



LAWYERS ALERT: USING LAW AND DATA TO IMPACT SEXUAL AND REPRODUCTIVE HEALTH AND RIGHTS IN NIGERIA

Background

Sexual and Reproductive Health and Rights, SRHR, in Nigeria is an area which, owing to culture and religion, is neither making as much progress nor being given as much space for expression in comparative terms with more “acceptable” rights. Violence against Women and Girls, Abortion, Same Sex Relationships, Female Sex Work, Rights of Persons Living with HIV, Female Genital Mutilation etc. are all issues that citizens regularly confront yet fail to attract the commensurate attention in the positive from authorities. Particularly affected are Persons Living With, Affected by or Most at Risk of HIV.

Lack of reliable data in critical areas makes intervention difficult as it is hardly tailored to meet challenges. HIV is perhaps the only exception with regard to data, yet paucity is still evident within the context of rights and its abuse thereof. The consequence of this is Nigeria’s inability to win the battle against HIV; flagrant rights abuses; an upswing of Men being killed by women protecting themselves against violence, and a society where prisons, hospitals, police cells, etc. are rife with all kinds of challenges owing to lack of awareness or sometimes outright interventions that do not adequately speak to the issues.

The above situation persists due to ignorance on the part of these key populations who even when aware, sometimes lack the resources to seek legal remedies. Furthermore, besides unfavorable laws, even where the laws are favorable, they are not activated towards transformational change. Fear of discrimination on the part of the victims also limits them. In all of these however, lack of data has been identified as the primary challenge as policies, laws and interventions are hardly ever data-based.

In spite of the above challenges, Lawyers Alert is gradually changing the face of SRHR in Nigeria by the creation of effective SRHR movements, operational networks and collaborations at the grassroots, judicial activism, legal literacy (rights awareness creation) and provision of scientific data on violations. These steps are contributing in no small measure to the changing narrative and positive push for Reproductive Health Rights in Nigeria.

Creating an Effective Grassroots SRHR Movement

Recognizing the fact that a healthy percentage of these violations happen at the grassroots, Lawyers Alert has identified 35 groups working at this level that are driven by passion but lack

sufficient capacity and pulled them into a basket of similar organizations. Based on a skills gap analysis, we building their capacity using a carefully developed capacity building plan. These organizations are now delivering better on their objectives, creating networks with similar organizations working on SRHR.

These organizations are now creating soft but critical impact in their locations. These ponds of successes are gradually translating into a sea of change, galvanized by successful community interventions. These organizations and networks are now on the cusp of becoming virile and robust community groups to push the frontiers of SRHR in Nigeria.

Legal Literacy

Lawyers Alert is implementing intensive legal literacy on SRHR at the grassroots. Community women groups, market women, churches and mosques are all fertile grounds for building grassroots change. At the last count over 35 markets across 8 states are beneficiaries, 10 churches including several community groups within SRHR networks who are also replicating the same modus in their environs. Women and Key Populations are special targets.



Fig. 1 Legal literacy sessions held for women in Niger, Plateau and Ondo States

Our legal literacy campaign is hinged on a well-researched, robust and all-inclusive Legal Literacy manual which can be found online at <https://goo.gl/nou3f9>. Building on this, Lawyers Alert has also trained over 215 paralegals within the communities to serve as a first line of legal aid/assistance. Additionally, we have created a directory of organizations offering different SRHR services for each state for the purposes of referrals. The one for Nigeria's capital the Federal Capital Territory, Abuja can be found at <https://goo.gl/yTV5Ma>.



Fig 2. Sensitization for market women and Dunamis church both in Kabusa, in the FCT

Provision of scientific data on violations

Our efforts have yielded an upsurge of violations reports by Key Populations that were before now not reported owing to lack of knowledge and absence of remedial mechanism. Lawyers Alert and its partners are presently inundated with reports of violations ranging from emotional abuse, blackmail etc. Other issues like discrimination, stigmatization and denial of opportunities to earn a living are also being reported.

For a year and half now, we have been monitoring and documenting reported violations. Lawyers Alert has also developed a web-based tool where such reports are duly documented. This tool has the advantage of not only capturing the violations but also analyzing same according to location, age, type of violations, sex, etc. The analysis of these violations provides a scientific and accurate picture of the SRHR situation in Nigeria. The tool is situated at <https://goo.gl/2Yaeax>. Two reports have so far been released: one on the general state of SRHR in Nigeria and another on MSM. They can both be found at <https://goo.gl/LMxKkz>. The third report will zero in on violence against women and girls and is due for release in July 2018.

These violations reports are being shared with organizations working on SRHR in Nigeria, both local and international including state actors like the National Human Rights Commission and the National Parliament. Reports of interventions are being put together to get state actors to operate based on the submitted data.



Fig. 3 Press conference in Jos, Plateau State on Violence against Women and Girls

Judicial Activism

Knowledge of SRHR by Key Populations in Nigeria and the new-found desire to report same is deliberate, not mere happenstance. In recognition of the link between suffering violations and getting remedies, Lawyers Alert links reportage of these violations with accessing legal remedies for the victims.

Lawyers Alert links these grassroots Organizations with Human Rights Lawyers in their localities who offer them free legal services as required. This is done in close collaboration with Coalition of Lawyers for Human Rights, COLaHR, which has a massive spread of lawyers across Nigeria. Free legal representation ranges from letter writing, mediation and court representation, to representation at police stations and other security agencies as and when required.

To date, of the over 500 violations reported, 85% have accessed free legal services. This has motivated more victims to come forward and also served as a deterrent to violators of these rights. Government agencies have also taken note of this and are sending in referrals to Lawyers Alert to assist where needed.

Lawyers Alert has made impressive strides in resolving, for instance, the issue of stigma when victims approach the court. For every case of likely victimization with regards to especially HIV positive clients, the courts now issue an anonymity order to protect the identity of clients. Persons Living With HIV are now approaching us in droves knowing their identities will be kept confidential.

Effective efforts are being made in court to challenge the use of HIV status as a reason to deny mothers custody of their children in the event of divorce. Denial of hostel accommodation to university students because of their HIV status has been resolved. Women suffering emotional trauma owing to lack of care by their husbands have been provided a platform for mediation. Lawyers Alert has also obtained a restraining order via detention of spouses (husbands), where

the woman is in danger of being mortally attacked. In one case, a husband who was bent on causing fatal harm to his wife was detained for 3 months by the police (on a court order) until the woman had relocated and resumed her normal life.



Fig 4. Community members/stakeholders attending court and post- briefing by Lawyers

The recurring approach to court by Female Sex workers has also reduced the Government’s crackdown on Female Sex Workers. For the LGBTI community, since passing the Same Sex Marriage Prohibition Act in 2014, there has only been one proceeding under this law as 99% of the cases are either resolved in police stations or victims are sued under a different law.



Fig. 5. Brainstorming: Lawyers in action

Advocacy

Undoubtedly there has been a shift in the state of SRHR in Nigeria owing to robust interventions by Lawyers Alert especially from the citizens' angle (awareness creation, capacity building, legal support and collation and dissemination of data). There remains to be a corresponding impact on the State however, and this is probably a reflection of culture and religion with politicians wanting to appear to be compliant to culture and sensitive to religious dogma. Intensive and sustained advocacy in this regard is vital for behavior change.

Lawyers Alert is engaging with especially state and non-state actor towards a reversal. We are in partnership with National Agency for the Control of AIDS, NACA, and also in close working relationship with the Committee on HIV, TB and Other Communicable Diseases in the Federal Parliament. Lawyers Alert at the last Public Hearing on the 2018 budget made presentations and advocated for improved allocations to HIV and related interventions. Our reports are shared with the Parliament. We have engaged Parliamentarians in the sub-region toward a sub- regional shift in laws and policies.



Fig. 6 Engaging sub-regional parliamentarians in Abidjan, Cote D'Ivoire (left) advocacy for improved resource allocation for HIV and related interventions at a Public Hearing before the Nigerian Parliament (right).

Lawyers Alert has also towards the Universal Periodic Review submitted presentation to the Human Rights Council of the UN in partnership with Southern African Litigation Centre, SALC. The National Human Rights Commission, NHRC, is an ally in our advocacy interventions.

Locally, Religious leaders, faith-based organizations, opinion leaders and traditional rulers' understanding of SRHR, and appreciation of the rights of persons over their own bodies is key. Appreciation and acceptance of these by this segment of the society will make advocacy to the authorities much more effective and result in policy changes, resource allocation, repeal of oppressive laws and the passage of pro SRHR legislation in Nigeria.



Fig 7. LA staff meet ahead of a technical session for Nigerian Workers on HIV & workplace policy (left) legal environment assessment team for TB in Nigeria. President LA in grey suit (right).



Fig. 8 Lawyers Alert team share a happy moment after a meeting on creating an effective SRHR movement in Nigeria

It is in realization of the above, that faith based organizations, the clergy and traditional rulers are now being engaged. Result is the gradual opening up of places of worship by the Clergy for Lawyers Alert to carry out sessions with the faithful on SRHR using GBV as an entry point.

Conclusion

There is yet so much to be done, especially with state actors as we strive for wholesome recognition of SRHR, improved allocation thereof, and the total enjoyment of reproductive health rights in Nigeria.

Lawyers Alert appreciates its key partners for our work which include the UNAIDS Nigeria office, NACA, AmplifyChange, SALC, Rapid Response and others. We remain committed to the vision of complete, total and inclusive enjoyment of sexual and reproductive health and rights for all.

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