



BACKGROUND INFORMATION ON A BILL FOR AN ACT TO ALTER THE PROVISIONS OF THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA, 1999 TO CREATE ADDITIONAL SPECIAL SEATS FOR WOMEN IN THE NATIONAL ASSEMBLY AND STATE HOUSES OF ASSEMBLY

Mr. Speaker, Honourable Colleagues, permit me to lead the debate on the general principles on A Bill for An Act to alter the provisions of the Constitution of the Federal Republic of Nigeria, 1999 to create additional special seats for Women in the National Assembly and State Houses of Assembly. You would recall that the Bill was read for the first time on Thursday 22nd April, 2021 in this hallowed Chamber

Mr. Speaker, my respected Colleagues, this bill seeks to alter the provisions of the Constitution of the Federal Republic of Nigeria 1999 to remedy the low representation of women in Legislative Houses by providing for the creation of additional separate seats to be contested and filled by only women in the National Assembly and State Houses of Assembly as a temporary measure to promote women's representation. The provision is subjected to a review after four general election cycles of sixteen years for the purpose of either retaining, increasing, or abolishing the temporary measure

The Bill is comprised of six major clauses that seeks to alter Sections 48; 49; 71; 77; 91; and 117 as set out below-

1. Alteration of Section 48

Section 48 of the Principal Act is altered by substituting the existing section 48 with a new section "48" –

"48. Composition of the Senate

(1) The Senate shall consist of:

(a) three Senators from each State and one from the Federal Capital Territory; and

(b) an additional Senator for each State and for the Federal Capital Territory, who shall be a woman.

(2) Notwithstanding the provision of subsection (1) of this section, nothing shall prevent a woman from contesting for any of the senatorial seats referred to in subsection (1) (a).

(3) The provisions of subsection (1) (b) shall commence after the current life of the National Assembly and shall be reviewed after 16 years from its commencement notwithstanding any other provision of this Constitution."

2. Alteration of Section 49

Section 49 of the Principal Act is altered by substituting the existing section 49 with a new section "49" –

"49. Composition of the House of Representatives

(1) Subject to the provisions of this Constitution, the House of Representatives shall consist of:

(a) three hundred and sixty members representing constituencies of nearly equal population as far as possible, provided that no constituency shall fall within more than one State; and

(b) two additional members for each State and for the Federal Capital Territory, who shall be women.

(2) Notwithstanding the provision of subsection (1) of this section, nothing shall prevent a woman from contesting for any of the seats in the constituencies referred to in subsection (1)(a).

(3) The provisions of subsection (1) (b) shall commence after the current life of the National Assembly and shall be reviewed after 16 years from its commencement notwithstanding any other provision of this Constitution.

3. Alteration of Section 71

Section 71 of the Principal Act is altered by inserting immediately after sub-sections (1) (a) and (b), new subsections "(2)" and "(3)" –

71. Senatorial districts and Federal constituencies

(1) Subject to the provisions of section 72 of this Constitution, the Independent National Electoral Commission shall –

(a) divide each State of the Federation into three Senatorial districts for purposes of elections to the Senate;

(b) subject to the provisions of section 49 of this Constitution, divide the Federation into three hundred and sixty Federal constituencies for purposes of elections to the House of Representatives.

(2) For the purpose of section 48 of this Constitution, a State shall constitute an additional senatorial seat to be occupied by a woman.

(3) For the purpose of section 49 of this Constitution, the Independent National Electoral Commission shall divide each State of the Federation into two Federal constituencies to be occupied by women.

4. Alteration of Section 77

Section 77 of the Principal Act is altered in subsection (1) by substituting the words "every Senatorial district or Federal constituency" in lines 1 and 2 with the words "every Senatorial district, Federal constituency and the additional seats"–

"77. Direct election and franchise

(1) Subject to the provisions of this Constitution, every Senatorial district, Federal constituency and the additional seats established in accordance with the provisions of this Part of this Chapter shall return one member who shall be directly elected to the Senate or the House of Representatives in such manner as may be prescribed by an Act of the National Assembly."

5. Alteration of Section 91

Section 91 of the Principal Act is altered by substituting the existing section 91 with a new section "91" –

"91. Composition of the House of Assembly

(1) Subject to the provisions of this Constitution, a House of Assembly of a State shall consist of:

(a) three or four times the number of seats, which that State has in the House of Representatives divided in a way to reflect, as far as possible, nearly equal population; and

(b) one additional member from each of the three senatorial districts in the State referred to in section 48 (1) (a) of this Constitution, who shall be a woman.

(2) Notwithstanding the provision of subsection (1) of this section, nothing shall prevent a woman from contesting for any of the seats in the constituencies referred to in subsection (1)(a)

(3) The provisions of subsection (1) (b) shall commence after the current life of the State House of Assembly and shall be reviewed after 16 years from its commencement notwithstanding any other provision of this Constitution.

Provided that a House of Assembly of a State shall consist of not less than twenty-four and not more than forty-three members."

6. Alteration of Section 117

Section 117 of the Principal Act is altered in subsection (1) by inserting immediately after the words "every State constituency" in line 1, the words "and the additional seats"–

"117. Direct election and franchise

(1) Subject to the provisions of this Constitution, every State constituency and the additional seats established in accordance with the provisions of this part of this Chapter shall return one member who shall be directly elected to a House of Assembly in such manner as may be prescribed by an Act of the National Assembly."

My respected Colleagues, Women has only 4.4% percent representation in the 9th National Assembly, you may wish to note that Nigeria has been identified as the worst performer in women representation in parliaments, in the West African region and one of the lowest in the whole of Africa. This is evidenced in the most recent Inter-parliamentary Union (IPU) ranking of women in parliaments where Nigeria ranks 179 out of 187 Countries Worldwide. Eritrea is the only African Country ranked lower than Nigeria and this is because there have not been national elections since its independence in 1993. The situation is worse at the States Houses of Assembly level, where a good number of our States do not have a single woman in their State Assembly. In some of these States, men chair the Women Affairs Committee because there is no woman available to take the role.

Currently more than 130 Countries have adopted some type of special measure (or quota system) to address women's under-representation. Over 75 percent of these cases were introduced in the last 20 years – particularly since 2000. Strikingly, the majority of Nations that have adopted special measures/quota systems are low or middle-income countries – many of them in Africa. A very good example is South Africa, where the introduction of quotas in the 1994 election by the African National Congress (ANC) party resulted in 27% of women in their very first democratic election. Currently South Africa has 46.5% of women in their lower chamber and is one of the top ten Countries for women in parliament. Rwanda is the world leader in women's political participation with 49% of women in their lower chamber. This followed from deliberate constitutional efforts taken to include women in government to foster re-building of the Country post-genocide in 2003.

Even conservative countries are beginning to realise the usefulness of political inclusion of women. For instance, women in countries such as Egypt, Iraq, Jordan, Mauritania, Morocco, the State of Palestine and Tunisia have successfully lobbied for the introduction of various measures, such as electoral quotas, to increase and strengthen women's political representation. Between 2010 and 2017, the majority of countries in the Arab region have seen an increase in the representation of women in their parliament. In 2013, it may also interest you to note that for the first time, 30 women were appointed to Saudi Arabia's Shura Council (advisory body), representing 20 per cent of seats as of 2021. In Algeria, the proportion of female members of parliament (MPs) tripled, from 8% to 32% in line with a quota introduced in 2012. In Afghanistan, women now make up about 27 percent of the upper and lower houses of parliament and were active in drafting the country's new constitution. This was facilitated by a male President who signed and supported declarations of women's rights and in 2005 appointed the first female governor. Our West African neighbour, Senegal, adopted a parity law in their Constitution in 2012. This was facilitated by then President, Abdoulaye Wade and resulted to an almost 50-50 balance between men and women in the Senegalese Parliament. Nigerian women are not even asking for 50-50 but 35% which is what is indicated in our National Gender Policy and several international Treaties that we are signatory to. The number is identified as the "critical mass/number" of women required to achieve impactful results.

Mr. Speaker, my respected Colleagues, I would like emphasis that women's inclusion in politics is not just a women or human rights issue, but also an issue of reflecting our history and traditions in our governance process, and I truly believe that this Bill has potential for improving women's political representation, therefore I urge all my respected Colleagues to support that the Bill be read for the Second Time and committed to the Ad-Hoc Committee on the Review of the Constitution for further Legislative action.

Thank you.