

WOMEN, PEACE AND SECURITY IN NIGERIA: EXAMINING THE DOMESTIC AND INTERNATIONAL LEGAL FRAMEWORK.*

Abstract

The Women, Peace and Security (WPS) agenda is regarded by many as the most significant global framework for increasing the role of women in conflict resolutions. The risks to women and children, and the importance of involving women in peace issues have been recognized as a global issue. There is a growing understanding of violence against women, generally and particularly in armed conflict including the issues of sexual violence. Women are often excluded from peace processes, reflecting the fact that the majority of the actors in conflicts are men and the masculine nature of conflict and peace. Hence this paper considers and highlights a range of ways in which women's capacity can be developed so that their full inclusion in all peace and security developments can be achieved. This paper explores the issue of women participation in peace and security in Nigeria with special focus on the challenges and prospects. From the research, the paper finds that there exists a gap between the gender's participation in issues relating to Peace and Security in Nigeria. The paper thereby recommends that the Nigerian government should develop legal frameworks and policies that will promote the inclusion of women in conflict resolutions.

Keywords: Gender, Women, Peace, Sexual Violence, Security.

1. Introduction

The recognition that conflict disproportionately affects women is well documented in the conflict and peacebuilding literature. Although women are severely affected by war – vulnerable to sexual and gender-based violence including rape, forced conscription, sexual slavery, abduction and forced impregnation among other atrocities – they are not simply victims but can play more proactive roles as well.¹ Peace and security are areas in which women have particularly been marginalized, especially where key policy decisions are made and resource allocations are decided. Their continued marginalization of women in peace building and conflict resolution processes has affected development and community resilience, particularly at the local level, since tradition does not encourage women leadership.

Feminist scholars and gender activists studying and/or working in conflict areas had long highlighted the need to focus on the roles played by men and women during conflict, the gender differential impact of violent conflict, the need to address the challenged of women and to increase their participation in peace and security structures and processes. In all aspects of government, including our military and policing strategies, feminists have worked to ensure that women are adequately represented.

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¹ O N Caroline; F C Clark, 'Victims, Perpetrators or Actors?: Gender, Armed Conflict and Political', 2002 12 (2) *Development in Practice*, 2002, p. 230-232.

The Security Council of the United Nations adopted resolution (S/RES/1325) on women and peace and security on 31 October 2000. The resolution reaffirms the important role of women in the prevention and resolution of conflicts, peace negotiations, peace-building, peacekeeping, humanitarian response and in post-conflict reconstruction and stresses the importance of their equal participation and full involvement in all efforts for the maintenance and promotion of peace and security. Resolution 1325 urges all actors to increase the participation of women and incorporate gender perspectives in all United Nations peace and security efforts.² UNSCR 1325 calls for increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management and resolution of conflict; to appoint more women as special representatives and envoys; to increase the number and role of women in peace missions; to incorporate a gender perspective into peacekeeping operations; to support local women's peace initiatives to protect women and girls from gender-based violence (GBV); to end impunity and to ensure more gender-sensitive disarmament, demobilization and reintegration (DDR) programmes.³

Clearly, the United Nations Declaration on Human Right and numerous other human rights Convention and Constitutions around the world enunciate that: everyone has the right to live, liberty and security of person.⁴ Sometimes, the quest for freedom and rights has degenerated into civil war in some States.⁵ While the right has been traditionally understood in its negative sense as the security of the citizen from State action, it is progressively being developed as a positive right to State action in pursuit of security of its citizens.⁶ A gender perspective to peace and security does not connote being treating unequal equally rather it takes impartial cognisance of the physiology, strength, ability and human resource that can be harnessed from gender towards achieving sustainable peace and enhancing national and individual security.

In applying this alternative, there should be full participation of women at all levels of decision-making in peace processes, peacekeeping and peace -building. The question of women inclusion could be viewed in two different perspectives; the protection of women in conflict situations and women's participation at all levels in conflict resolution, peace-building, peace processes, and peacekeeping to prevent relapse into conflict. A gender perspective to peace and security looks at the impact of gender on people's opportunities, protection, privileges, social roles and interactions in conflict situations and peace-building. This paper analyses the legal frameworks promoting the inclusion of women in conflict resolutions.

² Office of the Special Adviser on Gender Issues and Advancement of Women, Landmark resolution on Women, Peace and Security, available at <https://www.un.org/womenwatch/osagi/wps/>, accessed October 10, 2020.

³ (UNSC S/RES/1325, 2000)

⁴ The Universal Declaration on Human Rights, 1948, Article 3; The International Covenant on Civil and Political Rights, Article 9. The Human Rights Act of Scotland, Article 5.

⁵ The Nigerian Civil war also known as Biafra War and the Nigerian-Biafra War, was a war fought between the government of Nigeria and the State of Biafra from July 6, 1967 to January 13, 1979. A political conflict caused by the attempted secession of the south eastern provinces of Nigeria as a self-proclaimed Republic of Biafra.- Nigerian Civil War- New World Encyclopedia, available at <https://www.newworldencyclopeida.org/entry/Nigeria>, accessed October 15, 2020.

⁶ S N Ikwumelu, O A Oyibe and P E Eluu, 'Peace Education: An Instrument for Enhancing National Security in Nigeria' p.4. Available online at: www.researchgate.net/publication/301775772, accessed on October 16, 2020.

1.1 Conceptual Clarifications

The term “gender” refers to socially constructed identities, attributes and roles for women and men, and society’s social and cultural meaning for these biological differences, which result in hierarchical relationships between women and men and in the distribution of power and rights favouring men and disadvantaging women.⁷ Gender is important in understanding conflict and the sustainability of peace. Gender constitutes an integral component of every aspect of the economic, social, daily and private lives of individuals and societies, and for several years now, gender equity, has been a prominent item on the agendas of all recent international meetings.

Peace is generally defined as the absence of war, fear conflict, anxiety, suffering and violence, and about peaceful coexistence.⁸ It is primarily concerned with creating and maintaining a just order in society and the resolution of conflict by non-violent means.⁹ Generally, peace is defined as freedom from disturbance, tranquility, absence of war, fear, conflict, anxiety, suffering, violence, and about peaceful co-existence. Peace connotes freedom from war and violence, especially when people live and work together happily without disagreement. The former Secretary General of the United Nations, Mr. Ban Ki-moon, described peace to mean access to education, health and essential services-especially girls and women; giving every young woman and man the chance to live, to choose, developing sustainably and protecting the planet’s biodiversity.¹⁰ More than ever, it means living with others on the basis of tolerance, respect and mutual understanding.¹¹

Security can be defined as protection against law breaking, violence, enemy acts, external aggression, danger, risk, attack, want, poverty, insufficiency, unemployment, environmental degradation, illiteracy, disease, oppression, suppression, inhumanity, destruction, rebellion, natural disaster and the like.¹² Security on the other hand connotes freedom from, or elimination of threat not only to physical existence of the State but also to the ability for self-protection and development and the enhancement of the general wellbeing of all the people.¹³ This is not to say that security of the State is not important but rather the security of the State should be geared towards the security of human persons not of the regime in place. Conceptually national security appears ambiguous and bogus. It is a concept that emphasises the overall and holistic security of a nation politically, economically, socially, environmentally etc. Once there is a breakdown of security in a society, it has severe adverse implication depending on the magnitude of the breakdown of security, law and order.

2. The State of the Nigerian Security

Nigeria has experienced lots of violent conflict and currently experiences armed conflict between governmental armed forces and armed groups or between such groups. Terrorism, land or resource access, ethnicity, politics, religion, economic inequalities and personal

⁷ Gender Equality Policy, United Nations Human Right, Office of the High Commissioner, available at https://www2.ohchr.org/English/issues/women/docs/genderequailttypolicy_September_2011.pdf, accessed on October 16, 2020.

⁸ D J Francis, ‘Peace and Conflict Studies: An African Overview of Basic Concepts’, in Shedrack, G. B. (ed.), *Introduction to Peace and Conflict Studies in West Africa* (Ibadan: Spectrum. 2007). pp.15-34.

⁹ *Op cit.*

¹⁰ A P Dopamu, ‘African Religion and National Security: *The Yoruba Perspective*’, 2006, p 34.

¹¹ <https://news.un.org/en/story/2014/09/476992> accessed on 6/9/2020.

¹² A P Dopamu, *op. cit*

¹³ A P Ogoh, ‘The Place of Social Studies in Enhancing National Security in Nigeria’, (2008) 11(1), *Journal of Social Studies*, pp. 28.-37.

disputes between groups makes Nigeria susceptible to conflict. North Eastern Nigerian States¹⁴ have been the most severely affected by conflict of any zone in Nigeria over the last decade. Conflict and violence in North East Nigeria is primarily attributable to Boko Haram, the terrorist group responsible for human rights abuses across Nigeria, Chad, Cameroon, and Niger. The violent radicalisation of the Boko Haram members and the resulting military operations has reportedly affected nearly fifteen million people since 2009. Conflicts in the North Central zone centres on agricultural households and nomadic cattle-herding groups who come into conflict over land access. This competition over land and resources is compounded by religion and ethnicity. Herders are mostly members of the minority fulani ethnic group and are generally Muslim. Farmer-herder conflicts often consist of attacks by one group and subsequent retaliation from the other community. In the South-South Zone, there has been several occurrence of high profile armed groups in the Niger Delta States leading to the amnesty programme of the late Yar'Adua administration, acts of political thuggery imminent in the country as exemplified in cases of bombing or attempted bombing at political rallies.¹⁵

Till date there has been little response directed towards affected parties.¹⁶ The target groups are often women, children, and youth. While women and girls endure the same trauma as the rest of the population, they are also targets of specific forms of violence and abuse, including sexual violence and exploitation.¹⁷ Boko Haram's *modus operandi* includes multiple modes of attack such as killing, arson, sexual violence and kidnapping among others. These conflicts have in turn triggered devastating effects including insecurity, forced displacements with attendant devastating social and economic impacts on the population. Other effects include the destruction of infrastructures, suicide bombings, famines, epidemics, mass executions, torture, arbitrary imprisonment, forced migration, ethnic cleansing, threats, intimidation and underdevelopment etc.¹⁸

Some factors are to be taken into consideration in accessing the level of insecurity in Nigeria. These include; the quality of education and general level of literacy; the level of crime and the competence of institutions of social control to combat the menace of crime in the country; the extent of sustainability of the environment and; the degree of technological advancement. The issue of stemming/combatting insecurity in Nigeria goes beyond the question of military might and strategy¹⁹ but goes on to include the adoption of different methods to address the issue in form of policies, peacekeeping missions, panels of enquiry, truth and reconciliation commissions etc.²⁰

¹⁴ Comprises of six states: Adamawa, Bauchi, Borno, Gombe, Taraba, and Yobe.

¹⁵ D C J Dakas. 'Terrorism in the Aviation Sector: The Dimension of the Human Rights Dimension of the Use of Body Scanners'. *Law and Security in Nigeria*, Nigerian Institute of Advanced Legal Studies, Lagos.

¹⁶ *Ibid.*

¹⁷ Women, Peace and Security, United Nations Study submitted by the Secretary General pursuant to Security Council Resolution 1325 (2000), United Nations Publication, 2002, available at <https://www.un.org/ruleoflaw/files/womenpeaceandsecurity.pdf>, accessed on 20/10/2020.

¹⁸ Z Olaitan. 'Women's Participation in Peace Processes in Nigeria: Challenges and Prospects', available at <https://www.researchgate.net/publication/328216329>, accessed 12/10/2020.

¹⁹ A P Ogoh, *Supra note* 10 at 5.

²⁰ F Stewart. 'Women in Conflict and Post Conflict Situations', a paper presented at the Economic and Social Council's 2010 thematic discussion of the Role of Women in Countries in Special Situations: Africa, LDCs, LLDCs, SIDs, post conflict and post crisis countries, 30th June, 2010. P.2, available at www.un.org/en/ecosoc/juluhs/pdf10/frances_stewart.pdf accessed October 19, 2020.

3. Gender Equality in International Law

The UN General Assembly in 1974 adopted the Declaration on the Protection of Women and Children in Emergency and Armed Conflict. The risks to women and children, and the importance of involving women in peace issues, were also recognized during the discussions at the United Nations Conference on Women in Mexico in 1975. Women and girls tend to experience conflict differently than men and boys. International human rights law is also applicable in times of armed conflict, and is of particular importance in the context of internal armed conflict, where international humanitarian law may not apply.

The principal conventional instruments for the protection of victims of armed conflict are the four Geneva Conventions of 1949 and their two Additional Protocols of 1977. Protocol II, applies to internal conflicts. There are special protections and guarantees laid down by the Geneva Conventions and their Additional Protocols for women and girls. Many of the rules provided by these treaties form part of customary international law, and are thus binding on both States and organized groups.²¹

Specifically, in 1993, the General Assembly adopted the Declaration on the Elimination of Violence against Women, which recognized that women in situations of armed conflict are especially vulnerable to violence.²² At the international level, the main avenues of redress for women and girls who have experienced conflict-related abuses are through claims of war crimes, crimes against humanity and genocide. In some situations, such women and girls may also be able to claim financial compensation for their war-related injuries.²³

The United Nations (UN) Secretary General, in his report to the Security Council's meeting, stated that: 'the Council should debate the security of woman because the marginalization of women can delay or undermine the achievement of sustainable peace, security and reconciliation.'²⁴ There is growing international recognition that a comprehensive approach to security issues requires the inclusion of women, their experience and perspectives. A comprehensive approach to security, therefore, is one which is gender sensitive – that recognizes the needs, interests and contributions of both women and men.

The recognition of women's critical roles in conflict resolution has been formalized by the United Nations Security Council through four of its resolutions: the United Nations Security Council Resolutions (UNSCR) over the past decade.²⁵ The UNSCR 1325, the founding document of the 'Women, Peace and Security Agenda' (WPS), has so far been followed by seven more resolutions. The UNSCR 1325 signaled a radical departure from the gender-blind language, it was the first time the executive organ of the UN directly addressed gender concerns in the context of armed conflict and peace operations. The Resolution 1325 calls for actions around four themes:

1. Full participation of women in peace processes (including conflict prevention and post-conflict reconstruction);

²¹ Women, Peace and Security, United Nations study submitted by the Secretary General pursuant to Security Council Resolution 1325 (2000), United Nations Publication, 2002. Available at: <https://www.un.org/ruleoflaw/files/womenpeaceandsecurity.pdf>, accessed November 6, 2020.

²² The United Nations Declaration on the Elimination of Violence against Women 1993

²³ *Ibid.*

²⁴ UN, 2010. Report of the Secretary-General to the Security Council (S/2010/173). Women and Peace and Security, 6 April 2010, p.1.

²⁵ Resolutions 1325 (2000) and 1889 (2009) on Women, Peace and Security, and Resolutions 1820 (2008) and 1888 (2009) on Ending Sexual Violence in Conflict.

2. The incorporation of gender perspectives in peacekeeping operations and training;
3. The protection of women and girls and respect for their rights (including the prevention of violence); and
4. Gender mainstreaming in the United Nations reporting and implementation systems.²⁶

UNSCR 1325 National Action Plans (NAPs) provide guidelines to governments and non-governmental actors on the responsibilities and activities to be carried out in a particular national or regional context in order to comply with the WPS agenda. The protection of civilians, especially women, is essential to the credibility of peace operations. Women; who are victims largely affected by armed conflicts often have few opportunities to participate in official peacemaking processes.

The absence of women from formal peace processes and negotiations continue to hinder attention to gender equality in peace agreements. Women's participation is vital; bringing together women who have themselves been politically involved in mediation processes to share their experiences as members of conflict parties, mediators, facilitators and advisers, ensures that such efforts, and any agreements reached, include the views of half the population. Furthermore, once conflict has ended and attention turns to rebuilding institutions, women's engagement in decision-making is critical to ensure they are involved in developing conflict prevention and peace consolidation strategies.

In the international realm, the increasingly popular concept of human security is moving the conception of international security away from its traditional association with sovereign military action between States, to one focused on the wellbeing of citizens within the State. This international movement is also associated with the widening acceptance that security is a precondition not only for human and economic development but also for individuals' capacity to exercise their human rights, freedom and dignity.²⁷ The role of the United Nations and the international community is to support national efforts for conflict prevention and assist in building national capacity in this field. Consequently, over the years, this has brought about certain resolutions aimed at emphasizing the importance of women and altering the attitude of societies towards women.

4. The United Nations Security Council Resolutions Promoting Women Participation in Security Matters.

Several resolutions have been passed by the International community in a bid to promote the participation of women in conflict resolutions, as the Secretary - General of the United Nations had observed that an essential element of conflict prevention is the strengthening of the rule of law, and within that the protection of women's human rights achieved through a focus on gender equality in constitutional, legislative, judicial and electoral reforms.²⁸

4.1 The United Nations Security Council Resolution 1325

This is a resolution adopted by the Security Council of the United Nations at its 4213th meeting on 31 October, 2000. It is the first resolution on Women, Peace and Security. It is

²⁶ United Nations Security Council Resolution 1325 was passed unanimously on 31 October 2000, available at <http://www.peacewomen.org/un/sc/res1325.pdf>, accessed October 20, 2020.

²⁷ A point strongly made in the final report of the committee on human security (CHS): United Nation Committee on Human Security, 'Human Security Now', *New York*, May, 2013, available at <http://www.humansecurity-chs.org/finalreport/index.html> , accessed November 1, 2020.

²⁸ A/55/985 – S/2001/574.

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comprehensive and binding on all member States of the United Nations. It explicitly calls for an increase in the participation of women in conflict resolution and peace processes.²⁹ Calls upon all parties to armed conflict to take special measures to protect women and girls from gender based violence, particularly rape and other forms of sexual abuse, and all forms of violence in situations of armed conflict.³⁰

4.2 The United Nations Security Council Resolution 1820

This Resolution was adopted by the Security Council of the United Nations at its 5916th meeting on 19 June, 2008. The resolution links sexual violence explicitly to peace and security and deems it a tactic of war and a crime against humanity.³¹ Further, the resolution encourages all parties to facilitate the equal and full participation of women at decision-making levels. Clause 12 of the resolution recognizes the persistent obstacles and challenges to women's participation and full involvement in the prevention and resolution of conflicts as a result of violence, intimidation and discrimination, which erode women's capacity and legitimacy to participate in post-conflict public life, and acknowledging the negative impact this has on durable peace, security and reconciliation, including post-conflict peace building. Also, the resolution affirms that States bear primary responsibility to respect and ensure the human rights of their citizens, as well as all individuals within their territory as provided for by relevant international law.

4.3 The United Nations Security Council Resolution 1888

This resolution was adopted by the United Nations Security Council at its 6195th meeting on 30 October, 2009. The resolution reinforces resolutions 1325 and 1820.³² The resolution notes with concern the under-representation of women in formal peace processes, and the lack of women as Chief or Lead peace mediators in United Nations-sponsored peace talks.³³ The resolution also recognizes the necessity for the promotion and empowerment of women and that support for women's organizations and networks are essential in the consolidation of peace.³⁴ It therefore encourages member States, donors, and civil societies including non-governmental organizations, to provide support in this respect.

The resolution welcoming the inclusion of women in peacekeeping missions in civil, military and police functions, recognizes that women and children affected by armed conflict may feel more secured working with and reporting abuse to women in peacekeeping missions, and that the presence of women peacekeepers may encourage local women to participate in the national armed and security forces, thereby helping to build a security sector that is accessible and responsive to all, especially women.³⁵ The resolution also encourages member States to deploy greater numbers of female military and police personnel to United Nations peacekeeping operations, and to provide all military and police personnel with adequate training to carry out their responsibilities.³⁶

²⁹United Nations Security Council Resolution 1325(2000), Clause 2

³⁰ United Nations Security Council Resolution 1325(2000), Clause 10

³¹ Security Council Resolution 1820 Clause 4 available at https://www.swisspeace.ch/assests/publication/downloads/Articles/0797f30aab/International-Peace-Mediationandgender-16swisspeace-juliapalmiano_federer-rachel_gasser.pdf, accessed November 6, 2020.

³² Preamble to the United Nations Security Council Resolution 1888. Available at [http://undocs.org/en/S/RES/1888\(2009\)](http://undocs.org/en/S/RES/1888(2009)) accessed on 1/03/2021

³³ The United Nations Security Council Resolution 1888 Clause 16

³⁴ Preamble to the United Nations Security Resolution 1888.

³⁵ *ibid*

³⁶ Clause 19 of The United Nations Security Council Resolution 1888

4.4 The United Nations Security Council Resolution 1889

This resolution was adopted by the United Nations Security Council at its 6196th meeting on 19 June, 2009. The resolution addresses obstacles to women's participation in peace processes.³⁷ The Council stated that it remained deeply concerned about the persistent obstacles to women's full involvement in the prevention and resolution of conflicts and participation in post conflict public life, as a result of violence and intimidation, lack of security and lack of rule of law, cultural discrimination and stigmatization.³⁸ It also took note of the rise of extremist or fanatical views on women, and socio-economic factors affecting women including their lack of access to education, and in this respect, recognized that the marginalization of women can delay or undermine the achievement of durable peace, security and reconciliation.³⁹

The Council also notes that despite progress, obstacles to strengthening women's participation in conflict prevention, conflict resolution and peace building remain. It expresses concern that women's capacity to engage in public decision making and economic recovery often does not receive adequate recognition or financing in post-conflict situations. The Council via the resolution further urges Member States to ensure gender mainstreaming in all post-conflict peace building and recovery processes and sectors.⁴⁰ It thereafter underlined that funding for women's early recovery needs is vital to increase women's empowerment as this contributes to effective post-conflict peace building.

4.5 The United Nations Security Council Resolution 2122

This United Nations' resolution was adopted by its Security Council at its 7044th meeting on 18 October, 2013. This resolution puts in place a roadmap for a more systematic approach to the implementation of commitments on women, peace and security. It, like previous resolutions, highlights the critical importance of gender equality and women's empowerment to international peace and security.⁴¹ The resolution reaffirmed that sustainable peace requires an integrated approach based on coherence between political, security, development, human rights, including gender equality, and rule of law and justice activities, and in this regard emphasized the importance of the rule of law as one of the key elements of conflict prevention, peacekeeping, conflict resolution and peace building.⁴²

Apart from the various resolutions discussed above, the Beijing Platform for Action notes, that "in addressing armed and other conflicts, an active and visible policy of mainstreaming a gender perspective into all policies and programmes should be promoted so that before decisions are taken, an analysis is made of the effects on women and men, respectively".⁴³ A focus on gender mainstreaming in conflict and post-conflict situations involves recognizing

³⁷ Preamble to the United Nations Security Resolution 1889 available at <https://www.un.org/ruleoflaw/files/> accessed on 4/02/21

³⁸ Preamble to the United Nations Security Resolution 1889, *ibid*

³⁹ Preamble to the United Nations Security Resolution 1888, *ibid*.

⁴⁰ The United Nations Security Resolution 1889, Clause 8.

⁴¹ Preamble to the United Nations Security Resolution 2122 available at <https://www.peacewomen.org/SCR-2122> accessed on 01/02/21.

⁴² J Federer and R Gasser, *International Peace and Gender: Bridging the divide*, BPC Policy Brief. P.4, available at: <https://www.swisspeace.ch/assets/publications/downloads/articles/0797f30aab/>, accessed November 7, 2020.

⁴³ The Beijing Platform for Action paragraph 141.

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that women, girls, men and boys participate in and experience conflict, peace processes and post-conflict recovery differently.⁴⁴

Women have since proven to be creative and courageous participants in peace processes. An example is the role women played in Bougainville in the peace settlement between the secessionists and the Papua New Guinea Government.⁴⁵ In Columbia, women were responsible for complex network of the Pro-peace movement; in Northern Ireland, Burundi, Liberia there were female coalition across warring partners. The Mano River Women's peace Network (MARWOPNET) brought together women in Guinea, Liberia and Sierra Leone where important peace-making processes occurred. In South Africa, women agreed across party lines that each party should have one-third women within the negotiating team for the formal constitutional process. This resulted in important gains for women. The South African Constitution includes a comprehensive Bill of Rights with provisions which prohibit discrimination on the basis of gender, sex, marital status or pregnancy.⁴⁶

In 2002, the Democratic Republic of the Congo issued a Nairobi Declaration and a Plan of Action to integrate gender perspectives in the peace process in the Democratic Republic of the Congo. The Plan of Action sets out goals, strategies and follow-up mechanisms for the incorporation of gender perspectives in the peace process, and the political, economic, social and human rights aspects of the reconstruction of the society.

5. Gender, Peace and Security in Nigeria

Nigeria is a multi-religious and multi-ethnic society. Nigeria has a long and very history of supporting peacekeeping operations. Nigeria has made contributions to peacekeeping operations in Africa, Europe, and the Middle East region. Despite these international achievements of peacekeeping the existence of multi-religious and multi-ethnic groups in Nigeria has disrupted the peace, and resulted in perennial crises that often degenerate into civil disturbances and religious violence in some parts of the country.⁴⁷ The crises have resulted in deaths, destruction of livelihood, constant displacements, insecurity, and disruption of production, diversion of the country's resources both money and human, from development purposes to service the ravages resulting from the crises.

Just like other nations in the world, women in Nigeria are often very vulnerable in any crisis as their properties are either destroyed or looted or they're victims of sexual humiliation, exploitation and loss of life including that of their fathers, husbands, and sons. This raises a serious alert on the issue of 'peace and security' in the country as there is no formal recognition of the involvement of women in high level peacemaking efforts despite the fact that at the local level, women are generally recognized as peacekeepers.

The reason for the above is not far-fetched as Nigeria is a patriarchal society. Patriarchy and gender inequality in the Nigerian society is a major cause of women's deprivation. Most

⁴⁴ *Ibid*, p.4.

⁴⁵ *Ibid*, p. 56

⁴⁶ Women, Peace and Security, United Nations Study submitted by the Secretary General pursuant to Security Council Resolution 1325 (2000), United Nations Publication, 2002, available at <https://www.un.org/ruleoflaw/files/womenpeaceandsecurity.pdf>, accessed November 9, 2020.

⁴⁷ P Anwuluorah, 'Religious Crises, Peace and Security in Nigeria', (2016) *International Journal of Arts & Sciences*, p.103.

societies, especially the Nigerian societies are inherently patriarchal societies⁴⁸ which give little or no importance to women, while placing so much importance on men. The role assigned to women is often predetermined by societal attitudes, discrimination and cultural practices. Security establishments in Nigeria do not prioritize women and gender issues in national and international security affairs. Political leaders are the point persons for these male-dominated security establishments. Discrimination against women is strongly linked to gender inequalities and socio-cultural norms and it results in the disempowerment of women as social, political and economic actors. The existence of these factors severely limit women's ability to engage actively in the society including their engagement in peace processes.

Another limitation to gender participation in peace and security in Nigeria is the issue of perception. It is generally perceived that only men fight wars, women do not go to battles therefore men should be the ones to discuss and implement mechanisms to resolve the conflict. Thus discrediting the efforts women are making to the informal sector. However, this perception is misconceived. Women are perceived as not eligible to be key participants in peace building and post-conflict reconstruction efforts, but rather functioned under heteronormative assumptions where women are rather dedicated to "women's "tasks such as cooking and cleaning, or are used as wives and sexual slaves.

Women are often identified by international community programmes as victims of sexual and gender-based violence, and trapped in a mutually exclusive dichotomy of victim-perpetrator that strips them of agency. Too little attention has been paid to the underlying structural factors; gender norms and gender hierarchies that entrench inequalities and fuel conflict.⁴⁹ The under-representation of women in national and international security deliberations remains glaring. Capitalizing on these traditional security issues, terrorist and violent extremist groups, such as ISIS and Boko Haram, have been astute in manipulating gender norms in forcing a large number of women into their organizations.

Peacekeeping processes, negotiations, security policy analyses, security policy deliberations, and security policy actions should always include all women, men and all gendered people alike. The reason for this is not far-fetched as security problems involve every section of humanity and is not limited to men. Security problems are not unidirectional; they are highly interactive, diffuse, dynamic and complex.⁵⁰

It is a common knowledge that in any given society for there to be meaningful development, there must be relative peace. Achieving a peaceful society necessarily requires a conscious effort from the government in guaranteeing safety and security of citizens and non-citizens within its territory. Conflict resolution is important for sustainable development. Even though the Nigerian government has employed some of the resolution process such as negotiation, arbitration, mediation, and collaboration to try to resolve conflicts, some of these processes resolution have not been effective and efficient due to the non-involvement of women in the peacemaking efforts.

⁴⁸ E O Ekhaton: 'Protection and Promotion of Women's Rights in Nigeria: Constraints and Prospects'. October 2018. p.1, available online at https://researchgate.net/publication/328276496_Protection_and_Promotion_of_Women_Rights_In_Nigeria_Constraints_and_Prospects, accessed November 18, 2020.

⁴⁹ J Oudraat and M E Brown, *Supra note 16*. P.4.

⁵⁰ J Oudraat and M E Brown, *Ibid*. P.5.

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It is therefore germane to put in place conflict resolution mechanisms that will adequately incorporate/recognize the contribution of women in conflict resolution processes if development programmes embarked upon by the government are to achieve results.⁵¹ It also behoves on the government from the local to national level to take necessary steps aimed at curbing activities capable of breaching public peace and constituting security threat. As a matter of fact, the government through its security agencies are to ensure the security of lives and property and the existence of peace and order.

6. Nigerian Instruments on Gender Equality and Security

The primary purpose of the government is to ensure national security and welfare of the people as stated under the Nigerian Constitution.⁵² Whereas everyone within the territory or under the jurisdiction of a State has a right to the protection of, and is subject to, the laws of that country, regardless of migratory status, or sex. Gender equality is promoted in section 42 of the Nigerian Constitution where it is provided that:

- (1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person-
 - a. be subjected either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the Government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religious or political opinions are not made subject; or
 - b. be accorded either expressly by, or in the practical application of, any law in force in Nigeria or any such executive or administrative action, any privilege or advantages that is not accorded to citizens of Nigeria of other communities, ethnic groups, and places of origin, sex, religion or political opinions.

Despite the above express constitutional provision in Nigeria, Gender perspectives are usually afterthoughts, if they are thought about at all.⁵³ Gender perspectives are insufficiently integrated into analyses of national and international security challenges. The discourse around low women participation in politics in Nigeria has gained lots of attention following Nigeria's participation in the 1995 Beijing women conference which resulted in Platform for Action. The Platform for Action sought for the active participation of women in the political sphere, gender equality, non-feminization of poverty, promotion of girl-child awareness including the protection of the rights of the girl-child etc. This resolution spurred democratic governments in Nigeria starting from Past President Obasanjo's regime to actively work towards ensuring the inclusion of women in public spheres with the aim of achieving a target of 30% of all political positions available in the country.

⁵¹ United Nations Sustainable Development Solutions Network (SDSN), (2013), An Action Agenda for Sustainable Development, available at <https://www.unsdsn.org>, accessed November 20, 2020,

⁵² Constitution of the Federal Republic of Nigeria 1999 (as amended) s. 14 (2) (b).

⁵³ J Oudraat and M E. Brown, *Supra note 16*. P.1.

The discourse of women's participation in peace processes is at its lowest in the country with most of the resolution mechanisms put in place by the government being male dominated. A peculiar situation is the composition of the various panels of enquiry the government has had for the Jos conflict. There was no female member in the 2001 panel, one in the 2004 panel, none in the 2008 panel. Even when given a chance to be part, women are ascribed roles that disqualifies them from being active contributors.⁵⁴ The measures set up by the government for conflict resolution such as the panels of enquiry, truth and reconciliation commissions etc. are composed and headed majorly by men with no participation from women. Also, it is necessary to point out of the seven panels of enquiries the government has set up for conflict resolution, only one was headed by a woman.⁵⁵

Lack of political will on the part of the government is another challenge that hinders the increased women participation in peace processes. Violence, intimidation and discrimination erode women's capacity and legitimacy to participate in post-conflict resolutions and this has a negative impact on durable peace, security and reconciliation, including post-conflict peace building. A society that does not advance the equality of gender will naturally find it difficult to flourish in issues of equality of participation in peace processes. Admittedly, the Nigerian government is a party to some International gender equity and human right instruments,⁵⁶ such as the Convention on the Elimination of all Forms of Discrimination against Women⁵⁷ (CEDAW) and the Protocol on the African Charter on Human and People's Right on the Right of Women in Africa, 2003⁵⁸ with the intention that the ratification of these instruments will be basis for the introduction of some reforms to improve the status of the Nigerian woman. Some of these reforms made include the adoption of a National Gender Policy.⁵⁹ In Plateau state, the Gender and Equality Opportunity (GEO) bill has been passed into law.⁶⁰

The Nigerian military has adopted Gender responsive policies through the admission of females as cadets into the elite Nigerian Defence Academy, a gender review of the curriculum for the Army peace keeping centre was also done.⁶¹ At the National Level, the Senate is debating a bill titled 'Gender and Equal Opportunities Bill' 2016 (GEO). This bill was re-introduced on 15 June 2016 to reflect changes to some of the initial concerns of the senators on previous versions of the bill. The GEO bill 2016 recently passed the second reading stage and it is has been referred to the Committee on Judiciary, Human Rights and Legal Matters for further deliberations.⁶² Although the GEO Bill is concerned primarily with gender equality, it also covers age and disability discrimination.⁶³ If eventually passed by the National Assembly,

⁵⁴ F Stewart, 'Root Causes of Violent Conflict in Developing Countries'. p.18, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC1122271/> accessed November 30, 2020.

⁵⁵ Justice Rahila Hadea Cudjoe in 1992.

⁵⁶ Federal Ministry of Women Affairs.

⁵⁷ Adopted and signed in 1979.

⁵⁸ Despite haven signed and ratified these instrument, these instruments have not been enacted into law by the National Assembly which is required by Section 12(1) of the Constitution of the Federal Republic of Nigeria, 1999 (as amended) to make them enforceable in the country.

⁵⁹ A Odejide, 'What should Women Want?' 30th Anniversary Keynote Address' (2017) available at https://iasibadan.org/images/news/2017/october/2017-10-17-WORDOC_30th_Anniversary_Keynote_Address_Prof_Abiola_Odejide.pdf., accessed December 5, 2020.

⁶⁰ Plateau Government gazettes Gender Equal Opportunity Law, first in Northern Nigeria' Vanguard 29th June, 2018. Available at <https://www.vanguardngr.com/2018/06/plateau-govt-gazettes-gender>

⁶¹ Federal Ministry of Women Affairs.

⁶² PLAC Website 'Measure Activity: (i.e. stages of the Bill) <<http://placbillstrack.org/view.php?getid=2182#billanalysis> > accessed 4/9/2019.

⁶³ Section 5.

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the Bill will also give effect to the United Nations Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) and the Protocol on the African Charter on Human and People's Right on the Right of Women in Africa amongst others.

The GEO bill contains provisions dealing with prohibition of discrimination,⁶⁴ adoption of temporal measures to eliminate discrimination in political and public life,⁶⁵ prohibition of violence against women⁶⁶, establishment of an Equal Opportunities Commission⁶⁷ and the enforcement of the National Gender Policy⁶⁸ amongst other innovative features.

Notwithstanding, the development of these reforms by the Nigerian government, women still face many State sanctioned discriminatory practices/laws with few resources allocated towards reconciliation and prevention of future conflict. This evidences the non-effective implementation of the United Nation's Security Council Resolution 1325 and other accompanying resolutions till date. Unlike Nigeria, her African counterpart, Democratic Republic of the Congo has integrated a gender perspective to her peace process. There has been clamour for an extensive reform of the laws discriminating against women in Nigeria. Nigeria's policy actions have fallen far short in promoting the importance of women in peace and security agenda for national and international security. In Nigeria, there are no explicit national legislation protecting women and girls during armed conflict neither are there structures promoting gender perspective in peace building and security nor is there any express legal provision for governmental assistance and protection to internally displaced persons especially women and children.

7. Conclusion

Issues of national security have frequently been at the global fore front because of its strategic importance to the progress of any nation. No nation can afford to treat with levity the security of its territorial integrity and its people. Women have not been given full and equal opportunity in peace building in Nigeria and across other nations owing to factors like discrimination, patriarchy, culture, perception, no legal framework etc.

Women are powerful agents for peace and security in their communities and the nation at large. Women can be engaged informally through peace marches, formation of unions, networks and organisations for peace coalition. It is also important to underline that having women at the peace table does not mean that they will push for a gender sensitive approach in the process or will advocate for 'women's issues. There is need for meaningful participation of women both formally and informally in peace process which could be achieved by giving value to women's participation through women empowerment and policy instrument.

Nigeria, on her own part has taken steps to integrate gender perception into peace and security however, these steps are infinitesimal and has not yielded the required result in compliance her international commitment and in comparison to other nations. Thus much is still left to be done by the government to make it a reality and reap the benefits thereof. The adoption of a gender perspective to peace building and involvement of women in conflict resolution has the potency to quench the existing conflicts raging in the country.

⁶⁴ As above.

⁶⁵ Section 6 GEO Bill.

⁶⁶ As above.

⁶⁷ Section 21 GEO Bill.

⁶⁸ Section 3 GEO Bill

8. Recommendations

Sequel to the benefits of integrating gender concerns in peacebuilding and post-conflict reconstruction efforts, Nigeria should recognize the importance of the full and effective participation of women at all levels, at all stages and in all aspects of the peaceful settlement of disputes, conflict prevention, resolution and mediation.

Peace agreements should also explicitly spell out women's equal right to benefit from and have access to all social and economic measures provided by the negotiated deal. In particular, attention should be paid to women's equal right to education, employment, health, inheritance, restitution of properties and lands as well as compensation for damage as a result of conflicts.

Education is a veritable tool for social change, national integration and development. The instrumentality of education should be implored as a tool to inculcate knowledge, values and attitude to re-orientate the perception of people towards women participation in engendering peace and security. Such positive attitudes and values as respect for the human person, dignity in labour, honesty, patriotism, loyalty. This is pivotal to liberate people from the shackles of culture that undermine the prospects and potentials of women and discouraging an attitude that may cause disintegration and disunity.

To deal with this issue, conflict prevention requires a variety of approaches, including measures aimed at building mutual confidence, reducing perceptions of threat, eliminating the risk of surprise attack, discouraging competitive arms accumulation and creating an enabling environment for agreements on arms limitation and reduction, as well as on military expenditures.

The government should ensure the proactive integration of gender equality in all planned actions, including legislation, policies programme in all areas and at all levels politically, economic and societal spheres. Enactment of specific laws addressing gender relations and inequalities, harassment, intimidation of women, violence against women, sexual violence in armed conflict, laws and practices that discriminate against women, impunity and its impact on women, the administration of justice, including access to justice and support to human rights mechanism.

The government should also take conscious and consistent steps in the appointment of more women as Special Representatives, Special Envoys and regional directors in peace missions.

Women's involvement in informal peace processes should be recognized and capitalized upon. Even though these are often small -scale initiatives concentrated at the local level, they may be crucial in changing people's attitudes, opening up opportunities for more formal peace processes and acting as important accelerator for transformation. The government should facilitate networking with local women and women's groups in the informal setting for peace building and conflict resolution.

The United Nations Security Council Resolution 1325 passed in October, 2000 affirms the importance of the equal participation and involvement of women in all processes of peace building, peace keeping, conflict resolution and also calls upon the Nigeria government to take actions towards ensuring the effective implementation set forth by the Resolution.

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There should be a domestic implementation of women, peace and security commitments. Nigerian government should put measures in place to ensure women's full contribution to peace and security is realized.