

POLICY REPORT • 2026

Statutes Without Protection

*Nigeria's Maputo Protocol Gap
and How to Close It*



SOLIDARITY FOR
AFRICAN WOMEN'S RIGHTS

A force for freedom



MOUVEMENT DE SOLIDARITÉ
POUR LES DROITS
DES FEMMES AFRICAINES

Une force pour la liberté



SOLIDARITY FOR
AFRICAN WOMEN'S RIGHTS
A force for freedom



MOUVEMENT DE SOLIDARITÉ
POUR LES DROITS
DES FEMMES AFRICAINES
Une force pour la liberté

POLICY REPORT • 2026

Statutes Without Protection

Nigeria's Maputo Protocol Gap and How to Close It

An analysis of why the Maputo Protocol has not been domesticated in Nigeria, what has nonetheless been achieved by other means, and what is required to convert enacted law into protection

AUTHORS

Bunmi Dipo-Salami

Anne Lawal

Ifeoluwa Idowu

Statutes Without Protection: Nigeria's Maputo Protocol Gap and How to Close It

Published by BAOBAB for Women's Human Rights

Abuja, Nigeria, 2026

SUGGESTED CITATION

Dipo-Salami, B., Lawal, A. and Idowu, I. (2026). *Statutes Without Protection: Nigeria's Maputo Protocol Gap and How to Close It*. Abuja: BAOBAB for Women's Human Rights.

COPYRIGHT AND LICENCE

© BAOBAB for Women's Human Rights, 2026

This work is licensed under a Creative Commons Attribution 4.0 International Licence (CC BY 4.0). It may be reproduced, translated and adapted with attribution to the authors and to BAOBAB for Women's Human Rights.

The views expressed are those of the authors and do not necessarily reflect those of BAOBAB's funders or partners.

PROJECT AND SUPPORT

This report was produced under the Advancing Bodily Autonomy and Integrity: Making the Maputo Protocol a Reality in Africa project, with the support of Akina Mama wa Afrika.

COALITION MEMBERSHIP

BAOBAB for Women's Human Rights is a member of Solidarity for African Women's Rights (SOAWR), a coalition of civil society organisations across Africa working for the ratification, domestication and implementation of the Maputo Protocol, and leads its Anglophone West Africa Cluster.

CONTACT

4 Freedom Garden Flats, Nasir El-Rufai Street, Sam Nujoma Estate, Galadimawa, Abuja, Nigeria
info@baobabforwomen.org · baobabforwomen.org

Contents

Acknowledgements.....	iv
Abbreviations and Glossary.....	v
What the Record Shows.....	1
1 Scope and Argument.....	3
2 The Constitutional Position.....	5
2.1 The two-stage test.....	5
2.2 The 1983 Act.....	6
2.3 Nigeria in comparative perspective.....	7
3 The Legislative and Policy Record.....	9
3.1 The GEO Bill, 2010–2023.....	9
3.2 How the Bill was stopped.....	10
3.3 Ambition without obligation.....	10
3.4 Article 14 and the criminal codes.....	11
4 Capacity, Will and Ownership.....	13
4.1 What Nigeria can do when it chooses.....	13
4.2 Three compounding factors.....	13
4.3 A useful obstacle.....	14
5 The Route That Has Worked.....	15
5.1 Domestication nobody called domestication.....	15
5.2 Five States, since 2007.....	16
5.3 Four differences that decided it.....	17
5.4 What the route cost.....	19
6 Where the Gap Sits.....	20
7 The Strategy Now in Motion.....	24
7.1 Why the States.....	24
7.2 What is under way.....	25
7.3 Article 9 of the Maputo Protocol: four routes to participation.....	25
8 Closing the Gap.....	29
8.1 The implementation machinery Nigeria lacks.....	29
8.2 Recommendations.....	30
References.....	33
A note on sources and verification.....	36
About BAOBAB for Women’s Human Rights.....	38

Acknowledgements

This report draws on more than two decades of advocacy for the domestication of the Maputo Protocol in Nigeria. Much of that work was done by people whose names appear nowhere in the legislative record, and some by people whose names appear there only in the record of what did not pass.

We pay tribute first to those who carried the Gender and Equal Opportunities Bill. Senator Chris Anyanwu brought it to a Senate in which she was one of three women in a chamber of one hundred and nine in 2010. Senator Biodun Olujimi took it up in 2016 and carried it through two Assemblies, reworking it, reintroducing it, and standing it down under pressure rather than seeing it destroyed, returning to it each time the chamber changed. That the Bill has not passed is not a measure of their effort. This report argues that the vehicle and the venue were wrong; it does not argue that the advocates were.

We pay tribute equally to the coalition that secured the Violence Against Persons (Prohibition) Act across thirteen years, and to the successive Chairs of the House Committee on Women Affairs who held its sponsorship in turn: Florence Aya, Saudatu Sani, Binta Masi Garba and Abike Dabiri. The Legislative Advocacy Coalition on Violence Against Women (LACVAW) demonstrated that a bill can outlive its sponsors if custody is deliberately passed on. That lesson is one of the most useful findings in this report, and it was theirs before it was ours.

That Act was carried over thirteen years by Nigerian women's rights organisations, grassroots groups and individual advocates far too numerous to name here, whose work is in the statute even where their names are not.

We also acknowledge the women of Nigeria who marched on the National Assembly on 2 March 2022, after five gender bills were rejected in a single day, and the Feminist Womanifesto, which organised the protest.

We appreciate Solidarity for African Women's Rights (SOAWR), of which BAOBAB has been a member since 2005 and whose Anglophone West Africa Cluster it leads, and the Coalition for the Domestication of the Maputo Protocol (CODMAP) hosted by Alliances for Africa. The analysis here has been sharpened by both.

BAOBAB's Maputo Protocol advocacy has been supported over many years by Equality Now, by SOAWR and by the African Women's Development Fund, and this report by Akina Mama wa Afrika, to whom we are grateful for its partnership on this work and for its

sustained investment in African feminist leadership and in the movement for women’s bodily autonomy across the continent.

Responsibility for the analysis, and for any errors, rests with the authors.

REFERENCE

Abbreviations and Glossary

ACHPR	African Commission on Human and Peoples’ Rights
AMwA	Akina Mama wa Afrika
AU	African Union
AWDF	African Women’s Development Fund
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
CODMAP	Coalition for the Domestication of the Maputo Protocol
FCT	Federal Capital Territory
FGM	Female genital mutilation
GEO Bill	Gender and Equal Opportunities Bill
INEC	Independent National Electoral Commission
LACVAW	Legislative Advocacy Coalition on Violence Against Women
NHRC	National Human Rights Commission
NILDS	National Institute for Legislative and Democratic Studies
SARC	Sexual Assault Referral Centre
SOAWR	Solidarity for African Women’s Rights
SRHR	Sexual and reproductive health and rights
VAPP Act	Violence Against Persons (Prohibition) Act 2015

Glossary

Ratification: The act by which a State consents to be bound by a treaty at international law. Nigeria ratified the Maputo Protocol on 16 December 2004.

Ratification creates an obligation owed to other States Parties and to the African Union; it does not, in a dualist system, create any right enforceable in a national court.

Domestication: The enactment of a ratified treaty into national law so that its provisions can be applied by domestic courts and authorities. In Nigeria this requires an Act of the National Assembly under Section 12(1) and, for matters outside the Exclusive Legislative List, ratification by a majority of State Houses of Assembly under Section 12(3).

Dualist and monist systems: In a dualist system, international law and domestic law are separate orders, and a treaty has no domestic effect until legislated; Nigeria and Uganda are dualist. In a monist system a ratified treaty forms part of national law on ratification and publication, without further enactment; Rwanda is monist.

Reservation: A unilateral statement by which a State, on ratifying a treaty, excludes or modifies the legal effect of particular provisions in their application to it. A reservation qualifies the obligation. Nigeria entered no reservation to the Maputo Protocol.

State assent (Section 12(3)): The ratification, by a majority of Nigeria's thirty-six State Houses of Assembly, that a treaty-implementing bill must obtain before it can be presented for presidential assent where the treaty covers matters outside the Exclusive Legislative List. It is distinct from a State's own legislation on matters within its competence, which is not assent for this purpose.

Adoption of a federal Act by a State: The enactment by a State House of Assembly of its own law replicating a federal statute, so that the statute has effect in that State. Thirty-four States have adopted the VAPP Act in this way. Adoption is an exercise of State legislative competence and is not Section 12(3) assent.

What the Record Shows

- 1 Nigeria's limitation on Article 14 was never declared, and is therefore invisible to the mechanism designed to address it.** Nigeria entered no reservation, yet its criminal codes disapply Article 14(2)(c) as effectively as any declared reservation would. Since nothing was declared, Resolution 632 (LXXXII) 2025 and the African Commission's Advocacy Framework do not reach Nigeria at all.
 - 2 The Maputo Protocol is in force in Nigeria but is not in use.** Ratified in 2004 and never domesticated, it binds the State internationally and cannot be pleaded by a woman in a Nigerian court.
 - 3 The constitutional threshold has never actually been tested.** Domestication requires ratification by a majority of all the State Houses of Assembly, and no domesticating bill has ever been laid before a single one of them for that purpose. Nigeria domesticated the parent African Charter by one Act in 1983 with no State assent, under a Section 12 identical in terms to today's, and no legislative counsel has ever been asked whether Section 12(3) governs a Protocol to a Charter already domesticated.
 - 4 The Gender and Equal Opportunities Bill has failed four times, and rarely on a recorded vote.** It was defeated once, in 2016. Otherwise it has been stopped procedurally: no second reading, a committee that never sat, a second reading stepped down and not relisted for seventeen months. Procedural death leaves no division list and no attributable position.
 - 5 Nigeria has already domesticated part of the Protocol without saying so.** The Violence Against Persons (Prohibition) Act 2015 gives domestic effect to Articles 4 and 5, with substantial effect to Articles 3, 8, 13, 20 and 25, and never cites the Protocol.
 - 6 The threshold has already been crossed once.** Thirty-four of Nigeria's thirty-six States have adopted the VAPP Act, a figure above the number that domesticating the Protocol would require.
-

- 7 State legislatures have been passing gender equality law since 2007, three years before the federal Bill was first presented.** Five States have enacted standalone gender and equal opportunities legislation, and others have legislated the same content sectorally. The subnational route is not a proposal; it is an uncounted record.
 - 8 Legislation is not the binding constraint, implementation is.** Thirty-nine State laws derived from the Protocol are in force, and there is no evidence that any of them is reliably protecting anybody.
 - 9 Nigeria has reported on the Maputo Protocol twice in twenty-two years.** Its sixth periodic report to the African Commission, considered in 2018, contained only its second report under the Protocol since ratification. No further report has since been considered, and the developments described here have never been placed before the Commission.
 - 10 Article 9 can be advanced largely without constitutional amendment.** Only reserved legislative seats require alteration under Section 9, yet they have absorbed almost all the advocacy on women's political participation. Appointment floors and local government rules lie within each State's own competence, and party regulation needs only the National Assembly.
-

These findings point in one direction. Nigeria's binding constraint is implementation rather than enactment, and where enactment is still needed, as for Article 9, it has been pursued by the hardest available route. The components of an implementation framework are specified at Section 8.1 and the routes for Article 9 at Section 7.3. Recommendations are addressed at Section 8.2 to the Federal Ministries of Women Affairs and Justice, to the National Institute for Legislative and Democratic Studies, to the African Commission and its Special Rapporteur on the Rights of Women in Africa, to the Solidarity for African Women's Rights Coalition, to State Houses of Assembly and the Conference of Speakers of State Legislatures of Nigeria, to the Nigerian Governors' Forum and the Nigerian Governors' Spouses Forum, to CODMAP, to the Maryam Babangida National Centre for Women Development, and to national civil society organisations.

Scope and Argument

This report sets out why Nigeria, twenty-two years after ratifying the Maputo Protocol without reservation, has not domesticated it; what has nonetheless been achieved by other means; and why the two facts together produce a country whose formal position on the Protocol is stronger than most and whose delivered position is not. It is written for those working on domestication, in the National Assembly and the State Houses of Assembly, in the ministries and commissions that carry the obligation, and in the civil society organisations that have pursued it for two decades.

The argument proceeds in seven moves. It sets out the constitutional threshold to domestication, together with the one precedent that unsettles it and the comparative position of two African states that have faced the same instrument differently. It traces four attempts to cross that threshold through a single omnibus statute, and examines what has been offered in place of the law that was not passed: a policy architecture carrying no Maputo Protocol obligation, and a criminal law that disapplies the Protocol's most contested provision without any reservation having been entered. It then asks why the threshold has not been crossed, and finds the answer in ownership rather than capacity. It argues that the threshold is not in fact the binding constraint, because Nigeria has already crossed it on another instrument derived from the same Protocol and because the content that cannot pass the National Assembly has been passing in State legislatures. It sets out what remains unresolved and the strategy now in motion, including the four routes by which Article 9 on political participation can be advanced. Finally, it specifies the implementation machinery Nigeria lacks, and makes recommendations to the actors able to supply it.

This report is a publication of BAOBAB for Women's Human Rights, issued in the organisation's thirtieth year, whose work is described at the end of the document. The analysis draws on BAOBAB's Comprehensive Maputo Protocol Domestication Report 2021–2026, on the documented legislative and policy record, and on primary instruments including the 1999 Constitution, the National Gender Policy 2021–2026 and Nigeria's periodic reports to the African Commission. Where a question is unsettled, it is left unsettled rather than resolved in BAOBAB's favour.

Three distinctions run through what follows, and the argument depends on keeping them apart. The first is between ratification, which binds Nigeria to the other States Parties and to the African Union, and domestication, which makes the Protocol available in a Nigerian

court. The second is between a State legislating within its own competence and a State House of Assembly assenting to treaty domestication under Section 12(3). The first has happened repeatedly and the second never. The third is between enacting a law and making it operate. The Nigerian debate has largely treated these as a single question, and much of the advocacy that followed has been aimed at the wrong one.

TWO CLAIMS

Nigeria's problem is not awareness, capacity or drafting. It is the location of advocacy and the absence of implementation machinery. The distinction between a treaty being in force and a treaty being in use is the whole of the Nigerian case: the Maputo Protocol has bound Nigeria since 2005 and has never been available to a Nigerian woman in a Nigerian court.

SECTION 2

The Constitutional Position

Nigeria ratified the Maputo Protocol on 16 December 2004, without reservation, and twenty-two years later the instrument remains undomesticated. The failure is usually attributed to a general reluctance, but it is traceable to a specific constitutional test that most accounts do not distinguish, and it repays setting out with some precision.

2.1 The two-stage test

Nigeria is a dualist state. Section 12(1) of the 1999 Constitution provides that no treaty has the force of law except to the extent that the National Assembly has enacted it, so that ratification creates an international obligation and no domestic one. In that respect, Nigeria's position is shared with Uganda, Ghana, Kenya before 2010, and most of the common-law Commonwealth. What distinguishes Nigeria is the second stage, and it is the stage that has never been reached.

Section 12(2) confines the National Assembly's treaty-implementing power to matters within the Exclusive Legislative List, and Section 12(3) provides that a bill implementing a treaty on any matter outside that List shall not be presented for assent until it has been ratified by a majority of all the States of the Federation. The Constitution divides legislative competence between an Exclusive List reserved to the Federation, a Concurrent List shared between the Federation and the States, and a residue belonging to the States alone. Marriage other than under the Marriage Act, inheritance and succession, health services, primary and secondary education, land tenure, and customary and Islamic personal law all fall outside the Exclusive List.

Those are the substantive provisions of the Maputo Protocol. Articles 6 and 7 on marriage and its dissolution, Articles 20 and 21 on widows' and inheritance rights, Article 12 on education, Article 14 on health and reproductive rights and Article 19 on land and productive resources all legislate on subjects the National Assembly cannot reach alone. A domesticating statute would therefore require passage through both chambers of the National Assembly and, before presentation for assent, ratification by a majority of all the State Houses of Assembly in the Federation. This is ordinary legislation, not constitutional alteration. A domesticating Act changes no provision of the Constitution and sits below it, as the Supreme Court held of the African Charter in *Abacha v Fawehinmi*. Only those provisions of the Protocol that conflict with the Constitution itself, such as equal citizenship rights for a woman's foreign spouse, would require the separate and more

demanding procedure under Section 9, which calls for two-thirds of each chamber and approval by the Houses of Assembly of not less than two-thirds of all the States. Each of those legislatures sits in a State with its own configuration of customary, Islamic and statutory law, and twelve northern States operate Sharia penal codes alongside the statutory system.

The architecture has a further consequence, and it determines what a federal Act actually delivers on the day it is signed. Under Section 299 the Federal Capital Territory is treated as though it were a State, with the National Assembly exercising over it the powers of a State House of Assembly, so federal legislation binds the FCT automatically and requires no adoption. Everywhere else does. A statute passed in Abuja delivers protection in the Federal Capital Territory and nowhere else until thirty-six separate legislatures choose to act.

The comparison usually drawn is with Uganda's reservation, and it is the wrong comparison. Uganda's obstacle is a single instrument held by a single executive, capable of being withdrawn by one decision. Nigeria's is a distributed veto held by thirty-six legislatures, none of which is answerable to the African Commission, most of which have never debated the Protocol, and a majority of which must act affirmatively before anything happens at all.

2.2 The 1983 Act

There is a precedent that sits awkwardly against this account, and it has never been examined with any seriousness. Nigeria domesticated the parent instrument, the African Charter on Human and Peoples' Rights, by a single Act of the National Assembly in 1983, the African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act, No. 2 of 1983, now Cap. A9, Laws of the Federation of Nigeria 2004. The technique was minimal: the Charter's text was appended as a Schedule, and one operative clause provided that its provisions shall have force of law in Nigeria and shall be given full recognition and effect and applied by all authorities and persons exercising legislative, executive or judicial powers. No State House of Assembly assented.

Section 12 of the 1979 Constitution, then in force, was in terms identical to Section 12 of 1999. Nigerian scholarship records the 1979 provision as reproduced verbatim in the 1999 Constitution, and treats both as in *pari materia* with Section 74 of the 1963 Republican Constitution and Section 69 of the Independence Constitution of 1960. The requirement of State ratification was therefore not a later imposition that the 1983 Act pre-dated; it applied at the time, and has applied in substantially the same terms since independence. The Act has nonetheless stood for more than forty years and has been applied by the

Supreme Court, which in *Ogugu v The State* confirmed its domestic enforceability and in *Abacha v Fawehinmi* held that it possesses greater vigour and strength than any other domestic statute, ranking below the Constitution but above ordinary legislation, and that its provisions cannot be repealed by implication.

Two readings are available, and Nigerian constitutional scholarship has settled on neither. On the first, the African Charter’s subject matter, the enforcement of fundamental rights against the State, falls within federal competence, no State ratification was required, and the Act is simply valid. On that reading it offers no precedent for the Maputo Protocol, which legislates in detail on marriage, inheritance and reproductive health, matters plainly outside the Exclusive List. On the second, the Act was passed in disregard of Section 12(3) and has gone unchallenged because no litigant has ever had reason to challenge an instrument that enlarges rights. On that reading it is a precedent for an irregularity rather than a route.

This report does not present the 1983 Act as a shortcut, and it does not assert that the Maputo Protocol can be domesticated by the same technique. The claim is narrower and, we think, harder to dismiss: the question has never been formally put. It has gone to no legislative counsel for an opinion, before no committee of the National Assembly, and before no Nigerian court. Before conceding a subnational ratification threshold for a further twenty years, an obligation exists to establish whether that threshold is in fact where Nigerian constitutional practice has placed it, or merely where advocacy has assumed it to be.

2.3 Nigeria in comparative perspective

Nigeria’s position is best understood against two African states that have faced the same instrument differently, and the differences between them are not differences of degree. They are differences of legal architecture. The comparison turns on two variables: how a state receives treaties, monistically or dualistically, and whether it entered a reservation. Nigeria and Uganda match on the first, Rwanda and Uganda on the second, and no two of the three match on both.

	Rwanda	Uganda	Nigeria
Treaty reception	Monist: a ratified treaty published in the Official Gazette has the force of national law (Art. 168). No domestication step	Dualist: domesticating legislation required, though courts have cited undomesticated treaties	Dualist: Section 12(1), 1999 Constitution

	Rwanda	Uganda	Nigeria
Reservations	Entered a reservation to Art. 14(2)(c); withdrew it in 2012	Reservations to Art. 14(1) (a) and 14(2)(c) remain in force	No reservation entered; Art. 14(2)(c) disapplied by domestic criminal law
Principal obstacle	Largely resolved; focus now on implementation quality	Withdrawal of reservation; an executive-level decision	Two-stage constitutional process requiring ratification by a majority of State Houses of Assembly
Governance structure	Centralised; culturally grounded framework	Decentralised, with implementation gaps	Federal; 36 States; customary, religious and statutory law in parallel
Instrument of change	Penal Code overhaul; ministerial directives and standardised clinical guidelines	Withdrawal instrument deposited with the AU	National Assembly enactment plus subnational ratification

Rwanda is monist, so its Penal Code reform removed a conflicting domestic law rather than enacting an enabling one, and its withdrawal decision is not transferable to a country that entered no reservation. Uganda, like Nigeria, is dualist, and would still require domesticating legislation even if its reservations were withdrawn tomorrow. One caution should be drawn from the typology. Monism removes a legislative obstacle; it does not deliver a right. A directly applicable treaty still requires courts willing to apply it, providers trained to act on it, budgets that fund it, and an institution that notices when it is ignored.

A THRESHOLD THAT HAS NEVER BEEN TESTED

Nigeria has conceded a constitutional threshold that no one has asked it to meet. Not one State House of Assembly has been presented with a domesticating bill, and the one precedent that might lower the bar, the 1983 Act, has never been put to legislative counsel.

SECTION 3

The Legislative and Policy Record

The threshold has been tested four times, always by the same method: a single omnibus statute carrying the whole of the Maputo Protocol and CEDAW into Nigerian law at once. Alongside those attempts, and increasingly in place of them, Nigeria has produced a body of policy that articulates the Protocol's ambitions while creating no enforceable entitlement, and a body of criminal law that contradicts the Protocol's most contested provision. This section sets out that record.

3.1 The GEO Bill, 2010–2023

The Gender and Equal Opportunities Bill would have legislated equality in marriage and its dissolution, equal succession rights and protection for widows, non-discrimination in education, employment and access to property and land, measures against discrimination in political and public life, and the prohibition of violence against women. It was first presented to the Senate in 2010 by Senator Chris Anyanwu, one of only three women in a chamber of one hundred and nine at the time, and did not pass second reading.

Senator Biodun Olujimi took it up in 2016, and on 15 March that year the Senate rejected it, with northern senators leading an opposition framed openly in religious and cultural terms. She reworked it and brought it back that September; this time it passed second reading and went to the Committee on Judiciary, Human Rights and Legal Matters, which never convened a public hearing on it, and there the Bill stopped. A further reintroduction followed in November 2019, and two years elapsed before the Bill reached the floor. On 15 December 2021 the chamber divided along religious and ethnic lines within the hour, and the Senate stepped down the second reading. The Bill was not defeated, but it was not relisted for seventeen months, until it passed second reading on 31 May 2023, days before that Assembly dissolved and it lapsed with it.

Eleven weeks after the stepping down, on 1 March 2022, all five gender-related constitutional amendment bills before both chambers were rejected: special seats for women in the National and State Assemblies, a reserved quota in ministerial and other appointments, expanded citizenship by registration for foreign husbands of Nigerian women, affirmative action in political party administration, and indigeneship of a husband's State after five years of marriage. Nigerian women marched on the National Assembly the following day.

3.2 How the Bill was stopped

Three features of that record deserve attention. The first is that narrowing did not work. Each version of the Bill was less ambitious than the last. Provisions were trimmed, contested clauses dropped, language softened, yet the outcome did not change between 2010 and 2023. A failure that survives successive concessions is not a drafting failure; it is a failure of the vehicle or of the venue.

The second is that the Bill has rarely been defeated on a recorded vote. It was voted down once, in March 2016. On every other occasion the mechanism was procedural: a second reading not reached, a committee referral that produced no hearing, a second reading stood down and left unlisted for seventeen months. A bill killed by procedure produces no division list, no attributable position, and nothing a constituent can hold a legislator to. Of the means available for stopping a bill, this is the one that leaves the fewest fingerprints, and on this record it is the one most often used.

The third concerns the March 2022 constitutional amendment bills, which faced a steeper version of the arithmetic described in Section 2. Constitutional alteration under Section 9 requires a two-thirds majority in each chamber and approval by the Houses of Assembly of not less than two-thirds of all the States. The gender agenda has therefore failed by both available routes, the ordinary legislative route under Section 12(3) and the constitutional amendment route under Section 9, and each ends in a subnational threshold. The recurrence is the point. Nigeria's gender legislation does not fail because it is controversial in Abuja; it fails because it requires the assent of a majority of State legislatures, and no advocacy strategy has ever seriously addressed them.

3.3 Ambition without obligation

Where legislation has failed, policy has been offered in its stead, and this substitution is Nigeria's characteristic response to the domestication question. The National Gender Policy, first adopted in 2006 and revised for 2021–2026, is the country's most comprehensive gender framework. The 2006 policy carried a 35% affirmative action target in elective and appointive positions; the revised policy commits to advocating for 50:50 parity in both, an aspiration the policy itself has no power to impose and which it frames as a matter for advocacy rather than as an obligation it creates. Its approval by the Federal Executive Council came in the same week that the National Assembly rejected all five gender bills, and the two events passed without anyone in government remarking on the contradiction.

The Protocol's standing within that framework is itself instructive. The Protocol is named once, in the policy's survey of the international and regional environment, and does not

appear in the list of ratified treaties given in the section on Nigeria's own legal environment. It is present when the policy describes the continent and absent when the policy describes the country's own obligations. The operative chapter on legislative and policy reform sets full domestication of CEDAW by 2025 as a formal target and commits to advocating for it, while no equivalent target, strategy or indicator exists for the Maputo Protocol anywhere in the document. That CEDAW deadline, for a treaty ratified in June 1985, has passed without domestication.

The consequence of policy without enforceable entitlement is visible in the record. A 2022 Federal High Court judgment directing enforcement of the 35% target in appointive positions remains unimplemented, and there is no mechanism by which it might be enforced against a government that declines to comply. Nigeria ranks among the lowest in the world for women's parliamentary representation. The same is true of the National Reproductive Health Policy 2010 and the National Guidelines on Self-Care for SRHR 2020, which set out standards, bind nobody, and cannot be invoked by any woman. The pattern extends beyond domestic instruments: no periodic report from Nigeria under Article 62 has been considered by the African Commission since 2018. The obligation is absent from national policy and unreported to the continental body charged with supervising it.

3.4 Article 14 and the criminal codes

Abortion remains criminalised in most circumstances under both the Criminal Code, applicable in the southern States, and the Penal Code, applicable in the north, in direct conflict with Article 14(2)(c) of the Protocol, which obliges States Parties to authorise medical abortion in cases of sexual assault, rape and incest, and where continued pregnancy endangers the mental and physical health of the mother or the life of the mother or the fetus.

The effect deserves to be named precisely. Nigeria entered no reservation to Article 14, yet its domestic criminal law achieves exactly what Uganda's reservation achieves: the provision is disapplied within the national territory. The difference is one of form rather than of substance. Uganda declared its limitation to the African Union and can withdraw it by executive act deposited with the Commission, whereas Nigeria's limitation is undeclared, distributed across a criminal code, a penal code, thirty-six jurisdictions, and reversible only by legislation in each of them.

Nigeria's position is also, on any orthodox reading, the weaker one in law. At the point of ratification, a reservation narrows the obligation, and the treaty regime recognises it as having done so. Nigeria assumed Article 14 in full, without qualification, and legislates against it. That is not a limited obligation but an unlimited obligation in continuing

breach, and the settled rule that a State may not invoke its internal law as justification for failure to perform a treaty removes the only defence available.

The practical consequence is the one that matters. As the limitation was never declared, it falls outside the Commission's reservations-withdrawal advocacy entirely. Resolution 632 (LXXXII) 2025, on the need to raise awareness for States to withdraw reservations to some provisions of the Maputo Protocol, directs the Special Rapporteur on the Rights of Women in Africa to develop an Advocacy Framework for lifting them, and the Commission's call for inputs on that draft Framework groups the reservations it addresses by subject, sexual and reproductive health under Article 14 among them. The Framework is built around reservations that States have declared. Nigeria has declared none, so on the question of reservations the Commission has no enquiry to make of it. The mechanism built to address limitations of Article 14 cannot see the country that has limited it most comprehensively.

A RESERVATION NIGERIA NEVER ENTERED

Uganda declared its limitation on Article 14 and can withdraw it with a single instrument. Nigeria's limitation is written into the Criminal Code and the Penal Code across thirty-six jurisdictions, declared to no one, and invisible to the mechanism built to remove it.

Capacity, Will and Ownership

Constitutional architecture explains why domesticating the Maputo Protocol in Nigeria is difficult, but it does not explain why it has not happened. Difficulty is not impossibility, and the distinction carries weight in a country that has repeatedly accomplished difficult things once it decided to. The gap is rooted less in incapacity than in selective political will, and the more useful question is why the selectivity.

4.1 What Nigeria can do when it chooses

Nigeria operationalises the Federal Character Principle, which constitutionally mandates the reflection of federal character in appointments across every arm of government and requires continuous monitoring of quotas across thirty-six States and the Federal Capital Territory. It is administratively complex, politically sensitive, and coordinated across all tiers of government, and it has functioned for decades. A state that can run that machinery cannot credibly claim to lack the administrative capacity to implement a gender equality framework.

Neither is political courage the constraint. The fuel subsidy was removed in 2023 and the decision has held despite sustained opposition and criticism, which establishes that the Nigerian state will absorb prolonged public anger for a measure it judges necessary and in the public interest. The comparison is not offered as an endorsement of that policy, on which views differ sharply, but because it establishes a fact about the state's behaviour: the appetite to bear political cost exists, and it has simply never been spent on this.

4.2 Three compounding factors

Three factors appear to account for it, and they compound. The first is the asymmetry of organised interest. Opposition to the GEO Bill is concentrated, organised and electorally consequential, since religious institutions and traditional authorities possess mobilisational reach into constituencies, and their objection has been public, coordinated and sustained across four attempts. Support is diffuse. No Nigerian legislator is known to have lost a seat for voting against gender legislation, while a number appear to believe they could lose one for voting in favour. Where the costs of obstruction are nil and the costs of support are uncertain but non-trivial, the arithmetic of political survival favours obstruction regardless of a legislator's private view.

The second is the absence of any domestic cost to inaction. Every channel through which a state might be held to this obligation is either closed or costless in Nigeria. The Protocol is unpleadable, so there is no litigation risk; the National Gender Policy creates no enforceable entitlement, so there is no administrative remedy; a 2022 Federal High Court judgment directing enforcement of the 35% appointive target remains unimplemented without consequence, so even where a court has spoken the order has not bound; and no periodic report has reached the African Commission since 2018, without any sanction following. A government that acts on none of these faces no penalty from any of them.

The third is the absence of executive ownership, and it is the factor most often overlooked. The fuel subsidy was removed by executive decision, announced by the President, and carried by the full weight of the federal executive. Every attempt to domesticate the Maputo Protocol, by contrast, has been a private member's bill, sponsored by a woman senator, carried on her personal political capital, and dying when she left the chamber or when the Assembly dissolved. The Nigerian state acts decisively when the executive owns a measure, and gender equality legislation has never been owned by the executive. It has been permitted to exist as a legislative initiative and left to fail there.

4.3 A useful obstacle

The consequence is that the constitutional threshold performs a second function beyond the legal one. Since Section 12(3) is real, it can be invoked in good faith by officials who would not act if it were absent, and it forecloses the conversation without anyone having to defend a position on the merits. The obstacle is genuine, and it is also somewhere for reluctance to shelter. That it has never been tested, with no legislative counsel instructed, no committee opinion sought and no court asked, is itself evidence of how comfortably it has been accepted by everyone, advocates included.

SIXTEEN YEARS, NO EXECUTIVE BILL

No President has ever sent a domestication bill to the National Assembly. Every attempt has rested on an individual legislator's political capital, and none has outlived the Assembly in which it was introduced.

SECTION 5

The Route That Has Worked

While the preceding sections describe a failure, this one describes what succeeded while that failure was being catalogued, and why almost nobody in Nigerian advocacy has counted it as success. The domestication debate has been conducted almost entirely in the language of the omnibus statute: one Bill, one vote, the whole Protocol into law at once. Measured against that standard, twenty-two years have produced nothing. The standard is, however, a choice rather than a requirement, and while it was being pursued in Abuja, a different route was quietly delivering. Seven articles of the Protocol now have domestic effect across thirty-four States through the Violence Against Persons (Prohibition) Act, and five States have enacted gender and equal opportunities legislation of their own. No treaty-implementing bill was involved, Section 12(3) was never engaged, and at no point has any of it been described as domestication.

5.1 Domestication nobody called domestication

The Violence Against Persons (Prohibition) Act 2015 gives domestic effect to a substantial part of the Maputo Protocol. Article 4, on the rights to life, integrity and security of the person, is given domestic effect through the Act's offences of rape, spousal battery, physical injury, coercion, deprivation of liberty, attack with a harmful substance and incest. Article 5 is reached through the prohibition of female circumcision or genital mutilation and of harmful traditional practices. Article 20 is reached through section 15, which makes it an offence to subject a widow to harmful widowhood practices, together with section 9 on forceful ejection from the home; Article 13 through section 12 on forced financial dependence and economic abuse and section 16 on abandonment without means of sustenance, and Article 3 through those of emotional, verbal and psychological abuse and forced isolation. Articles 8 and 25 are reached through the protection-order machinery and the provisions on service providers and remedies.

Nowhere in its text does the Act mention the Maputo Protocol, and the omission has done more than obscure the connection. Since it is not framed as a treaty-implementing statute, it has never been counted as Maputo domestication by Nigerian advocacy, by the federal government's own reporting, or by the African Commission. Seven articles of the Protocol have in substance been brought into force across most of the federation, unclaimed by the State that achieved it and therefore never measured against the standard the Protocol lays down.

That standard exposes the ceiling. The Act does not reach Article 14(2)(c): abortion remains criminalised, and the provision most contested across the continent is untouched by the one instrument that has succeeded. Nor does it expressly criminalise marital rape. Partial domestication carries the articles capable of passing and abandons the remainder at the point where advocacy left them. A further limit is inherent in the route, since each State adopts by enacting its own law rather than by ratifying a federal text, so that the thirty-four adoptions are thirty-four separate statutes and the protection a woman enjoys depends on which version her State passed.

On enactment, the Act bound the Federal Capital Territory alone. Thirty-four of Nigeria's thirty-six State Houses of Assembly have since adopted it. Lagos operates a weaker domestic violence law of 2007, now due for amendment. Kano alone has adopted neither, leaving women and girls in that State to the Penal Code of 1960, a criminal code older than Nigeria's independence, and older than every instrument discussed in this report.

5.2 Five States, since 2007

The GEO Bill's content has fared better outside Abuja, and for longer than Nigerian advocacy has recognised. Five States have enacted standalone gender and equal opportunities legislation: the Anambra State Gender and Equal Opportunities Law and the Imo State Gender and Equal Opportunities Law, No. 7, both of 2007; the Ekiti State Gender and Equal Opportunities Law 2013; the Kogi State Gender and Equal Opportunities Law 2014; and the Plateau State Gender and Equal Opportunities Law 2015. A sixth, Cross River, has a Gender and Equal Opportunities Bill before its House of Assembly. Kwara took a targeted route instead, enacting the Political Offices (Gender Composition) Law, No. 9 of 2021, assented to on 7 December 2021, which requires that neither sex hold less than 35% or more than 65% of five classes of State political office, a floor matching the target set by the first National Gender Policy, legislated by a State less than three months before the National Assembly rejected the equivalent provision in the March 2022 constitutional amendment votes.

The chronology deserves emphasis. The federal Bill did not reach the Senate until 2010; Anambra and Imo had legislated three years earlier. Two Nigerian States enacted gender and equal opportunities law three years before the National Assembly was first asked to, and three more have followed across the sixteen years in which the federal Bill has failed. The subnational route is not a strategy this report proposes; it is a description of what has already been happening, largely uncounted.

The geography matters as much as the chronology. Anambra and Imo lie in the South East, Ekiti in the South West, and Kogi and Plateau in the North Central, with Kwara

alongside them. The standing objection to the GEO Bill has been that northern legislators will not accept its content, yet three North Central States have legislated it, in whole or in part. It should be stated with equal candour that no South-South, North-West or North-East State has enacted a standalone law, and that the two northern zones are where the strategy meets its hardest test.

A precision is owed here. A State gender and equal opportunities law is legislation on matters within State competence; it is not the same act as assenting to treaty domestication under Section 12(3), and should not be presented as such. Neither is the standalone statute the only route States have taken. Several States have legislated the same content sectorally, through widowhood-practices laws, inheritance and family-property statutes, and their own VAPP laws. That is the article-by-article pattern described at 5.1, reproduced at State level. Together the two routes establish what has never been established federally: that the substance is passable, repeatedly, across three geopolitical zones and over eighteen years, whether carried in one instrument or several.

Four limits should be stated plainly. First, five States of thirty-six is a demonstration rather than a map, and far short of the majority of State Houses of Assembly that domestication would require. Second, State legislation cannot reach everything the federal Bill would, since some of what the GEO Bill covers sits on the Exclusive Legislative List and lies beyond State competence altogether; citizenship, for instance, was among the five bills rejected in March 2022 and could never be delivered by a State House of Assembly. Third, there is no evidence before this report that any of these laws is being implemented more effectively than the State VAPP laws examined above. Fourth, enactment has not completed the work even in the States that legislated. Plateau's law was passed in 2015 and not gazetted until June 2018, three years in which a passed statute was not yet in force. That is this report's central argument occurring one stage earlier than the implementation gap described above, and it is an argument for pairing enactment with the machinery that follows it rather than an argument against enactment. What the State route has demonstrated is that Nigerian legislators will vote for this content. It has not yet demonstrated that voting for it changes anything.

5.3 Four differences that decided it

The contrast between the VAPP Act and the GEO Bill is the most instructive comparison available in the Nigerian record, and four differences appear to account for it.

- **Consolidation within a subject, not across subjects:** The VAPP Act was itself a harmonisation. Between 1999 and 2008 nine separate gender-violence bills came before the National Assembly, each pursued individually and each stalling. In April

2008 LACVAW commissioned a census of them, and at a stakeholders' meeting on 19 June 2008 concessions were reached to merge them into a single Violence Against Persons (Prohibition) Bill. The consolidation was within one subject. What the GEO Bill consolidates cuts across marriage, inheritance, education, employment, property and political participation, presenting every objecting constituency with one target and allowing objections that share nothing to combine against a single vote.

- **Protection framing rather than equality framing:** VAPP entered the debate as criminal law protecting persons from harm, a proposition on which Nigerian moral consensus is broad. The GEO Bill arrived as equality legislation and engaged head-on with religious and customary authority over marriage, inheritance and family. The clearest evidence is the Act's own title: it began as a Violence Against Women (Prohibition) Bill, first presented on 28 May 2002, and was enacted thirteen years later as the Violence Against Persons (Prohibition) Act. The substance survived largely intact: though the offences it creates fall overwhelmingly on women, the beneficiary was made universal in order to secure passage, and the coalition's own strategy record names the deliberate choice of an acceptable title as a lesson learned. The arithmetic makes the point precisely: thirty-four States have adopted the VAPP Act and five have passed standalone gender and equal opportunities laws. The difference between those numbers is a map of what Nigerian legislatures resist. Criminalising violence against women commands near-universal assent; legislating economic equality, property and inheritance rights, and representation quotas does not.
- **State competence rather than treaty ratification:** This is the decisive difference and the least remarked. A State adopting the VAPP Act legislates on criminal law within its own competence; it does not ratify a treaty under Section 12(3). No constitutional threshold applied, no majority had to be assembled, and no State had to wait for any other; thirty-four independent decisions accumulated into near-national coverage without a single coordinated moment. It also explains why the VAPP Act's first decade looked like failure. On enactment in 2015 it protected the residents of one territory, and what made it a national instrument was not the federal vote but the thirty-four subnational decisions that followed it, which is the same proposition this report makes about the Protocol.
- **Custody in an office rather than a person:** Both instruments had coalitions, and the GEO Bill has been supported throughout by women's rights organisations and networks, BAOBAB among them. The difference lies inside the chamber. VAPP's sponsorship passed through successive Chairs of the House Committee on Women Affairs, Florence Aya in 2002, Saudatu Sani in 2003 and Binta Masi Garba in 2009,

and when it lapsed again in 2011 the coalition selected Abike Dabiri as successor by consensus rather than waiting for a volunteer. LACVAW went further and placed a Gender Technical Unit inside the National Assembly itself, tracking the bill within the parliamentary structure. The GEO Bill's custody has never been institutionalised in that way; it has passed from one woman senator to another as a private member's bill and has lapsed with each Assembly. A coalition can sustain a campaign indefinitely, but it cannot, on its own, keep a bill alive on an Order Paper.

5.4 What the route cost

The question is no longer whether Nigerian legislators will vote for the content of the Maputo Protocol, because several already have, at State level. The question is whether advocacy has been directed at the right chamber. For two decades, Nigerian advocacy, BAOBAB's included, has concentrated on the National Assembly, where the content has never passed, rather than on the State legislatures, where it has.

None of this should be mistaken for optimism about speed. The VAPP Act took thirteen years of sustained coalition advocacy to reach enactment in 2015, and almost a further decade to secure thirty-four State adoptions: roughly twenty-three years from first presentation to a near-complete legislative map, and longer than the Maputo Protocol has been ratified in Nigeria. The article-by-article route is the one route that has demonstrably worked. It is also slow, and at the end of it Nigeria has statutes rather than protection. If a full domestication cycle costs more than two decades, the implementation machinery cannot be left to follow the legislation; it must be built alongside it.

The renaming should be recorded as a cost as well as a tactic. A statute unable to name those it exists to protect gives up part of the case it was drafted to make, and the consequence has outlasted the concession: because VAPP is framed as neutral, its enforcement is not measured as a gender indicator, and the failure to implement it has never been read as a failure to protect women.

2007

The federal Bill has failed four times since 2010. Over the same years, five State legislatures, the first two three years before the Bill reached the Senate, enacted what the National Assembly would not.

Where the Gap Sits

Nigeria's difficulty is frequently described as a single problem: the Protocol is not domesticated. The preceding sections suggest it is at least three problems operating at different tiers, with different causes and different remedies: an unlegislated treaty, unimplemented statutes, and an unengaged accountability mechanism. Treating the three as one has directed advocacy at the first, when it is the second that decides whether any woman is protected and the third that decides whether anyone answers for it. The three are set out first, followed by four structural conditions that bear on all of them. The obstacles are Nigeria's, not any single organisation's, and they are listed in descending order of how much they matter.

- **The implementation gap:** Thirty-four State VAPP laws exist and only a fraction are implemented. Implementation, where it is found, is exceptional rather than systemic, such as the work of a particular commissioner or a particular grant, and it seldom outlasts whichever of the two produced it. Passing the law has proved achievable; making it operate has not. This is Nigeria's central unresolved problem, and the components it lacks are specified in Section 8.
- **The accountability gap:** Ratification binds Nigeria at international law, and the Protocol has been in force for Nigeria since 2005. In use it is not. Undomesticated, it cannot be pleaded before a Nigerian court, and a woman who would rely on Article 14 has no domestic remedy resting on it. Reporting is nonetheless required. Under Article 26(1), States Parties must indicate in the periodic reports due every two years under Article 62 of the African Charter what legislative and other measures they have undertaken for the full realisation of the rights, and it is the phrase "other measures" that permits a non-domesticating state to report at all. From its fifth report onward Nigeria included Maputo implementation measures explicitly, listing domestic instruments that align with the Protocol without deriving from it. That sixth report, covering 2015 and 2016, reached the Secretariat in November 2017 and was considered at the Commission's 62nd Ordinary Session in April and May 2018. Part B of that report constituted Nigeria's second report under the Maputo Protocol, the second in twenty-two years since ratification. No further periodic report has since been considered by the Commission, and none appears on its public record. Four reporting windows have passed unused, in 2019, 2021, 2023 and 2025, against the two-year requirement of Article 62. The Commission's registry counts the shortfall differently, for reasons set out in the note on sources. The developments described in

this report, such as the collapse of the GEO Bill, the rejection of all five gender bills in March 2022, and the State-by-State adoption of the VAPP Act, have never been placed before the Commission. Two failures compound here. Nigeria's record has gone eight years without reaching the Commission, and the reporting that preceded that silence catalogued state activity without once addressing whether the Protocol had become usable by anyone.

- **Structural non-domestication of the Protocol itself:** Twenty-two years post-ratification, the two-stage threshold has never been crossed for the instrument as a whole. Article-by-article domestication has advanced, but the Protocol as a single enforceable text has not, and the difference is not merely formal. A right scattered across sectoral statutes requires a claimant to locate whichever provision happens to fit her circumstance, and to hope that one does. Where the Protocol has been domesticated whole, she pleads the instrument. Piecemeal domestication also leaves the articles nobody has championed permanently unaddressed: Articles 19 on land and productive resources, 21 on inheritance, 22 on elderly women and 23 on women with disabilities have attracted no dedicated federal legislative vehicle, and no systematic attention at State level. Where movement has occurred on these, it has come mainly from the courts and from general legislation not framed around women: the Supreme Court has struck down discriminatory customary inheritance practices in *Ukeje v Ukeje* and *Anekwe v Nweke*, and the Discrimination Against Persons with Disabilities (Prohibition) Act 2018 addresses part of Article 23. Judicial correction case by case is not domestication, and it reaches only those able to litigate. Advancing where advocacy has concentrated and halting where it has not is a poor basis on which to allocate rights.
- **The State-level capacity gap:** A state-before-federal strategy requires sustained advocacy inside thirty-six State Houses of Assembly, and Nigerian civil society's institutional partnerships are overwhelmingly Abuja-based. The constraint is not primarily financial. The VAPP Act reached thirty-four States because many organisations pursued adoption in their own zones, each funded separately and none waiting for the others, and that model is available again. What is missing is the coordination that would turn parallel effort into a strategy: an agreed division of the federation, a shared timeline, and a single place where progress is tracked. CODMAP is the obvious mechanism and has not yet performed that function. Until it does, thirty-six State campaigns remain achievable in principle and unassigned in practice.
- **Legislative calendar dependency:** Advocacy timed to a legislature is hostage to that legislature's calendar. Recess, floor disputes and procedural stepping-down have repeatedly displaced planned National Assembly engagements, and the four-year

Assembly cycle imposes something harder still: under the standing rules a bill that has not passed dies at dissolution and must begin again with the new Assembly. That rule alone accounts for much of the GEO Bill's sixteen years, and the coalition record on the VAPP Act names its reform as a priority. The dependency is also an argument for the State chambers, since thirty-six calendars cannot all stall at once and a strategy distributed across them is not defeated by a single dissolution.

- **Cultural and religious veto points:** The reproductive health provisions of Article 14, on contraception and abortion above all, meet sustained and organised resistance. The record here is specific rather than general. What most delayed the VAPP Act were its provisions on the criminalisation of marital rape, on access to safe abortion for survivors of rape and incest, and on the reach of protection orders; the second of these is precisely the ground on which Article 14 is blocked today. Strategic reframing is a response to this rather than a solution; it secures entry to the chamber without shifting the underlying objection, and where it succeeds it can deliver a narrower provision than the Protocol requires. Two decades have not diminished that resistance, and no advocacy strategy now in use is designed to alter it; each is designed to work around it.
- **Resource and civic-space constraints:** Funding continuity for non-state actors is fragile and increasingly short-cycle, which suits campaigns measured in months against a domestication process measured in decades, and advocacy space across the region is narrowing at the same time. The combination is corrosive in a specific way: it rewards visible activity over the slow institutional work that the VAPP record identifies as decisive, sustaining a coalition across four Assemblies, and keeping a bill's custody in an office rather than a person.

These describe a country in which the most discussed problem is the least consequential one. Nigeria could domesticate the Protocol tomorrow and, on the evidence of the thirty-four VAPP jurisdictions, a woman in most States would notice no difference. None of this argues against domestication, which remains the necessary legal foundation and the basis of any enforceable claim. It argues that domestication pursued without simultaneous investment in implementation machinery would reproduce at greater scale precisely what Nigeria has already achieved on violence: comprehensive law and negligible protection.

The three problems also call for different remedies, and the remainder of this report takes them in turn. The unlegislated treaty is addressed by the State-by-State strategy set out in Section 7, and by the opinion on Section 12(3) recommended at Section 8.2. The unimplemented statutes are addressed by the implementation machinery specified at Section 8.1, none of which needs to wait for domestication. The unengaged accountability mechanism is addressed by resuming periodic reporting to the African Commission and,

until that happens, by a civil society shadow report. Only the first requires new legislation before work can begin.

THREE PROBLEMS, NOT ONE

An unlegislated treaty, unimplemented statutes, and an unengaged accountability mechanism. Advocacy has been aimed at the first, while the second determines whether any woman is protected and the third determines whether anyone is answerable.

SECTION 7

The Strategy Now in Motion

The preceding sections describe a problem with three tiers and a route that has crossed only one of them. This section sets out what Nigeria's domestication advocates are now doing about it: the reasoning behind the shift from federal to subnational advocacy, and the workstreams currently in motion.

It should be read as a statement of direction rather than of achievement. Section 5 establishes that State legislatures will pass this content, since five have enacted standalone gender and equal opportunities laws and thirty-four have adopted the VAPP Act, but none of that is assent under Section 12(3), because no domesticating bill has ever been laid before a State House of Assembly for that purpose. The coordination the strategy depends on has not been agreed, and the constitutional question raised in Section 2 remains untested.

7.1 Why the States

The strategy now emerging among Nigeria's domestication advocates accepts the constitutional arithmetic rather than arguing with it. If domestication requires ratification by a majority of all the State Houses of Assembly, then the State legislature is the primary unit of advocacy, and federal enactment becomes the consequence of subnational accumulation rather than its precondition. It follows the one route that has demonstrably worked: thirty-four States legislated the substance of Articles 4 and 5 without a single omnibus vote in Abuja, while the GEO Bill failed four times in one chamber.

That conclusion was reached by exhausting the alternatives. Advocacy through the 2020s moved through three phases, each abandoned when it reached its ceiling. Mass legal literacy raised awareness and moved domestication not at all, since knowing about a treaty does not create a duty-bearer. Movement-building assembled a political constituency, but set it against institutions holding no formal stake in the outcome. Institutional anchoring, through securing co-ownership from federal institutions with Protocol objectives written into their own workplans, proved durable but remained federal, and the decisive votes are not federal.

7.2 What is under way

The elements now in motion are a sequenced State-by-State Ratification Strategy with published institutional timelines; a State-Level Implementation Tracker monitoring VAPP Act enforcement and protection against female genital mutilation and physical violence; and technical justifications for three to five priority legislative reforms tied to Articles 5 and 14, including emergency obstetric care. These are pursued through CODMAP, the standing coalition mechanism hosted by Alliances for Africa that addresses the siloed advocacy Nigerian stakeholder consultations have repeatedly identified.

Two openings are immediate. The end-term review of the National Gender Policy 2021–2026 and the development of its successor for 2027–2032 offer an entry point for embedding State-level implementation obligations in the framework itself. The States that have already enacted their own gender and equal opportunities legislation, together with Cross River where a Bill is pending, constitute the strategy’s natural first cohort, both as proof of concept for neighbouring assemblies and as the initial test of whether implementation can be built alongside enactment rather than left to follow it. The coordination requirement follows from this: a zonal division of the federation among CODMAP members and allied coalitions, each pursuing its own resourcing and its own State assemblies against a shared sequence and a common set of legislative asks, with progress consolidated in a single tracker.

Engagement with the Nigerian Governors’ Forum is decisive to all of it. In a state-before-federal strategy, governors are not stakeholders but gatekeepers, and no sequenced timeline can be agreed without them.

WHAT WOULD FALSIFY THIS

That distributed capacity cannot be built at affordable cost, in which case the strategy identifies the right chamber and cannot enter it. That State enactment proves as hollow as State VAPP adoption has been, in which case the failure has been relocated rather than solved. Or that Section 12(3) never governed this instrument at all, in which case two decades of subnational effort address a threshold that was never binding.

7.3 Article 9 of the Maputo Protocol: four routes to participation

Article 9 of the Maputo Protocol shows the strategy at its most practical. It requires States Parties to take “specific positive action” to secure women’s equal participation in elections,

their equal representation in all electoral processes, and their equal partnership in making and implementing State policy, and to ensure increased and effective representation at all levels of decision-making. Advocacy has treated these obligations as a single demand, reserved legislative seats, and has pursued it by the most demanding route the Constitution offers. Read against the division of competence set out in Section 2, Article 9 can be advanced by four routes, and only one of them requires constitutional alteration.

- **Reserved legislative seats:** The composition of the National Assembly and the State Houses of Assembly is fixed by the Constitution, so reserving seats for women in either requires alteration under Section 9. The Special Seats Bill, HB 1349 in the House of Representatives and SB 440 in the Senate, would add two seats for women in each geopolitical zone in the Senate, rotating among the States of the zone; one seat for each State and the Federal Capital Territory in the House of Representatives; and one seat for each senatorial district in every State House of Assembly. Unlike its predecessor, rejected in March 2022, the Bill would fill these seats not by direct election but through electoral colleges of local government officials and State and federal legislators, with INEC conducting a secret ballot. The design lowers cost and may ease passage, but the women elected would owe their seats to colleges of mostly male office-holders bound to party structures, which is the principal objection to it. The Bill did not complete its passage before the electoral timetable for 2027 closed, and even if both chambers pass it, it must still clear the two-thirds threshold in the States that Section 9 imposes. The reform is overdue and the route is legitimate, but it is the hardest of the four, and it has absorbed almost all the advocacy Article 9 has received.

COMBINING INSTRUMENTS

Elsewhere in Africa, gains in women's representation have come from combining instruments rather than relying on one: constitutional reserved seats in Rwanda, Uganda and Kenya, legislated candidate rules such as Senegal's parity law, and voluntary party quotas such as the African National Congress's in South Africa. Rwanda fills its reserved seats by indirect election, which shows that the electoral college model is not illegitimate in itself; there it works alongside other measures rather than in place of them.

- **Electoral and party law:** Elections to every office created by the Constitution, other than in local government, fall within the Exclusive Legislative List. The National

Assembly can therefore amend the Electoral Act without the ratification by State Houses of Assembly that Section 12(3) requires for matters outside that List. The limit is constitutional rather than procedural. The Constitution sets out the qualifications for election exhaustively, and the Supreme Court held in *INEC v Musa*, in the context of party registration, that neither the National Assembly nor INEC may add to conditions the Constitution has prescribed. A mandatory candidate quota would invite that challenge. Two softer measures already exist in some form. Several parties waive or reduce nomination fees for women aspirants, but by party decision, in some parties and not others. INEC publishes final candidate lists that record each candidate's sex, but as a matter of its own practice, and only after the primaries, when most women aspirants have already been eliminated. The statutory step is to make the first an obligation on every registered party and to extend the second back to the primaries, alongside quotas for women in party executive offices. Measures that regulate parties rather than candidates stand on firm constitutional ground.

- **Appointments:** The obligation that women be equal partners in making and implementing State policy is met largely through appointment, and appointment requires no constitutional change. Section 42(3) of the Constitution preserves laws that restrict appointment to offices under the State, which gives an appointment quota an arguable textual defence that an electoral quota lacks. The 35% target of the first National Gender Policy and the 50:50 parity commitment of the revised policy, described in Section 3.3, can be implemented by any President or Governor by executive decision. Kwara legislated the 35% floor in 2021 as a band in which neither sex may hold less than 35% or more than 65% of the listed offices, and the Federal High Court has already directed enforcement of the 35% target at federal level. Appointments are the part of Article 9 on which a State can act alone, immediately and within its own competence.
- **Local government:** Elections to local government councils are excluded from the Exclusive Legislative List, and paragraphs 11 and 12 of the Concurrent Legislative List allow a State House of Assembly to legislate for them, in addition to and consistently with federal law. Several States already practise something close to a council quota. In Kogi, every one of the twenty-one local government vice-chairpersons sworn in in December 2020 was a woman; in Niger, women hold the vice-chairmanship in all twenty-five local government areas; and Ekiti follows a similar arrangement. These arrangements rest on party and gubernatorial decision rather than law, so they last only as long as the governor who made them. The statutory step is for State Houses of Assembly to require that the chair and vice-chair of every council be of opposite sexes, that women hold at least 35% of council leadership positions, including supervisory councillors and the council secretary, as a floor towards the parity the

revised National Gender Policy commits to, and that a share of councillor seats be reserved for women. Applied across all 774 local government areas, these rules would guarantee women a place in the leadership of every council in the country. This route builds the pipeline of women able to contest State and federal seats, and under the Special Seats Bill it would also place more women in the electoral colleges.

The pattern is the one this report has traced throughout: the route that requires the most subnational consent has received almost all the advocacy, while the routes that require none, or only one State at a time, have been left largely unused. Nigeria can combine instruments as other African states have done, without waiting for the constitutional amendment that reserved seats still require, pursuing appointment floors and local government law in the States and party regulation in the National Assembly while the Special Seats Bill proceeds in parallel.

Closing the Gap

This report has argued that Nigeria's binding constraint is implementation rather than enactment. A report that identifies a gap without specifying what would close it leaves the most consequential work undone. This section therefore sets out the components an implementation framework requires, and then makes recommendations to the actors able to supply them.

8.1 The implementation machinery Nigeria lacks

Each component below is drawn from a point at which the Nigerian record shows failure.

- **Financing.** The single most reliable predictor of whether a statute operates is whether money is attached to it. Where implementation exists in Nigeria it is generally funded by a project rather than an appropriation, and it ends when the project does. A State implementation framework requires a dedicated line in the State budget, distinguishable from the ministry's recurrent vote, and reported on annually.
- **Institutional ownership.** Statutes that belong to everyone belong to no one. Each State framework requires a named institutional owner with authority to convene health, police, justice and social welfare, and a named officer accountable for performance, not a committee whose membership rotates with political appointments.
- **Standardised operational guidance.** Nigeria has repeatedly enacted law without issuing the guidance that makes it usable at the point of delivery. Implementation requires standardised protocols for police response, medical examination, evidence preservation and referral, issued centrally and applied uniformly, so that what a woman receives does not depend on which officer or clinician she happens to meet.
- **A functioning referral pathway.** The Sexual Assault Referral Centre model exists in Nigeria and is the right design. What it lacks is durability, since most centres depend on donor cycles, carry no dedicated budget line, and lose trained staff when funding ends. A referral pathway requires defined handover points between clinic, police and court, and a named institution answerable when a handover fails.
- **Data and reporting.** Nigeria cannot presently say how many VAPP prosecutions have been brought in any State. Without prosecution and service data, implementation cannot be assessed, compared between States, or improved. A

framework requires a defined minimum dataset, a reporting cadence, and publication.

- **Independent monitoring with consequences.** The National Human Rights Commission has the mandate to monitor and lacks the leverage to compel. Nigeria has no institution dedicated to gender oversight with power to require information from ministries and States, and no mechanism that makes non-compliance politically costly. Whether that function is built within the NHRC or established separately is a question for legislative counsel; the function itself is absent, and its absence explains a great deal.
- **Routine coordination.** Coordination in Nigeria happens when there is a meeting and stops when the meeting ends. What sustains it is structural: a standing committee with a legal basis, a ministerial directive that survives the minister, or a budget line that must be spent jointly. A framework requires one of these rather than a memorandum of understanding.

The seven components above are the difference between a statute and protection. None of them requires domestication of the Protocol in order to begin, and all of them will be required whenever domestication is achieved. That is the argument for building them alongside legislative advocacy rather than after it.

8.2 Recommendations

Addressed to	Recommended action
Federal Ministry of Women Affairs & Federal Ministry of Justice	Sponsor a domestication bill as an executive bill. Every attempt in sixteen years has been a private member's bill dependent on an individual legislator's tenure. This is the single most consequential variable available to change.
National Institute for Legislative and Democratic Studies	Advise on whether Section 12(3) governs a Protocol to a Charter already domesticated. Nigeria domesticated the African Charter by a single Act in 1983 with no State assent, under a Section 12 identical in terms to that of 1999, and the question has never been put to legislative counsel. The African Commission's Resolution ACHPR/Res.592 (LXXX) 2024 on the development of a model law for the implementation and domestication of the Maputo Protocol offers a further point of reference for that opinion.
Federal Ministry of Justice	Resume periodic reporting to the African Commission under Article 62 of the African Charter, addressing Maputo Protocol implementation as Article 26(1) requires. Nigeria's last periodic report was considered in 2018 and covered 2015 and 2016; its Maputo Protocol reporting has been submitted twice in twenty-two years.

Addressed to	Recommended action
African Commission on Human and Peoples' Rights and its Special Rapporteur on the Rights of Women in Africa	Extend the reservations-withdrawal advocacy under Resolution 632 (LXXXII) 2025 to States that limit a provision through domestic law without declaring a reservation, beginning with Nigeria's criminal-law treatment of Article 14(2)(c). A limitation that has not been declared cannot be withdrawn; it can only be exposed. Use the Special Rapporteur's engagement with Nigeria to seek an account of its overdue periodic reports.
Solidarity for African Women's Rights (SOAWR) Coalition	Record undeclared limitations in Protocol Watch alongside declared reservations, so that States such as Nigeria are tracked with the reservation-holders rather than counted as compliant. Share the State-by-State domestication record with members working in other dualist States, and lend the Coalition's continental standing to the Nigerian shadow report recommended below.
State Houses of Assembly, through the Conference of Speakers of State Legislatures of Nigeria	Treat the five States that have enacted standalone gender and equal opportunities laws, and Cross River where a Bill is pending, as a first cohort, and use their experience as the basis for a sequenced timeline across the remaining Houses. Legislate a floor for women in State public appointments, following Kwara's 35% to 65% band for either sex, and require that the chair and vice-chair of every local government council be of opposite sexes and that women hold at least 35% of council leadership positions. Use appropriation and committee oversight to secure budget lines for the implementation components at Section 8.1. Through the Conference, circulate model laws and coordinate consideration of constitutional amendments on women's representation when they are transmitted to the States.
Nigerian Governors' Forum	Commission a peer review of the five States with standalone laws, measured against the seven implementation components at Section 8.1 and building on the Forum's earlier State peer review mechanism. Encourage each governor to designate a lead ministry for every VAPP and gender equality law in force, to apply the National Gender Policy's appointment targets by executive decision, and to transmit gender and equal opportunities bills where none exists.
Nigerian Governors' Spouses Forum	Champion the adoption and implementation of VAPP and gender and equal opportunities laws in each State, particularly referral pathways and Sexual Assault Referral Centres, and anchor each initiative in a ministry, a budget line or a law so that it outlasts the tenure in which it began.
States with VAPP laws in force	Attach the implementation components set out at 8.1 to the statutes already enacted. Nothing further need be legislated for that work to begin.

Addressed to	Recommended action
CODMAP and civil society partners	Agree a zonal division of the federation, with organisations resourcing their own zones against a shared sequence and a common set of legislative asks, and consolidate progress in a single tracker. The constraint identified in Section 6 is coordination rather than money. Work with the Gender Technical Unit in the National Assembly on the federal legislative track, so that State campaigns and federal work move together.
Maryam Babangida National Centre for Women Development	Host the minimum dataset specified at Section 8.1 and a public repository of State gender laws, and train the officials who implement them on standardised guidance.
National civil society organisations	Prepare a shadow report to the African Commission on Nigeria's implementation of the Maputo Protocol. The State has been silent for eight years, and civil society can engage the mechanism without waiting for it.

THIRTY-NINE LAWS

Nigeria does not lack law. It lacks the budget lines, institutions, data and consequences that would make thirty-nine State laws protect anyone. That is what these recommendations address.

SOURCES

References

INTERNATIONAL AND REGIONAL INSTRUMENTS

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), adopted 11 July 2003, entered into force 25 November 2005. Ratified by Nigeria 16 December 2004.

African Charter on Human and Peoples' Rights, adopted 27 June 1981, entered into force 21 October 1986.

Convention on the Elimination of All Forms of Discrimination against Women, adopted 18 December 1979. Signed by Nigeria 23 April 1984; instrument of ratification deposited 13 June 1985; entered into force for Nigeria 13 July 1985.

Vienna Convention on the Law of Treaties 1969, art 27 (internal law and observance of treaties).

AFRICAN COMMISSION DOCUMENTS

General Comments on Article 14(1)(d) and (e) of the Maputo Protocol, adopted 2012.

General Comment No. 2 on Article 14(1)(a), (b), (c) and (f) and Article 14(2)(a) and (c) of the Maputo Protocol, adopted 2014.

Resolution ACHPR/Res.592 (LXXX) 2024 on the Development of a Model Law on the Implementation and Domestication of the Maputo Protocol.

Resolution 632 (LXXXII) 2025 on the Need to Raise Awareness for States to Withdraw Reservations on Some Provisions of the Maputo Protocol.

Advocacy Framework for Withdrawing Reservations to Some Provisions of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2026).

Federal Republic of Nigeria, Sixth Periodic Country Report on the African Charter on Human and Peoples' Rights, covering 2015–2016, submitted November 2017, considered at the 62nd Ordinary Session, 25 April – 9 May 2018, Nouakchott. Part B constitutes Nigeria's second report under the Maputo Protocol.

African Commission on Human and Peoples' Rights, Concluding Observations and Recommendations – Nigeria: 6th Periodic Report, 2015–2016.

Federal Republic of Nigeria, Fifth Periodic Country Report, submitted September 2013 and updated July 2014, considered at the 56th Ordinary Session, 21 April – 7 May 2015, Banjul.

NIGERIAN CONSTITUTIONAL AND STATUTORY INSTRUMENTS

Constitution of the Federal Republic of Nigeria 1999 (as amended), ss 9, 12, 29(4)(b), 42 (including s 42(3)) and 299; the Second Schedule (Exclusive and Concurrent Legislative Lists), including Item 61, Part I, and paragraphs 11 and 12, Part II (matrimonial causes other than those under the Marriage Act, and matters relating to marriage under customary or Islamic law); and Schedule 3, Part II (Federal Character Principle).

Constitution of the Federal Republic of Nigeria 1979, s 12.

African Charter on Human and Peoples' Rights (Ratification and Enforcement) Act, No. 2 of 1983, Cap A9, Laws of the Federation of Nigeria 2004.

Violence Against Persons (Prohibition) Act 2015.

Criminal Code Act, Cap C38, Laws of the Federation of Nigeria 2004.

Penal Code (Northern States) Federal Provisions Act, Cap P3, Laws of the Federation of Nigeria 2004; and the Penal Code of Northern Nigeria 1960.

Child's Rights Act 2003.

Federal Character Commission (Establishment) Act, Cap F7, Laws of the Federation of Nigeria 2004.

Discrimination Against Persons with Disabilities (Prohibition) Act 2018.

BILLS

Gender and Equal Opportunities Bill: first presented to the Senate 2010 (Sen. Chris Anyanwu); S.B. 116 (2016) and reintroduced September 2016 (Sen. Biodun Olujimi); reintroduced November 2019; S.B. 208 (2021), second reading stepped down 15 December 2021; passed second reading 31 May 2023.

Constitutional alteration bills on gender rejected by both chambers, 1 March 2022.

A Bill for an Act to Alter the Provisions of the Constitution of the Federal Republic of Nigeria 1999 to Provide for Special Seats for Women in the National and State Houses of Assembly (Special Seats Bill), HB 1349 / SB 440, 10th National Assembly.

Cross River State Gender and Equal Opportunities Bill (before the State House of Assembly as at 2026).

STATE LEGISLATION

Anambra State Gender and Equal Opportunities Law 2007.

Imo State Gender and Equal Opportunities Law, No. 7 of 2007.

Ekiti State Gender and Equal Opportunities Law 2013.

Kogi State Gender and Equal Opportunities Law 2014.

Plateau State Gender and Equal Opportunities Law 2015 (gazetted June 2018).

Plateau State Gender and Equal Opportunities Commission Law 2018.

Kwara State Political Offices (Gender Composition) Law, No. 9 of 2021 (assented 7 December 2021), ss 1 and 3 and Schedule.

Lagos State Protection Against Domestic Violence Law 2007.

CASE LAW

Ogugu v The State (1994) 9 NWLR (Pt 366) 1 (SC).

Abacha v Fawehinmi (2000) 6 NWLR (Pt 660) 228 (SC).

Ukeje v Ukeje (2014) 11 NWLR (Pt 1418) 384; LPELR-22724(SC). Igbo customary law disentitling a female child from inheriting her late father's estate held void as contrary to s 42(1) and (2) of the Constitution.

Anekwe v Nweke (2014) NWLR (Pt 1412); LPELR-22697(SC), Suit No. SC.129/2013, delivered 11 April 2014. Awka customary law disinheriting a widow who bore no male child held repugnant to natural justice, equity and good conscience.

Incorporated Trustees of Nigerian Women Trust Fund & Ors v Attorney-General of the Federation, FHC/ABJ/CS/1006/2020 (Unreported, Federal High Court, Abuja Division, delivered 6 April 2022, per Okorowo JJ).

Independent National Electoral Commission v Musa (2003) 3 NWLR (Pt 806) 72 (SC).

NIGERIAN REPORTS TO TREATY BODIES

Federal Republic of Nigeria, Combined Seventh and Eighth Periodic Reports to the Committee on the Elimination of Discrimination against Women, UN Doc CEDAW/C/NGA/7-8, considered at the Committee's 67th Session, 3–21 July 2017; concluding observations at UN Doc CEDAW/C/NGA/CO/7-8.

Federal Republic of Nigeria, National Report submitted for the Universal Periodic Review, UN Doc A/HRC/WG.6/31/NGA/1 (31st Session of the UPR Working Group, November 2018); Report of the Working Group at UN Doc A/HRC/40/7.

NIGERIAN POLICY INSTRUMENTS

Federal Ministry of Women Affairs, National Gender Policy (2006).

Federal Ministry of Women Affairs, Revised National Gender Policy 2021–2026, approved by the Federal Executive Council, March 2022.

National Reproductive Health Policy (2010).

National Guidelines on Self-Care Interventions for Sexual and Reproductive Health and Rights (2020).

SCHOLARSHIP ON TREATY DOMESTICATION IN NIGERIA

Okebukola, E. O. (2020). The application of international law in Nigeria and the façade of dualism. *Nnamdi Azikiwe University Journal of International Law and Jurisprudence*, 11(1), 15–28. ISSN 2276-7371.

Oraegbunam, I. K. E. and Iroanya, E. C. (2023). Section 12 of the 1999 Constitution of Nigeria and treaty implementation: a legal critique. *International Review of Law and Jurisprudence*, 5(2), 12–22.

Onomrerhinor, F. A. (2016). A re-examination of the requirement of domestication of treaties in Nigeria. *Nnamdi Azikiwe University Journal of International Law and Jurisprudence*, 7, 17–25.

National Institute for Legislative and Democratic Studies. Legal Framework for Treaty Making and Management in Nigeria. Abuja: NILDS Publications. NILDS Institutional Repository.

Issues in the Application of International Treaties before Nigerian Courts. *Journal of Law and Judicial System*, vol 2 issue 3 (2019), 34–47, which records Section 12 of the 1999 Constitution as in pari materia with Section 12 of 1979, Section 74 of the 1963 Constitution and Section 69 of the 1960 Constitution.

SECONDARY SOURCES

Eniola, B. O. (2018). Gender parity in parliament: a panacea for the promotion and protection of women's rights in Nigeria. *Frontiers in Sociology*, 3:34. doi:10.3389/fsoc.2018.00034. Records Imo, Anambra, Ekiti, Plateau and Kogi as having enacted Gender and Equal Opportunities Laws ahead of the Federal Government.

Oviawe, E. G. (2016). The challenge of law enactment in Nigeria: A case study of the Violence Against Persons (Prohibition) Act, 2015 [Unpublished master's thesis]. Nasarawa State University, Keffi.

Vanguard (2018). Plateau govt gazettes Gender and Equal Opportunity Law, first in northern Nigeria, June 2018.

BAOBAB for Women's Human Rights, VAPP Act Traffic Light. Tracking instrument recording State-level adoption of the Violence Against Persons (Prohibition) Act 2015.

Partners West Africa Nigeria, VAPP Act domestication tracker.

Centre for Reproductive Rights (2023). The Maputo Protocol at 20: Progress on Abortion Rights in Africa.

International Commission of Jurists, submission to the African Commission on the draft Advocacy Framework, 28 January 2026.

SOAWR Coalition, Protocol Watch.

Make Every Woman Count (2026). Nigeria Maputo Protocol Domestication Guide (English, Hausa, Igbo, Yoruba, Pidgin), for the SOAWR Coalition.

Policy and Legal Advocacy Centre (2026). Special Seats for Women: Will the Electoral College Break the Barrier? PLAC Legist, 10 June 2026.

The Guardian Nigeria (2026). Young women intensify push for Special Seats Bill, June 2026.

Independent National Electoral Commission (2022). Final List of Candidates for the 2023 General Elections.

International IDEA, Gender Quotas Database.

TheCable (2021). UN Women commends Yahaya Bello for facilitating election of all-female deputy LG chairpersons, January 2021.

Political Economist (2026). Gov. Bago highlights appointment of women as vice chairpersons across all 25 Niger LGAs.

Ekiti State Government (2024). Ekiti First Lady advocates for equal political and economic opportunities for men and women, 14 March 2024.

BAOBAB for Women's Human Rights, Comprehensive Maputo Protocol Domestication Report 2021–2026.

SOURCES

A note on sources and verification

This report relies on primary instruments wherever they were available: the 1999 Constitution, the statutes and bills cited, the National Gender Policy, the Supreme Court decisions, and Nigeria's periodic reports to the African Commission. Several categories of evidence rest on secondary sources or on BAOBAB's own observation, and readers should know which.

The five State gender and equal opportunities laws are cited by short title and year. Their existence is corroborated in the peer-reviewed literature and in Nigeria's own reporting to treaty bodies, but law numbers and gazette references have not been obtained, and the citations should be treated as reliable in substance rather than verified against State statute books. A wider list circulates in Nigerian advocacy; enquiry established that the

additional States named in it have legislated the same content sectorally rather than through a standalone statute, and that Cross River's Bill remains before its House of Assembly. Dates for the Kogi and Plateau laws also vary between sources, reflecting the interval between legislative passage, assent and gazetting; the years given here are those of passage. Three entries in the scholarship on treaty domestication carry volume, year and page details supplied from secondary compilations and not confirmed against the publishers: Oraegbunam and Iroanya, Onomrerhinor, and the NILDS monograph. BAOBAB welcomes correction from State Houses of Assembly and from members of CODMAP.

The figure of thirty-four State adoptions of the Violence Against Persons (Prohibition) Act is drawn from BAOBAB's VAPP Act Traffic Light, the organisation's own tracking instrument, rather than from a consolidated official record. No such official record is maintained by any federal body. That absence is itself a finding: a country that cannot say authoritatively how many of its States have adopted a federal statute is unlikely to be able to say how many are implementing it, and the fact that the most reliable national count is kept by a civil society organisation rather than by government is a measure of the accountability gap this report describes.

Nigeria's periodic reporting status is stated on the basis of the African Commission's own Concluding Observations on the sixth periodic report and the absence of any later report on the Commission's public record. Published figures differ because the Commission's registry counts documents owed rather than reporting cycles missed: a State several cycles behind is expected to submit a single consolidated report, and is accordingly logged as late by one. Draft or inter-ministerial reports may also circulate domestically without being formally submitted, translated or scheduled for consideration. This report therefore states what the Commission has considered rather than what may have been prepared.

The implementation findings in Sections 6 and 8 rest on BAOBAB's programme observation across its areas of operation, and on the absence of published prosecution and service data. They are stated as what the available record shows rather than as a systematic assessment, because no systematic assessment exists. The minimum dataset specified at Section 8.1 is the precondition for one.

ABOUT THE PUBLISHER

About BAOBAB for Women's Human Rights

BAOBAB for Women's Human Rights is a Nigerian feminist organisation founded in 1996, and this report is published in its thirtieth year. For three decades it has worked at the intersection of gender, law and social justice. Its distinctive focus is the position of women under Nigeria's three parallel legal systems of customary, religious and statutory law, and the ways in which their interaction shapes what rights are available in practice. The organisation is present across all six geopolitical zones, including in Muslim-majority and rural communities where rights-based advocacy is most contested and where state agencies have least reach.

The organisation has been a member of the Solidarity for African Women's Rights Coalition (SOAWR) since 2005 and leads its Anglophone West Africa Cluster, covering Nigeria, Ghana, Liberia, Sierra Leone and The Gambia. Its Executive Director represents the cluster on the SOAWR Steering Committee, chaired the committee responsible for the Coalition's Strategic Plan Refresh for 2026–2035, and chairs its Fundraising Sub-Committee. BAOBAB is also a member of CODMAP, the Coalition for the Domestication of the Maputo Protocol hosted by Alliances for Africa. BAOBAB also hosts the Secretariat of the Pan-African Feminist Solidarity (PAFSO) Network in Abuja.

Between 2021 and 2026 BAOBAB ran four connected programmes on the Maputo Protocol, concentrating on Articles 4, 9, 14 and 19, and working with federal institutions that carry Maputo Protocol objectives within their own institutional workplans. The analysis in this report draws on that programme record, set out in full in BAOBAB's Comprehensive Maputo Protocol Domestication Report 2021–2026.

BAOBAB's contribution to the domestication question has been evidential as much as advocacy: the Traffic Light that provides Nigeria's most reliable count of State VAPP adoption, the first analysis identifying the VAPP Act as partial domestication of the Protocol, and the mapping of State-level gender and equal opportunities legislation set out in this report. Where a national record does not exist, BAOBAB has generally built one.

CONTACT INFORMATION

BAOBAB for Women's Human Rights

4 Freedom Garden Flats, Nasir El-Rufai Street, Sam Nujoma Estate, Galadimawa, Abuja, Nigeria

info@baobabforwomen.org, baobabwomen@yahoo.com

Facebook: Baobab Rights · Instagram: [baobab_rights](#) · X: BAOBABRights

“

The Maputo Protocol has bound Nigeria since 2005 and has never been available to a Nigerian woman in a Nigerian court.

Nigeria ratified the Maputo Protocol without reservation more than twenty years ago, yet it has never been domesticated. Statutes Without Protection explains why, and shows that more has been achieved than advocates have counted. The provisions on violence against women have been given domestic effect through the Violence Against Persons (Prohibition) Act, which never names the Protocol. State legislatures have also been passing gender equality law since 2007.

The real gap is implementation. Thirty-nine State laws derived from the Protocol are in force, with no evidence that any is reliably protecting anybody. The report sets out what it would take to close that gap.



BAOBAB FOR WOMEN'S HUMAN RIGHTS

4 Freedom Garden Flats, Nasir El-Rufai Street,
Sam Nujoma Estate, Galadimawa, Abuja, Nigeria
info@baobabforwomen.org · baobabforwomen.org
Facebook: Baobab Rights · Instagram: baobab_rights · X: BAOBABRights

© BAOBAB for Women's Human Rights, 2026. Licensed under CC BY 4.0.