congestion in the courts, witnesses not showing up, cases being adjourned for long periods, delay from the side of the defence, and the likelihood that the investigation was poorly done and may have to be revisited.

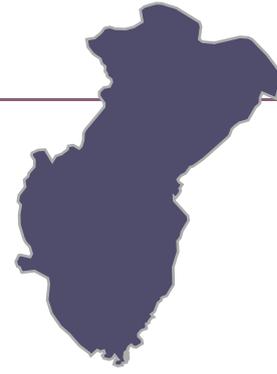
²⁶www.insidearewa.com.ng

B States with related anti-VAWG Laws

S/N	State	Year of adoption
1.	Cross-River	2nd Reading concluded
2.	Lagos	Process not yet commenced
3.	Osun	1st Reading concluded
4.	Plateau	Awaiting assent



Cross-River



The State is in the process of domesticating the VAPP Act. As at the time of the research, the Bill had passed the second reading at the Cross River House of Assembly. Findings from the research indicate that 92% of the survey respondents considered the enactment of the VAPP Act necessary. Seven of the ten interviewees also affirmed that the enactment of the VAPP Act was necessary. The CSO participants at the FGD stated that its enactment was necessary because it has a wider scope of coverage as it is an all-encompassing legislation that covers all forms of violence against persons; it provides compensation for victims and grants protection orders too.

Among the survey respondents and the FGD participants, 74% had adequate knowledge of the process of domesticating the VAPP Act. Representatives of the government and the civil society who were interviewed stated that this is the second attempt to domesticate the Act. According to them, it had been adopted by the immediate past House of Assembly and forwarded to former Governor Liyel Imoke for assent, which was not done before his tenure ended.

The following are the major legislations in Cross River State for the protection of women and girls from violence:

- I. The Criminal Code.
- II. Cross River State Girl-Child Marriages and Female Circumcision (Prohibition) Law.
- III. The Child's Rights Law.
- IV. Cross River State Female Person's Inheritance of Property

The Criminal Code: The most used provision of criminal law in dealing with cases of violence against women is Section 383 of the Criminal Code of Nigeria. The provision prescribes a maximum punishment of three years imprisonment on conviction for assault occasioning harm. Remedies under criminal law are confined to the prosecution and possible conviction of the offender. However, the Criminal Code is deemed not very effective by research purposes.

The Child's Rights Law of 2009 is the strongest of all the anti-VAWG laws

in Cross River State. It prohibits and criminalises traditional and cultural practices that violate the rights of the girl-child, among other things. These include child marriage and child betrothal; tattoos and skin marks; female genital mutilation; exploitative labour; buying, selling, hiring for the purpose of hawking; begging for alms or prostitution; unlawful sexual intercourse with a child; and other forms of sexual abuse and exploitation. The law provides for and establishes a child justice system different from the regular court procedure. Based on this, the State has an operational family court, with assessors. All the people interviewed during the research stated that the Law is effective and is used frequently. This may be due to the awareness of the existence of the Law. The law gave birth to the family court in the State.

The Cross River State Girl-Child Marriages and Female Circumcision (Prohibition) Law 2000 criminalised FGM and prescribed penalties for offenders. The Cross River State Female Person's Inheritance of Property Law has been in place for a long time, but citizens were neither aware of nor pay attention to it. However, sensitisation efforts were underway at the time of the study, and there was evidence of utilising the laws to prosecute offenders.

Findings from the research provide a picture of the structures for implementing the anti-VAWG laws in Cross River State. The Ministry of Women Affairs has a center where cases of domestic violence and child offenders are reported and addressed in collaboration with the Ministry of Justice. Interviews with senior officials of government agencies revealed that when VAWG cases are reported, the Ministry links indigent survivors with lawyers who provide pro bono services to enable them access justice.

There is also a network of CSOs who work with the Ministry of Women Affairs, Justice and Police on cases of VAWG. Once cases are reported, the police ensures that the offenders are arrested and prosecuted. The CSOs do the follow up and provide whatever support they can. There are various Technical Working Groups set up by the State Government and issues of gender and violence against women are mainstreamed. There is a Technical Working Group, which was inaugurated by the Deputy Governor courtesy of NAPTIP. The group is expected to work with NAPTIP to ensure that issues of violence against women, children, especially the girl-child are taken seriously in the State. The team had developed a one-

year work plan, to guide the implementation of activities. There is the OVC Protection Network which works with orphans and vulnerable children.

Assessing the effectiveness of the laws, some respondents during the FGD and KII, cite culture as an impediment that makes it difficult for victims to access justice. Only 39% of respondents to the question on the adequacy of the anti-VAWG laws in Cross River State believe the laws adequately protect women and girls. This indicates that there are some challenges in both the content and implementation of the laws, which was brought out in the KII and FGD. While most of the participants, cutting across the various groups at the FGD believed the laws were adequate in terms of content, they considered the implementation very inadequate. The community and youth groups especially opined that awareness of the laws was low. They are of the opinion that awareness of existing anti-VAWG laws should be created at the grassroots level.

Interviews with key informants such as senior officials of government agencies, and leaders of CSOs also revealed that more needed to be done in terms of implementation. According to the interviewees, there is a low level of awareness of the laws as they are not known in a lot of the communities where these acts of violence against women and girls are taking place. Similarly, they believed that the police and the courts constitute impediments to women's access to justice because between the two there is always a lot of delay in prosecuting cases.

An in-depth interview with the sponsor of the VAPP Bill also revealed that even though more needs to be done by the agencies responsible for implementing the protective laws, the involvement of the First Lady of the State working with the Ministry of Women Affairs has helped in creating awareness of the laws and ensuring that cases are effectively prosecuted. In addition, she stated that the First Lady had put so many things in place to ensure that survivors who approach the Ministry are protected and able to access justice.

On the issue of political will by the government to fully implement the anti-VAWG, laws in the State, only 29% of respondents believe there is political will, to effectively implement the anti-VAWG laws. In essence, the lack of political will is a major barrier to the effective implementation of the laws. It is not enough to enact a law, the political will to ensure its successful implementation must be demonstrated.

One can safely conclude from the findings that though the anti-VAWG laws have been available in Cross River State for more than two decades, most citizens are not aware of their existence. As such, women and girls were not benefitting from the protection the laws offer. More awareness is currently being created and there is evidence of utilising the laws to prosecute offenders.

Lagos State

Lagos prides itself as one of the few states that are progressive when it comes to addressing issues of violence against women and girls. Successive governments since 2005, have put in place robust mechanisms to respond to VAWG. The State has three major anti-VAWG laws which it considered sufficient for protecting women and girls. These are:

- The Lagos State Protection Against Domestic Violence Law, 2007
- The Child Rights Law, 2007 (amended 2015)
- The Criminal Law of Lagos State, 2011

On the question of the adequacy of the anti-VAWG laws in Lagos State, 42% of respondents believe the laws adequately protect women and girls. 37% do not believe the laws adequately protect women and girls, while 21% have no information. While most of the participants cutting across the various groups at the FGD believed the laws were adequate in terms of content, they considered the implementation very inadequate. The community and youth groups especially were of the opinion that awareness of the laws was low at the grassroots level.

A total of 49% of the respondents believe the laws are effective, responding with additional words such as “very effective”, “satisfactory”. The size of respondents who said the laws are not effective was 36%, while 15% had no idea.

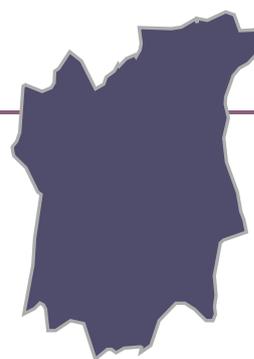
The respondents who said they were satisfied with the implementation of the laws were 56%, while 44% said they were not. KII with senior officials of government agencies, and leaders of CSOs, women groups, community groups and youth groups, also revealed that more needed to be done in terms of implementation. that there are some challenges in both the content and implementation of the laws.

All the five (5) groups at the FGD confirmed that Lagos State had not domesticated the VAPP Act and there are presently no conversations

around whether it should be domesticated anytime soon. They further explained that the State was not under pressure to domesticate it, since it already had laws with similar contents to the Act. The community and youth groups did not know anything about any domestication plan either. According to four of the Key Informants – the DSVRT Coordinator, the Mirabel Centre Manager, Project Alert Shelter Administrator, and the Catholic Women Organization Coordinator in Agege, what Lagos needs to do, is to review the Act to identify key aspects of the legislations that are not in the three existing laws and integrate them. Both KII and FGD participants were all in agreement that the VAPP Act is an all-encompassing legislation that covers all aspects including women’s participation in politics and decision-making processes.

Osun State

The VAPP Act was being considered for adoption at the Osun State House of Assembly at the time of mining data for this study. The bill, which is sponsored by the Honourable Speaker, Rt. Hon. Najeem Salaam had just passed the first reading.



From the information gathered on the field, the timeframe for the eventual adoption is still uncertain and the relevant stakeholders are not carried along and were not aware of the present status of the bill. The content of the VAPP Bill is still unknown to the stakeholders and members of the public while many admitted that the VAPP Act is not available to them.

In addition to the Constitution of Federal Republic of Nigeria 1999 (as amended), and the Criminal Code of 2005, Osun State has three major laws to combat VAWG. These are:

- I. Female Genital Mutilation Law (2005).
- II. Child Right Law (2007).
- III. Protection against Domestic Violence Law (2013).

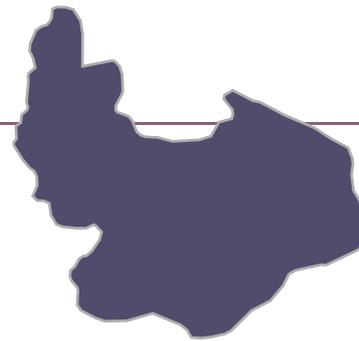
The mechanisms for implementation of the existing laws, according to the feedback from the FGDs and the KIIs are through the Police, as well as the Office of the Public Defender, and the Citizen Mediation Centre which are

both under the State Ministry of Justice. Those responsible for monitoring and evaluation (M&E) are majorly the Civil Society Organisations and some community-based organisations versed in the area of GBVs. The FGD participants commended the Justice Development and Peace Makers (JDPM) for its efforts in this regard.

Community leaders identified poor perception of existing laws, lack of awareness of VAPP Act and that of the process of adoption of the VAPP Bill as well as the low participation of women in political activities in the State as key barriers to effective implementation of the existing anti-VAWGs. Findings from the research also show significant gaps in the availability of anti-VAWG laws and VAPP Act across respondents. It also shows that GBV victims still bear the costs associated with the costs of healthcare; representation and reintegration in pursuits of access to care, and such pursuits are often impeded by stigmatisation, discriminatory and limiting religious beliefs and sentiments, and the lackadaisical attitude of law enforcement agencies.

Plateau State

The VAPP Bill had been passed by the Plateau State House of Assembly and presently awaiting assent by the Governor. The State has other anti-VAWG laws - the 1999 Constitution (as amended), the Penal Code Law (PCL), the Child's Rights Law (CRL) 2005, the Gender and Equal Opportunities Law (GEO) 2015, and the Administration of Criminal Justice Law (ACJL) 2018.



Despite the existence of these laws, the implementation process is weak and violence against women and girls continues to be on the increase. The GEO suffered a setback because its implementation process can only be strengthened through the establishment of the GEO Commission which is the major structure for its effective implementation. According to key informants, this very critical commission has not been established. Moreover, the law, according to the findings, has no attendant penalty for its breach, and where punishment is found, it is minimal and with option of fine. The Penal Code does not capture the issues of violence in its entirety. Moreover, its provisions are not in tandem with current realities

especially regarding issues of gender-based violence.

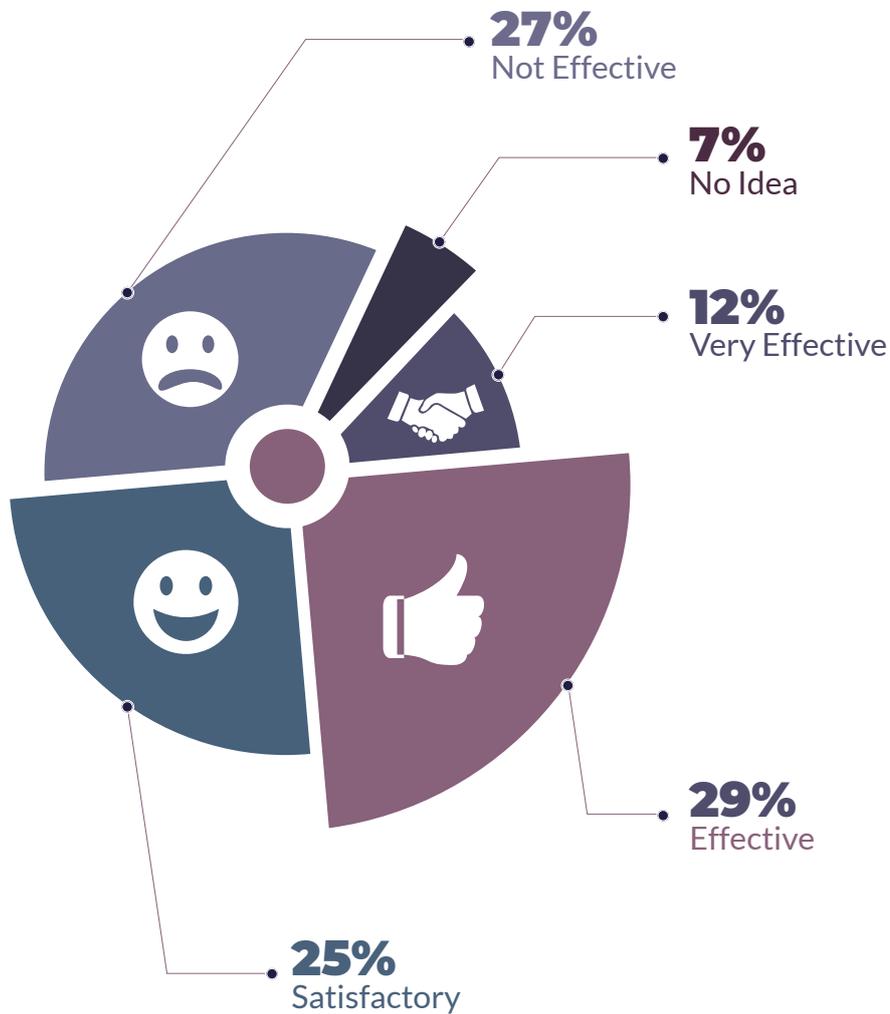
Though the Child's Rights Law adequately protects children from violence, its implementation is weak in rural communities as there is no family court at the magistracy level. Thus, structures are urgently required to strengthen its implementation and ensure effectiveness of the law throughout the State. The ACJL is a procedural law and not substantive as it can only initiate and guide the process of litigation but cannot punish offenders.

Assessing the mechanisms for implementing the anti-VAWG laws in Plateau State, it was revealed that the Ministry of Women Affairs through the legal desk deployed from the Ministry of Justice helps in following up on cases of SGBV when reported to them. Similarly, the Family Court which is a specialised court that handles cases involving children is only established at the high court level. A key informant from the Ministry of Women Affairs stated that the Family Court is a structure established by government to protect the rights of children. The Citizens' Rights and Law Reform Department of the Ministry of Justice is saddled with the responsibility of prosecution of offenders on issues of violence and other related matters. The Justice Sector Reform Team, according to members interviewed, is a government structure established by the ACJL to serve as a monitoring and evaluation team for the effective implementation of the law. This team is saddled with the responsibility of reforming the justice system. As such, it coordinates and collaborates with relevant stakeholders to ensure that criminal matters are adequately prosecuted and victims access justice.

From the findings of this research, existing anti-VAWG laws have not achieved much success due to ignorance of the law, lack of political will and cultural beliefs and practices. A lot of people cannot access justice due to bottlenecks and the above-mentioned barriers. However, government officials from the MoJ and MoWA who participated in the study noted that the government has achieved some progress in the decrease of GBV through the number of cases they have prosecuted, as well as through the establishment of the Family Court where children access justice.

3.2. Effectiveness of VAPP Act and Other Related Laws

Assessing the effectiveness of the VAPP Act and Other related laws, about 66% of survey respondents who were familiar with the protective laws in various forms found the implementation of the laws effective (Very Effective + Effective + Satisfactory) as seen below:



3.3.**Successes of the VAPP Act and Related Laws**

Despite the challenges faced in the implementation of the VAPP Act and related laws, the states under investigation have recorded some successes. The following are the findings from the field showing the changes that have occurred with the use of the VAPP Act and other anti-VAWG laws:

Plateau State

- The adoption of such a comprehensive law is considered a major success because the VAPP Law has provided for rape of boys as an offence, a violation which was not hitherto recognised.
- Women have become more aware of their rights since its domestication.
- The Sex Offenders' Register serves as deterrent to perpetrators for fear of the adverse implications of being documented in such a register.
- It has enabled the provision of shelters for survivors of violence and abuses until they are rehabilitated and reintegrated into the society. The shelters provide counseling facilities to fast-track the rehabilitation of residents.
- CSOs now have a truly protective legal framework which makes advocacy for the protection of the rights of women and girls easier.
- The law has engendered a very high level of collaboration between state actors and non-state actors as it has fostered significant synergy between the government and CSOs.
- With the protection offered by the law and the structures put in place for its implementation, security agencies especially the police can no longer determine cases of domestic violence based on their biases as was the practice before the advent of the law.
- It has improved public perception about the government in protecting the rights of the residents, particularly women and girls.

Akwa Ibom State

- The implementation of the VAPP Law has given room for speedy justice compared to when the State was using the Criminal Code. For instance, findings from the FGD revealed how a 21-year-old girl who was raped by her father since when she was 14 years was able to access instant justice using the VAPP Law. There was also another case where a 3-year-old child who was raped by a 23-year-old man was given a speedy justice as the rapist was given a deserved jail term.
- More awareness has been created with the simplified version of the VAPP Law that is easy for all to understand. This will even get better when the plan to translate the law into local languages is executed.
- The Law has been used to secure the conviction and severe punishment of perpetrators.
- There is confidence in the government's willingness and ability to protect citizens from all forms of violence going by the structures created and effectiveness in the implementation of the Law. Thus, citizens are convinced that government is not fooling around, a situation which serves as a deterrent, especially for perpetrators of domestic violence who hitherto abused their wives and forcefully collected their property with impunity.
- Since the VAPP Law has criminalised so many discriminatory practices that people used to take for granted, more women are now speaking out and seeking justice as they believe they can always get one.
- The SGBV Response Unit has established a strong synergy with line ministries, departments and agencies of government as well as service providers right down to the local governments to effectively handle cases of sexual and gender-based violence.

Bauchi State

- One of the major successes attained because of the domestication of the VAPP Law is the reduction in the incidence of cases of VAWG in the State as 76% of the respondents agree that there is a significant reduction of VAWG due to the domestication. Respondents believed that the implementation of the law reduces crime and sanitises the society.
- The process of domestication of the VAPP Act engendered the sensitisation of the society to the challenge of violence against women and girls especially in the urban areas. Consequently, there is a level of awareness and knowledge of the VAPP Law.
- The VAPP Law generally improves the psyche of women as they feel protected, more confident, and comfortable, especially in the public domain where women are working amidst men. According to one of the KII respondents, during the last promotion exercise in the state, women were considered by merit and promoted accordingly. They noted that prior to the adoption of the VAPP Act, women had to suffer discrimination, harassment and needless following up on their promotion

Cross River State

- Participants at the FGDs and the key informants interviewed noted some of the successes and achievements of the anti-VAWG laws in Cross River State. These include:
- Successful prosecution of cases of VAWG with the Child's Rights Law. For instance, a 78-year-old man was recently sentenced to death by hanging for raping his 3-year-old daughter. Similarly, a child who was married off to a man in exchange for the debt owed by her parents in Obanliku community of northern Cross River State was rescued from that situation when the case was reported to the Ministry of Women Affairs. Also, a 68-year-old man recently bagged a sentence of 23 years imprisonment for raping his 17-year-old stepdaughter.
- The enactment and popularisation of the Child's Rights Law has

helped keep children in school and reduced loitering on streets during school hours.

- Setting up of family courts with the Child's Rights Law has enhanced the speedy dispensation of justice.

Edo State

- There is increased knowledge of the gravity of SGBV as crimes known to law with defined penalties, thus it has emboldened more people to dare to seek redress.
- There is better appreciation of various scenarios that amount to rape and there have been cases where forced oral sex and anal sex were treated as rape. Increased media reports on such is improving the public consciousness on the fact that rape is not only vaginal.
- The knowledge of the existence of the VAPP Law has been an effective deterrent in some parts of the State.

Federal Capital Territory

- The Act has enhanced awareness of violence against persons, especially women and girls.
- It has facilitated the successful prosecution of GBV cases. For instance, between January 2020 and February 2021, a total of 46 offenders were prosecuted, with 38 of them successfully convicted and sentenced, including one life conviction for defiling a minor.
- 60% of the respondents believed that there has been a reduction in VAWG since the passage of the Act.
- The VAPP Act has enabled productive partnership between state and non-state actors. For example, there are about eighty (80) registered service providers currently collaborating with NAPTIP.
- It helps to curb the menace of VAWG in the FCT because the fear of the penalties which serve as deterrent to perpetrators and makes them refrain from causing harm to another.

- The Sexual Offenders' Register for naming and shaming offenders serves as deterrent to perpetrators of VAWG.

Lagos State

Some of the achievements of the three anti-VAWG laws in Lagos State as noted by the study participants include:

- Provision of an effective legal framework for promoting and protecting the rights of women and girls in Lagos.
- The intentional implementation of the laws encourages survivors to speak out as they are convinced that justice is available and accessible.
- The existence of the laws and use of them by activists has enabled an appreciation of the various challenges in their implementation. Thus, they constantly advocate for deliberate and professional implementation of the laws.
- The implementation of the laws has resulted in achieving justice for survivors significantly. Study participants cited the case of the 3-year-old pupil of Christland School who was sexually abused by a teacher in the school. Using the Child Rights Law, DSVRT working with MWAPA, pursued the case and the perpetrator was jailed 60 years. Similarly, the case of Titilayo Arowolo who was battered and killed by her husband Akolade in 2011 was prosecuted using the Criminal Law and the accused was sentenced to death. Participants also shared the recent case of a man at Lekki, Lagos Island, who during the COVID-19 lockdown, battered his wife leaving her with a bloodied face, and went ahead to boast on FB, that he was waiting for her to bring the police to arrest him. He was said to be a notorious hooligan. DSVRT and MWAPA stepped in to arrest and charge him to court using the Criminal and domestic violence laws of Lagos State. Another instance was the case of a child who was sexually abused by a man, and physical assault resulting in injuries by the man's wife. Both were reported to the police and charged to court under the Child Rights Law and the Criminal Law of Lagos State.
- The introduction of the Yellow Card as a warning to parents/guardians has improved the retention of children, especially girls in school.
- Setting up of specialised courts in the state – family courts with

designated courts for sexual violence adjudication.

- The development of a Practice Direction by the office of the Lagos Chief Judge to guide the implementation of the DV Law of Lagos
- Setting up of a specialised team of government and non-governmental organisations to work together to respond to sexual and gender-based violence in the state, known as the Domestic & Sexual Violence Response Team, DSVRT.
- The creation of various agencies under the Ministry of Justice to respond to SGBV issues amongst others, such as Office of the Public Defender, OPD; Citizens' Mediation Centre, (CMC); DSVRT, Directorate of Public Prosecution etc.
- The political will on the part of the Lagos State Government to always speak out against SGBV.

Osun State

- One of the positive encounters especially at the FGD interviews is the willingness of groups interviewed to embrace expanded community structures, coordination, and collaborative efforts.
- Cases of GBV have been successfully prosecuted using existing anti-VAWG laws. A case in point was that of the prosecution of Professor Richard Akindele who was accused of sexual harassment. He was sentenced to two (2) years imprisonment.
- Effective cooperation of relevant agencies in prosecuting cases by the Ministry of Justice through its directorates like the Office of the Public Defender (OPD), Citizens Mediation Centre (CMC) and the Public Prosecution Department (PPD).

Plateau State

- Establishment of the Family Court for speedy access to justice for children.
- Effective collaboration of the structures for implementation, especially between the ministries of women affairs and justice.
- Awareness of protective structures against gender-based violence, especially for children.

3.4.

Gaps in the implementation of the VAPP Act and related laws

The following are some of the major the gaps Identified in the implementation of the VAPP Act/Laws and related anti-VAWG laws in the study sites:

- i. Institutional capacity gaps: This has to do with poor capacity, including the lack of training and retraining for officers of various ministries and agencies who are tasked with the responsibility to implement these laws to enable them to deliver effectively and professionally. These institutions include the police, the courts, and the relevant ministries. For instance, the DV law in Lagos State in its content and intent does not allow for delays in action such as the period within which a protection order should be issued, when the complainant and the perpetrator should come back to court etc. However, there are delays, starting from the police to the courts. The situation is similar in all the other states under investigation.
- ii. Corruption and corrupt practices: Due to poor funding of welfare and logistics, the police demand funding for practically everything, ranging from phone calls and transportation, to printing, photocopy etc. from the survivor, her family or friends, and the NGOs who referred the case. This puts a lot of financial pressure on the survivor and the referring NGO, so much so that if they are unable to afford the costs, the survivor and her family may decide to discontinue with the case. Corrupt practices whereby the police could decide to 'kill' a case by

sweeping it under the carpet or bribing the survivor and her family to discontinue with the case.

- iii. Lack of awareness about the existence of these laws and the various mechanisms that have been put in place to ensure their implementation. Notwithstanding that the Lagos State Domestic Violence and Child's Rights laws have been in existence for fourteen (14) years, having been passed in 2007, awareness of the laws has not reached every nook and cranny of the state, especially to those in the riverine areas and to all Community Development Committees and Community Development Associations.
- iv. Societal / cultural challenges by way of secondary victimisation of survivors. This involves community continued blaming and shaming of survivors of SGBV which makes them recoil and not want to report or follow up on cases they reported.
- v. Poor funding of government agencies tasked with VAWG response and lack of any form of funding for CSOs who often the first responders and the providers of care and support for the survivors are. For instance, when the question of who bears the costs associated with healthcare, police report, legal representation and re-integration and follow up of survivors was posed to the Lagos participants during the FGD and KII, four (4) of the five (5) groups (with the exception of the government agencies group); and eight (8) of the ten (10) KII participants (excluding the government officials) responded that everyone but government bears the cost of responding to cases. In the opinion of the government officials at the FGDs, government bears health costs through medical facilities like the Primary Health Care (PHC) centre; legal costs, through the Office of the Public Defender, DSVRT, CMC; and reintegration/empowerment costs through MWAPA. The other sub-groups within the FGD and KII participants stated that very few survivors access the above-mentioned services due to poor awareness. Furthermore, citizens do not usually have confidence in the PHCs because according to the participants, they are poorly equipped and do not enjoy round-the-clock personnel like private hospitals. They however recognised the Mirabel Centre at LASUTH as the only well-known facility in Lagos that offers good quality services to sexual assault survivors. On legal representation, they were all of the same opinion that in spite of the efforts of the DSVRT, it is overwhelmed. Also, most people report to NGOs because they act fast and try to assist with immediate costs. Communities,

friends, relatives most times have to contribute money to help with transportation of survivors, police logistics, medicals and even legal costs. Similarly, in Akwa Ibom State, respondents highlighted poor funding as the major challenge as survivors of rape and child abuse are not availed free medical treatment. According to the interviewees, out of the 564 rape cases received by the Agape Referral Centre from 2016 to 2021, 64% of these cases are children below the age of 17 years of age and ten of them male.

- vi. Lack of clear accountability lines: The role of traditional rulers/leaders, town union leaders and religious leaders are not clearly spelt out in relation to implementation of the VAPP Act/law. Therefore, they cannot be held accountable for VAWG that occurs in their community.
- vii. Inadequate penalties in the VAPP Laws of the states: Some of the respondents considered some penalties too weak to deter perpetrators in contradiction with the provisions of the VAPP Act.
- viii. Lack of protection in the laws for those who report cases of SGBV: Findings from interview with a community leader revealed that some persons who reported cases of sexual and gender-based violence especially from the communities are intimidated and sometimes receive threats to their lives.
- ix. Higher standard of proof (beyond reasonable doubt) required in criminal law: In many cases this high burden is difficult to discharge as women find it difficult to recall incidents of violence accurately or provide physical evidence.
- x. Refusal of police to file complaints by victims under this provision: The general perception is that such cases are private and should never be put in the public realm. As such, in many cases, law enforcement agents do advocate reconciliation instead of prosecuting cases using the VAPP Act and related laws as provided.
- xi. Lack of explicit provision for an implementation and/or a steering committee: Most of the KII and FGD respondents argued that this singular act is responsible for the slow implementation of the law in Kaduna State.
- xii. Lack of a clear referral pathway for GBV: Most often, survivors of VAWG especially those in the rural areas do not know what to do or where to go when they experience SGBV incidents as many of the states do not have documentation on the roles and contacts of SGBV

service providers to be shared with relevant implementing partners and the public.

- xiii. Rape is not provided for in the Kaduna State VAPP Law: Due to the fact that sexual violence is provided for in the Penal Code, cases of rape are not prosecuted with the VAPP Law.
- xiv. Non-designation of Family Courts: In places where the family courts are not in existence, the mainstream courts are overwhelmed. Consequently, cases drag for too long, leaving survivors and their families discouraged.
- xv. Lack of legal aid for indigent victims: There is no provision for legal aid for victims of gender-based violence who have no funds to take their cases to court in Abia, and Plateau states, for instance.
- xvi. Emerging trends not provided for by the laws: The law is silent on issues like rituals which is fast gaining grounds as major forms of violence in Nigeria. An example of this is the removal of the genitals of a young girl in Bauchi recently. The anti-VAWG laws could not be used to prosecute this crime in the State because it could not be categorised as either murder or rape.
- xvii. Poor data collection and management mechanisms: Respondents in the FCT decried the irregularity of figures provided by government agencies like the Federal Ministry of Women Affairs, NAPTIP, the area councils and the police. They noted that the data inconsistency was as a result of poor database management among the agencies.
- xviii. Duplication of some of the provisions in the Penal Code: In Bauchi and Kaduna States, there are some offences that are referred to in both the VAPP and Penal Code Laws. A case in point is that of harmful traditional practices in Kaduna State. Here the only difference is in the penalties - not less than N100,000 and not less than 5 years in the Penal Code and not less N500,000 and not less than 2 years as the penalty in the VAPP Law. The danger here is that it leaves the choice of which of the two laws to apply to the discretion of the prosecutors or the legal officers of Ministry of Justice, and they often go with the law with lesser punishment.
- xix. Poverty and intimidation as motivation for out-of-court settlement: More often than not, families of victims or the survivors always opt to settle the matter out of court especially when they are being threatened or when they have been offered money to let go.

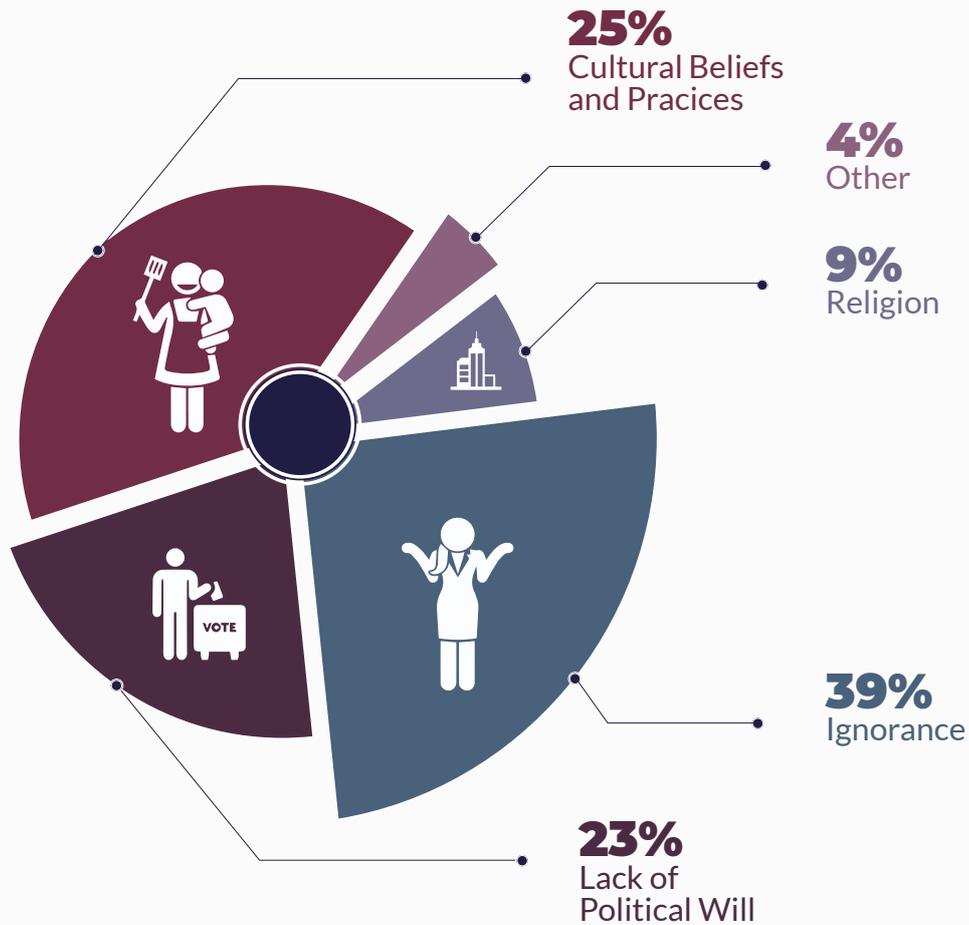
- xx. Limited support and protection services for survivors of intimate partner physical violence and sexual violence in public and private spaces.

3.5.

Barriers to the utilisation of the VAPP Act and related laws

Apart from the identified gaps/challenges, the following are some of the barriers to the success of the VAPP Act:

- i. Ignorance: For 39% of the research participants across the research sites, ignorance was the major barrier to the utilisation of the laws by the citizens.
- ii. Cultural beliefs and practices: 25% of the study participants confirmed that patriarchal traditions and cultural beliefs ascribe power and control to men and boys. Therefore, VAWG has been normalised in most communities.
- iii. Lack of political will by governments at the national and state levels was identified by 23% of the respondents as another barrier to effective implementation of the laws. What this means is that it is not enough to enact a law, the political will to ensure its successful implementation must be evident.
- iv. Misinterpretation of the major religions is a limiting factor in the opinion of 9% of the respondents.
- v. Other factors such as misinformation, poor socialisation and poverty were highlighted for consideration when discussing the barriers to the implementation of the VAPP Act and related anti-VAWG laws by the last 4% of the survey population.



3.6. Citizen Engagement

Assessing the level of citizen engagement, the research sought to find out the level of awareness of citizens and the key drivers / categories of stakeholders who participated in the domestication processes as well as the implementation of the VAPP laws and the anti-VAWG laws in states where the Act has not been domesticated.

A. Awareness of the VAPP Act and Related Laws

Overall, 65% of the survey respondents were aware of the laws whilst 35% of the total respondents across the twelve research locations were not.

At the level of individual states, 87% of the survey respondents in Akwa Ibom State were familiar with the VAPP Law, while 13% were not. Three (3) out of the ten (10) key informants interviewed had also not heard of the VAPP Law. The three who had not heard were two traditional leaders and a youth medical doctor. Most of the participants at the FGD had heard and were aware of the law. There has been a high level of citizen's engagement and awareness on the part of citizens. Members and representatives of some women groups had taken it upon themselves to take the advocacy to rural communities. However, there will be a wider spread of awareness if the law is translated into the local dialect of the people for ease of understanding and explanation. Many of the citizens are aware that such a law is in existence. They know about the existence of the law but do not know the import of the law or how to go about accessing it.

In Bauchi State, there was high level of awareness on the existence of protecting laws and the VAPP Act by participants and informants that were drawn from state and non-state actors' categories. However, majority of the participants from the indigent community, aged women and few from the youth groups have considerably low awareness on the existence of any anti-VAWG law(s). With regards to knowledge of the newly domesticated VAPP Law, 47% of the respondents that have some knowledge of its existence heard about it on the radio. This supports the responses provided by majority of the interviewees with regards to the role of the media in sensitisation. They opined that the role of the media in sensitisation cannot be over emphasised. They maintained that radio is the most appealing method of sensitisation because a lot of people have access to it. Sensitisation workshops organised by CSOs was the source of information about the law by 21.9% of the respondents. This evidently is another viable means of creating awareness in both rural and urban communities.

Findings from the research show that 78% of the study participants in Cross River State have knowledge about some or all the anti-VAWG laws in the State, while 16% said they are not aware of any of the laws. A lot of work still needs to be done especially in the rural areas in this regard. During the FGD, the CSOs, youth and government groups also identified the Criminal Code of Nigeria, Cross Rivers State Girl-Child Marriages and Female Circumcision (Prohibition) Law 2000, the Child's Rights Law 2009 and Cross River State Female Person's

Inheritance of Property as the four anti-VAWG laws in the state. The women and community groups had knowledge about the two laws which focus specifically on women.

A large proportion of the study participants including lawyers, magistrates, judges and police officers including the grassroots are not yet aware of the VAPP Law in Enugu State.

In the FCT, respondents largely believe that the public awareness level of the VAPP Act is low. Responses from the survey indicated that a significant number - 80% were not aware of the existence or contents of the Act.

Knowledge about the law is still low in Kaduna State. Most people have not read the law and assume that it is all about rape, thereby affecting their level of engagement with the law, even when rape is not included in the offences listed in the Kaduna State VAPP Law. Evidence from the discussions of the KIIs and the FGD also reveal that the relevant implementing officers are not very knowledgeable about the law.

In Lagos State, 60% of the respondents were familiar with the VAPP Act, while 40% weren't. Three (3) out of the ten (10) Key Informants interviewed had also not heard of the VAPP Act. The three who hadn't heard were the two community group leaders and a youth group leader. Four (4) of the five (5) groups at the FGD had heard and were aware of the VAPP Act. The groups are – government agencies, CSOs, women and youth. The community group had not heard of the VAPP Act before.

B. Key drivers of the VAPP Act and Other Related laws

The key drivers and stakeholders that were involved in the passage and implementation of the VAPP Law in Akwa Ibom include legislators, especially the Deputy Speaker of the Akwa Ibom State House of Assembly, and Chairman House Committee on Women Affairs; the Ministry of Justice (Sexual and Gender Based Violence Response Unit); the Ministry of Women Affairs and Social Welfare; the Family Unit of the Nigerian Police Force, FIDA, FEYReP, CSOs, National Human Rights Commission, the media, religious leaders, traditional rulers, healthcare service providers and social workers.

The government officials and CSOs acknowledged the domestication

of the VAPP Act in Bauchi State. They can work together without any rancour to see to the success of implementation. The ministries of justice, and women affairs as well as the Office of the First Lady of Bauchi state are seen as the key drivers of the VAPP Law.

CSOs in Cross River State are active in interventions to protect the interest of women and children, especially the girl-child against GBV and VAWG. They are at the forefront of creating awareness regarding the laws, educating relevant stakeholders including the police on the laws, and working with the media to carry out sensitisation campaigns. With regards to the domestication of the VAPP Act, advocacy targeting the legislature and the executive arms of government was ongoing. Another stakeholder involved in awareness raising on the laws is the Ministry of Information, but this has not been consistent because of lack of funds. The research also revealed that the Ministry of Women Affairs collaborates with CSOs in implementing some aspects of the laws though dogged by lack of funds on the part of the CSOs to work as effectively as they should. Those with funding from donors have no issues with carrying out the sensitisation and advocacy activities for the tenure of the funding. However, once the project tenure comes to an end, all sensitisation activities also end abruptly.

Various stakeholders that participated in the passage of the law are committed to its implementation in Abia State. The Nigeria Police Force has gender desks in their stations across the State. The Ministry of Justice through the office of the Director of Public Prosecutions is also a key stakeholder driving the implementation of the Law. Similarly, FIDA, NGOs, FBOs, traditional rulers, MWASD, and the Office of the First Lady also collaborate for the effective implementation of the Law. According to study participants, citizen engagement can help governments achieve improved results through social inclusion, advocacy and empowerment. From the analysis, citizens are willing and ready to be part of the implementation. They see the domestication of the VAPP Act as critical to reducing the incidences of violence and abuse against women and girls. Most citizens will tap into the benefits of this law to seek redress and get justice.

Knowledge of the VAPP Law is relatively high among the non-state actors' space in Edo State, even though the intended end users of the law are largely unaware of its provisions or procedures for seeking

redress. CSOs did not feel adequately included in critical processes that led to the passage of the VAPP Law in its current form. Media coverage of the passage of the bill, which was an aftermath of huge protests against SGBV sensitised residents to the availability of a legal framework for accessing justice. The existence of the SOR has been reported as an effective deterrent. The proposed simplified editions of the VAPP Law in local languages including pidgin and sign language will go a long way in educating the people about the provisions of the Law.

The key stakeholders involved in the passage of the Law in Enugu State are civil society organisations - NGOs, FBOs, women's groups, legislators, government agencies, among others. Presently, non-state actors are mounting pressure for the government to gazette the Law so that the implementation can take effect without further delay.

The study participants listed the groups that were relevant to the passage of the Act in the FCT to include NAPTIP, FMoWA, CSOs-NGOs, women groups, FBOs, NBA, FIDA; the Ministry of Justice, the Ministry of Women Affairs and Social Development; development partners, among others.

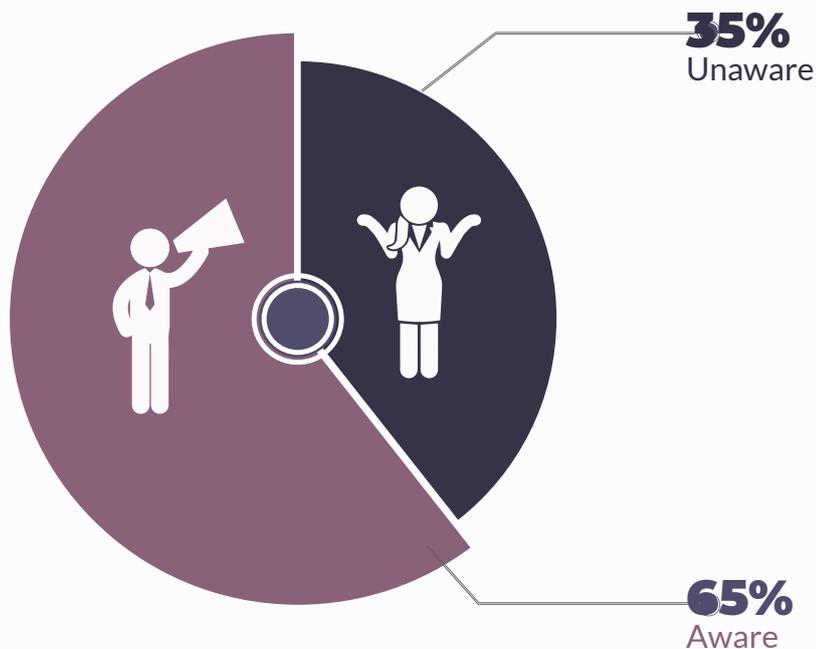
Leading to the passage of the Kaduna State VAPP Law (2018), civil society organisations engaged in massive advocacy and sensitisation campaigns aimed at raising awareness and building support for the passage of the bill. However, the momentum has not been sustained by both relevant government agencies and the civil society. There have been pockets of efforts from different actors though. The MHHSD organised training for its newly recruited social welfare officers in 2019 where the VAPP Law was part of the focus for the officers to enhance the needed skills for carrying out their duties as cited in Section 32 (1-2). NGOs within the State have also contributed efforts towards encouraging the full implementation of the Law. Besides contributing their quota as service providers, especially in referring cases to the appropriate authorities and following up on the cases, some have also contributed towards providing training for relevant officers. An example is the case of a local NGO, Legal Awareness for Nigerian Women, with support from the USAID and UKAID-funded National Democratic Institute which supported the MHHSD in the drafting of a roadmap;²⁷ printing and dissemination of a simplified version of the VAPP Law. It also conducted several sensitization campaigns

²⁷Legal Awareness for Nigerian Women, 2019, *Implementation Guide of VAPP law in Kaduna State*

especially on radio and in meetings with different stakeholders, to raise awareness on the Law. Another example is the drive by WRAPA which engaged with relevant stakeholders with support from the Swedish International Development Cooperation Agency (SIDCA), towards encouraging the full implementation of the Law.²⁸ Other CSOs/NGOs especially those within the GBV actors' platform and the Kaduna State Squad against SGBV (KASAS) have all been pulling efforts towards responding to SGBV issues in the State. The First Lady is an active member of KASAS and has been contributing her quota in the fight against SGBV. The Kaduna State Chapter of the International Federation of Women Lawyers (FIDA) is also committed to the cause by providing legal representation for survivors and following up on cases.

In Plateau State, CSOs have wider knowledge and awareness of existing anti-VAWG laws and have been actively engaged in the process of adoption and domestication of VAWG. The actors that championed the domestication and passage of the VAPP Act include the members of the State House of Assembly, FIDA, NBA, NHRC, MOJ etc

Awareness of the VAPP Act and Related Laws



²⁸ <https://www.sunnewsonline.com/stakeholders-call-for-full-implementation-of-vapp-law-in-kaduna/>

3.7. Best Practices

The following are the best practices identified by the expert researchers in the course of the study:

- » **Response/Implementation Mechanisms:** Setting up VAWG response teams such as the Domestic & Sexual Violence Response Team (DSVRT) of Lagos; the Sexual & Gender-Based Violence Response Team of Akwa-Ibom State; the State Technical Working Committee (STWC) and the State Action Team in Abia; the response team in Anambra; the State Action Committee and the Standing Committee on VAWG in Bauchi.
- » **The Critical role of Champion and Influencers:** Some of the first ladies were instrumental to the efficient and effective implementation in many of the states where legislations were being used effectively to protect women and girls. The wives of the governors play a very active role in championing the effective implementation of the VAPP laws and other anti-VAWG laws as seen in Abia, Cross River, Bauchi and Kaduna States. Closely linked to this is the establishment of the Nigeria Governors' Wives Forum Against Gender Based Violence (NGWA-GBV).
- » **Transformative Collaboration between State & Non-State Actors:** The domestication of the VAPP Act in most of the states was a collaborative effort between government and CSOs working on human and women's rights. The collaboration helped to reduce suspicion and encouraged buy-ins. It also worked in getting the leadership of state houses of assembly to sponsor the VAPP bill, working with coalition of CSOs. The inclusion and active involvement of CSOs in the response teams has contributed greatly to the successes that have been recorded in states that have them. Special training of the magistrates in Anambra by FIDA made it easier for the magistrates to implement the provisions of the VAPP Law, for instance. They implement Sections 29 – 33 on protection order which made special provision on jurisdiction and protection orders. Collaboration between relevant government agencies and coalition of CSOs in pushing for the domestication of the Act in Kaduna State reduced suspicion and encouraged the buy-in and

acceptance of the proposed law especially by religious and traditional leaders.

- » Establishment of Sexual Assault Referral Centres and Shelters Though the SARCs and Shelters were mainly set up and are being run by NGOs, they do partner with government to render required services. There are SARCs in FCT, Lagos, Enugu, Edo, Anambra, Kaduna. The first shelter for abused women was established in Lagos by Project Alert On Violence Against Women in 2001. Since then, the state has recorded a number of shelters while other states, including in some of the study states have also witnessed the establishment of shelters to provide solace to survivors of GBV. These are Abia, Akwa Ibom, Anambra, Cross River, Enugu, FCT, and Kaduna.
- » Establishment of Specialised Courts and Practice Direction: In line with the Child Rights Law, the setting up of specialized courts in some states is commendable. Family courts have been set up with some of them designated to handle sexual offences as is done in Lagos, Edo, Cross River; the development of a Practice Direction by the Office of the Lagos State Chief Judge to guide the implementation of the Protection Against Domestic Violence Law of Lagos; the directive of the Bauchi State Governor to the CJ to temporarily assign specific courts to entertain issues of SGBV pending the creation and establishment of special courts for VAWG;
- » Simplification of the VAPP laws and related laws: The simplification of the VAPP Act and anti-VAWG laws in some of the states by government and NGOs alike has helped to popularise the laws. Akwa Ibom State is a case in point.
- » Training of judicial and law enforcement agencies: The training of judges, magistrates and the police and NSCDC on the laws as they get enacted in the states helps to drive quick implementation of the laws.
- » Setting Up of Toll-Free Numbers: The setting up of toll-free numbers for members of the public to call and report SGBV in some of the states is yet another good practice in Akwa Ibom.
- » Establishment of a Sexual Offenders' Register as seen in the FCT, Lagos, Akwa Ibom, Kaduna, Abia, and/or keying into the national sex offenders register as done by Edo are practices that would ensure capturing of these offenders and reducing the chances of them repeating the crimes.

- » Popularisation of the Child’s Rights Law in public schools in Lagos and the introduction of the yellow card as a warning to parents/guardians has helped keep children in schools and reduced loitering on streets during school hours. Same for Cross River



There has been a high level of citizen’s engagement and awareness on the part of citizens. Members and representatives of some women groups had taken it upon themselves to take the advocacy to rural communities





PART

04

Conclusion

The VAPP Act was necessary to curb the increased prevalence of gender-based violence in Nigeria. This research confirmed the existence of a VAPP Law in Abia, Akwa Ibom, Anambra, Kaduna, Bauchi, Edo, Enugu States, in addition to the VAPP Act which is being implemented in the FCT. It is significant to note that though there are VAPP laws in Enugu, there does not seem to be adequate political will for the implementation.

The research also identified the major pieces of legislation for protecting women and girls from the various forms of violence in states that have not yet domesticated the VAPP Act. These are Cross River, Lagos, Osun, and Plateau states. It assessed the legal and policy frameworks to determine how adequately the laws protect women and girls from violence; it also elicited information on the process of domesticating the Violence Against Persons (Prohibition) Act of 2015 in those states where it has not yet been domesticated. The VAPP Act is in the process of being domesticated in three out of the four study locations where it has not yet been domesticated and findings showed that the adoption of VAPP Act will consolidate the different existing anti-VAWG laws. It is worthy of note that Lagos State does not seem to be under any pressure to domesticate

the VAPP Act, which is currently the most encompassing protective law against violence against women given its recognition of other forms of rape and other hitherto unrecognised forms of VAWG. At best, the state is considering a review of the VAPP Act to identify and incorporate those aspects that are not in the existing anti-VAWG laws of the State.

There is significant improvement in the implementation of the VAPP Act and related laws because of greater awareness due to enlightenment activities carried out by different stakeholders. There is however a lack of capacity among law enforcement officers as to the implementation and application of the provisions of various anti-VAWG laws in the States. As such, there is need to educate them more on the provisions of the laws so they can be more effective. A lot of sensitisation would need to be conducted targeting different stakeholders and implementing agencies, especially targeting law enforcement personnel to ensure understanding of the law is achieved

There is also need for more and frequent awareness programmes on the anti-VAWG laws, in addition to deliberate budgeting and funding for the effective and full implementation of the laws as CSOs, survivors, families and communities often bear the costs of responding to cases from the police station to hospitals, and courts. Furthermore, the existence of the anti-VAWG laws and efforts by the state governments have helped state and non-state service providers record some successes in terms of getting justice for survivors. This has also brought to the fore some of the challenges that need to be addressed such as the lack of government funding support for NGOs offering SGBV services.

The statutory mandate to implement the Act in the FCT lies with NAPTIP and the findings from the research show that the agency has recorded several successes. While awareness creation and sensitization to inform the public about their rights and remedies are necessary, the pertinent factor is for justice to be seen to be done. Where remedies are not adequately provided, the victims or survivors are victimised, stigmatised, and jeopardised. Justice does not seem feasible to survivors. Sometimes they are publicly humiliated even in law courts with questions and cross examinations that further invade their privacy and as a result, discourage others from coming forward. While the right to an effective remedy is established under the Law, there remains a wide gap between the VAPP Act and its implementation.

There is a level of understanding between the government and non-state actors. However, stakeholders still request for a better collaboration

and cooperation as the level of VAWG in the FCT requires intensive efforts of governmental and non-governmental actors. It is argued that notwithstanding the laws in effect in the FCT that deal with offences related to VAWG, such as the Child Rights Act (CRA), Trafficking in Persons Law Enforcement Administration Act (TIPLEAA), Constitution of the Federal Republic of Nigeria (as amended) (CFRN), the VAPP Act provides more coverage to women and girls in the FCT.

Research findings show that communities are not being sufficiently engaged in the fight against VAWG, and the awareness of the various anti-VAWG laws and the VAPP Act is poor at that level. Similarly, traditional print and electronic media are not doing enough in terms of investigating incidents of VAWG and holding government and implementing agencies accountable.

Poverty was identified as one of the factors fuelling the vulnerability of women and girls to all forms of sexual and gender-based violence. This means that there must be a multi-pronged approach to ensure that government agencies responsible for economic empowerment are brought on board in the fight against VAWG.

Deliberate steps would need to be taken to engage the relevant implementing agencies for example the Federal Ministry of Justice, Police and NSCDC to ensure that prosecutors and counsels begin to apply the law in prosecuting cases of VAWG not just the Penal Code. This is also a pointer that the law would need to be reviewed in no distant time to address the gaps identified in some of the states under investigation.

The research also established that first ladies are invaluable in the efforts to bring VAWG to its knee. They have proved to be passionate and committed champions for promoting the implementation of the VAPP Act and related laws in Nigeria.

Some of the key lessons learnt that can help strengthen implementation of the VAPP Act and assist the adoption of the VAPP Act are:

- a. Advocacy efforts should focus on the interrelated components required for domestication of the VAPP Act - passage, assent and gazetting of the VAPP laws and other anti-VAWG laws.
- b. Coalition building is necessary for a meaningful VAPP Act adoption advocacy to take place.
- c. Community sensitisation is essential to understand the benefits of the laws to enhance effectiveness.

- d. Education of the various stakeholders on the VAPP Act and related laws will engender recognition and understanding of the laws at the local level and make support for the legislations easier.
- e. Political will is needed for proper implementation of a law. Therefore, it is important to target the executive arm of government in any advocacy plan.
- f. Establishment of partnerships between CSOs and government, represented by the relevant implementing agencies and structures such as the Ministries of Women Affairs and Justice will go a long way in ensuring effective implementation.
- g. One invaluable strategy is the partnership with traditional and new media to raise awareness of the problem and the response. The media will also monitor implementation and report to the people.
- h. Enactment of a law is just the first step and does not guarantee effective implementation. Simplifying existing laws and using same to educate stakeholders help the people understand the laws. Once the laws are understood, implementation should become easier.
- i. Implementation of laws require deliberate budgeting and funding for awareness creation, capacity building, and logistics for response/ services.



The VAPP Act was necessary to curb the increased prevalence of gender-based violence in Nigeria. This research confirmed the existence of a VAPP Law in Abia, Akwa Ibom, Anambra, Kaduna, Bauchi, Edo, Enugu States, in addition to the VAPP Act which is being implemented in the FCT.

Recommendations

The following recommendations are proposed to improve the implementation of the VAPP Act and related laws in the focal states. It is also anticipated that the recommendations will fast-track the process of domestication in the remaining twenty states where the Act had not been domesticated as at the time of this study.

1. Government MUST Demonstrate Political will through:

- a. **Adequate financing:** Both the executive and legislative arms of governments should demonstrate commitment by making provisions for and approve gender-responsive budgeting to fund the implementation of the VAPP Act in the FCT/VAPP Law and related laws in the states. This would go a long way in providing medical, legal, and psychosocial support to survivors, providing the much-needed resources and infrastructure to critical agencies - Police, Ministry of Justice, Women Affairs and Social Development, NAPTIP, and social welfare units.
- b. **Full implementation of all the provisions** of the Act/Law by harmonising all anti-VAWG laws.
- c. **Recognition of GBV services as essential:** Government should

designate VAWG services essential in crisis situations to enable providers of services render assistance to victims of VAWG without harassment by security personnel.

- d. **Establishment of family courts** where they do not yet exist to take on cases to reduce the burden of high courts which are already overburdened.
- e. **Provision of shelters** across the three senatorial districts of every state.
- f. **Development of an emergency response policy** with broad definition of emergency situations to include public health crises like the COVID-19 pandemic and SGBV. It should list the various emergency service providers, to include NGOs rendering VAWG-related services.
- g. **Harmonisation of VAPP Law/anti-VAWG laws** with religious teachings that prohibit SGBV and frowns at VAWG totally where required for full acceptability

2.

Government and CSOs SHOULD Enhance Capacity of critical Stakeholders

- a. There is need for training and re-training of agencies and ministries tasked with the responsibility of implementing, monitoring, and evaluating the Act/Laws to equip them with necessary skills for effective implementation of the VAPP Act/Law.
- b. Constant training for judicial and law enforcement personnel on the VAPP Act/Law.
- c. Regular training for media personnel to understand their role in holding the various government agencies accountable for the implementation of the VAPP Act/Law and related anti-VAWG laws in states.
- d. Provide paralegal training for all service providers to aid them handle cases of violence against women and girls.

3. Government and CSOs SHOULD Inform and Educate

- a. Increase advocacy: Relevant government agencies such as the National Orientation Agency (NOA) and the Federal Ministry of Information and Culture as well as CSOs should simplify and translate the VAPP Act/ and related laws into major local languages and pidgin. This should be made available to all citizens.
- b. Sensitisation on anti-VAWG laws should be constant and consistent. Government and relevant CSOs should ensure that this sensitization get to every nook and cranny of the state by employing traditional media in communities.
- c. Civil Society Organisations should carry out intensive awareness campaign on the Violence Against Persons Prohibition Law. The sensitisation on the provisions of the Law will provide first-hand information to women and men. Awareness of the provisions of the Law and the punishment thereof will serve as deterrent to perpetrators.
- d. CSOs should ensure that information campaigns reach the most vulnerable through multiple communication channels to ensure that beneficiaries are aware of the VAPP Law and that they are equipped with information on how and where to get support, protection, and services.
- e. Integration of the VAPP Act into the school curriculum: Governments through the relevant agencies of the ministries of education should include the VAPP Act/Law in the school curriculum to broaden the minds of children and young people to promote respect for the rights of persons to be free from violence everywhere.
- f. Promotion of the Sexual Offenders' Register in local communities to reverse the shame which aims at redirecting the stigma from the victim to the perpetrator by naming and shaming the perpetrators rather than the victim who may be stigmatised in their community.

4. Ensure Active Citizen Engagement

- a. Governments at all levels should initiate and sustain intentional engagement with critical non-state actors such as:
 - Traditional and religious leaders who constitute a major force in influencing social change and sustainable development and usually have strategies for getting hold of and influencing hard-to-reach populations. Thus, they need to be sensitised and brought on board as critical stakeholders.
 - Civil society actors who can and do catalyse change around the world. In Nigeria, CSOs are found in every nook and cranny, they are eager about the development of society and are involved in almost every aspect of development. Therefore, working with the sector is pertinent to take the message to the people and bring voices of the people to the table - market women and men, road transport unions, students' unions, NGOs, CBOs, FBOs, women's organisations and associations, etc
 - The Media - traditional and new media - remain invaluable in efforts to transform society positively. As such, it is pertinent to invest in developing partnerships with this critical sector.
- b. There should be institutional re-engagement among implementing agencies. Government institutions working to support survivors need to define clear cut roles and rules of engagement to enable CSOs collaborate effectively with them.
- c. Strengthen collaboration between security /law enforcement agencies: Nigeria Police Force, NSCDC, the military, DSS and NAPTIP, ministries of justice, social welfare, healthcare providers, the media, Civil Society Organisations, Non-Governmental Organisations, Police Community Relations Committees, Faith-Based Organisations and religious leaders in the areas of investigation, medical care, legal aid, empowerment, intelligence sharing, counselling, psycho-social care and rescue.

5. Promote accountability for domestication and implementation by ALL states

- a. For ease of monitoring and evaluating accountability for protecting women and girls across the country, states that have robust legal and policy anti-VAWG frameworks should review the VAPP Act, identify and incorporate relevant progressive sections into their extant laws.
- b. NAPTIP in partnership with WFD and/or other development partners should propose a peer review mechanism to the Nigeria Governors' Forum for the domestication and full implementation of the VAPP Act.

6. Highlight the benefits of the VAPP Act/law for women's participation in politics

- a. Advocacy initiatives should highlight the linkages between women's freedom from all forms of violence and their increased participation in political processes – when a woman does not suffer physical, sexual, emotional, psychological, political, or economic violence, she would have the confidence, capacity and presence of mind to participate fully in the life of society;
- b. Effective implementation of the VAPP Law and related laws should be included in conversations on enhancing women's public leadership and participation in political decision-making.

7. Development Partners should support relevant agencies and CSOs to:

- a. Develop tools for documenting GBV response.
- b. Undertake research on good practices in GBV response at national and sub-national levels and produce factsheets.
- c. Enhance the capacity of partners to collect and interpret data reflecting diversity and inclusion.
- d. Strengthen the SARCs to prepare disaggregated data.
- e. Partner with the National Orientation Agency to sensitise communities using culture-appropriate messaging to break the culture of silence.
- f. Prioritise economic empowerment of women as critical for eliminating VAWG.
- g. Collaborate with the offices of the first lady in the states to enhance response capacity.
- h. Strengthening reporting systems and publicising the channels of reporting – the digitised medium of storing data needs to be centralised for easy analysis and consolidation of information

8. Develop and deploy safe reporting mechanisms

- a. Put in place institutional mechanisms where women and girls who are victims of violence can feel free to report acts of violence against them in a safe and confidential environment.
- b. Establish and provide necessary infrastructure in counselling centres.
- c. Develop and share a register of service providers with relevant implementing partners and the public.

9. Invest more in the economic empowerment of women

- a. It is important to improve on social protection programmes to support the indigent and most vulnerable, made up mostly of women and girls, especially from the PWD community.
- b. There should be a collaboration between the VAPP implementing agencies and the agencies responsible for economic empowerment as well as development partners and civil society organisations working in this area.

