

APPENDIX 2

Human Rights Assessment Tool

The promotion and protection of human rights are key to the achievement of gender equality results in all sectors. Like gender, human rights issues should be systematically integrated into all policy documents that are linked to the National Strategic Framework on HIV/AIDS. The degree to which a policy can be adjudged as one that seeks to promote and protect human rights can be measured by the number of references it makes to thematic areas that have a direct bearing on human rights, as well as the way such issues are presented in a policy. The following guiding questions provide a basis for assessing the degree to which a policy can be said to have addressed human rights issues.

Table 2. Question guide for analysing the Human Rights dimensions of a Policy document

Policy Component	Critical Questions to Address
Executive Summary	<ul style="list-style-type: none"> • What are the key issues that the policy seeks to address? • What are the human rights issues linked to such key issues? • What are their implications for HIV/AIDS? • Are such human rights issues captured as important in the policy? • Do components of executive summary reflect human rights concerns? • What are the human rights issues that the policy seeks to promote and protect? • What are the negative implications of disregarding such issues?
Contextual Background	<ul style="list-style-type: none"> • What human rights issues are related to the key issues that the policy seeks to address? • How are they linked to HIV/AIDS? • To what extent are they articulated in this section? • What human rights issues places different groups in different problem situations? • Which groups are vulnerable to violation of human rights? • Are issues of such groups articulated in the analysis of the background information?
Goals and Objectives	<ul style="list-style-type: none"> • To what extent do the goals and objectives address human rights dimensions articulated in the contextual background? • Do goals and objectives provide potential solutions to the human rights challenges?
Policy Thematic Area	<ul style="list-style-type: none"> • Do thematic areas address factors that can contribute to human rights violations? • To what extent do the thematic areas cover the key guiding principles for human rights and HIV and AIDS? • Are the strategies outlined in the thematic areas empowering to the vulnerable groups, such as women and children, prisoners, migrants, and PLWHAs?
Implementation Strategy	<ul style="list-style-type: none"> • Does policy create a channel for the meaningful representation and involvement of marginalized and vulnerable groups? • Does policy document reflect political commitment to address human rights issues?
Monitoring and Evaluation (M&E)	<ul style="list-style-type: none"> • Does the M&E system have mechanism for tracking human rights violations in relation to issues that form the core of the policy? • Does the M&E system have human rights related indicators?

Adapted from Dr. Neddy Matshalaga' framework for mainstreaming gender into the NSF, 2005

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BEING A REPORT OF THE REVIEW OF SELECTED FEDERAL GOVERNMENT POLICIES IN THE AGRICULTURE, EDUCATION AND HEALTH SECTORS

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(UNIFEM)

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APPENDIX 1

Promoting a Gender Equality and Human Rights Sensitive Policy Environment in the Nigerian HIV/AIDS National Response

A Framework for doing Gender & Human Rights Analysis of Policies of Government on Health, Education and Agriculture

Doing gender analysis of a policy document involves asking critical questions that can help to appreciate the extent to which the needs of women, men, boys and girls have been taken into consideration in its design. Such questions should also help in predicting the possible implications of not giving adequate consideration to the needs of women, men, boys and girls. The under listed questions may be asked all though the different sections of a policy i.e. Executive Summary; Contextual Background; Policy Environment; Goals and Objectives; Strategies/Guidelines; Monitoring and Evaluation

Table 1. Question guide for Gender Analysis of a Policy Document

Components & Gender Importance	Guiding Questions
<p>Executive Summary: The summary should carry the gender message of the policy.</p>	<ul style="list-style-type: none"> ● What are the key issues that the policy seeks to address? ● What are the gender dimensions of these issues? ● Are such gender issues captured as important in the policy? ● Do components of executive summary reflect gender concerns? ● What are the gender equality results that the policy seeks to achieve? ● What are the negative implications of disregarding gender issues?
<p>Contextual Background: It illuminates the full background to the topic. It should examine how males and females by age groups affect or are affected by the HIV/AIDS situation.</p>	<ul style="list-style-type: none"> ● Are the specific situation and issues of males and females clearly articulated? ● Is there a clear gender diagnosis of both the problem and impact of the issues that the policy seeks to address? ● Is the information disaggregated by gender both qualitative and quantitative?
<p>Goals and Objectives: These provide an overall strategy direction and thus should have clear gender goals and objectives informed by gender sensitive contextual backgrounds.</p>	<ul style="list-style-type: none"> ● To what extent are goals and objectives informed by a gender diagnosis of the problem? ● By merely assessing the goals and objectives, can one identify a gender strategy for the policy? ● Are they clear enough to direct or inform gender-sensitive strategy for the policy?
<p>Strategies/Guidelines: Strategies provide a road map for addressing the identified challenges and thus should be informed by gender sensitive situation analysis, goals and objectives.</p>	<ul style="list-style-type: none"> ● Do strategies address specific gender related problems? ● What are the gender gaps in the existing policy strategies? ● What emerging gender issues should be considered for new strategies?
<p>Monitoring and Evaluation: M&E serves the purpose of both a guide at ensuring that policy objectives are achievable as well as a tool for measuring outcomes and impact generally.</p>	<ul style="list-style-type: none"> ● Is M&E informed by a gender sensitive baseline? ● Do indicators include gender equality results? ● Is there a gender sensitive model for sharing information?

Adapted from Dr. Nedly Matshalaga' framework for mainstreaming gender into the NSF, 2005

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PREFACE

The fact that women and girls are more vulnerable to HIV/AIDS compared to their male counterparts has made paying serious attention to the gender dimensions of the epidemic imperative. Although the HIV/AIDS National Strategic Framework for Action (NSF) demonstrates commitment to the promotion of gender equality and human rights concerns, it has been recognized that the inclusion of gender equality and human rights targets in the NSF is not enough to guarantee respect for the protection and promotion of human rights and gender equality in different sectors and at different levels.

As part of UNIFEM'S continuous effort at ensuring that the gender equality related components of the national response are effectively and efficiently addressed, it sought to strengthen the national response by addressing the weak policy environment especially as it concerns the promotion of gender equality and human rights targets. Being a pilot project, only three sectors formed the primary focus of the project - agriculture, education and health sectors. With the support of CIDA, UNIFEM provided leadership in identifying policy gaps in the three sectors with the overall aim of promoting the emergence of a coherent policy environment for the achievement of the human rights-based targets of the NSF.

This report documents the outcome of the policy review exercise that was conducted by independent researchers commissioned by UNIFEM. The review exercise calls for, among other things, the need to review different sectoral policies towards aligning them with the objectives of the NSF. It also calls for the need to provide necessary support to State governments to develop gender sensitive policies that can support the successful implementation of the NSF. Sectoral policies should address the gender gaps in the different sectors and not address women and girls issues alone. Such policies should also be seen to ensure that women are active participants in the decision making processes of the different sectors.

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LIST OF ACCRONYMS

AIDS	Acquired Immune Deficiency Syndrome
CDPN	Cooperative Development Policy for Nigeria
CIDA	Canadian International Development Agency
EFA	Education For All
FAO	Food and Agricultural Organisation of the United Nations
HIV	Human Immunodeficiency Virus
HSS	HIV Sero-prevalence Sentinel Survey
IIEP	International Institute for Educational Planning
MDGs	Millennium Development Goals
NARF	Nigeria AIDS Responsive Fund
NSF	HIV/AIDS National Strategic Framework for Action (2005-2009)
NPE	National Policy on Education 4 th Edition (2004)
NPRID	National Policy on Integrated Rural Development
OVC	Orphans and Vulnerable Children
SSA	Sub-Saharan Africa
UBEB	Universal Basic Education Board
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNESCO	United Nations Education, Scientific and Cultural Organisation
UNIFEM	United Nations Development Fund for Women
UNFPA	United Nations Population Fund

RECOMMENDATIONS

The NSF already provides a national framework for the National response to HIV/AIDS and ensures a coordinated, participatory, transparent and accountable approach to programming around HIV/AIDS in Nigeria. In ensuring that the response system is consistently strengthened, there is an urgent need to build a critical mass of policy makers with skills in gender mainstreaming so that sectoral policies can be updated to support the NSF objectives.

It is also pertinent to build a National gender mainstreaming architecture that reinforces gender equality commitment at every level - Federal, State, Local, sectoral and at the level of each Ministry, Department and Agencies. This will contribute immensely to efforts at ensuring that policies promote universal respect for and observance of human rights and fundamental freedoms for all with the resultant effect of reducing vulnerability to HIV/AIDS as well as prevent HIV/AIDS-related discrimination and stigma.

Participation is a key ingredient of rights-based approaches. Policies should be amended to provide for involvement of poor and vulnerable groups particularly widows, women, and young people.

There is a need for policy direction for Agricultural Extension Workers to be trained to educate farm settlement populations on HIV/AIDS prevention and impact mitigation; it is also important to have policy direction on the creation of alternative economic activities that PLWAs that are involved in strenuous farming activities can be engaged in.

Considering the link between socio-economic factors and HIV/AIDS, policies need to articulate linkages with enterprise development and access to credit for women and young people. In addition, policies should promote the creation of access for the poor through subsidies, free health and educational services and income-generating activities. The link between HIV/AIDS, poverty and gender inequality calls for

Rural Development is designed to transform the nation's rural life but its key objectives are highly generic and gender neutral. On the contrary, the Cooperative Development Policy of Nigeria captures a series of strategic gender issues such as lack of access to land and agricultural inputs by women and goes further to enumerate strategies for addressing the needs of various groups especially women. Unfortunately, the policy has been faulted in view of its lack of appropriate mechanism for ensuring proper implementation. The draft Agricultural Sector Workplace Policy is suggestive of the sector's commitment to contributing to a reversal of the trends of HIV/AIDS in Nigeria, but it is still in its draft form.

In the education sector, gender was not mainstreamed into the National Policy on Education and the National Policy on Gender in Basic Education is only designed for the basic education level which only covers primary school and the first three years of secondary school. Limiting gender equality sensitivity to only basic education section is not enough to enable Nigeria achieve the gender equality results of the NSF and ultimately goals 3 and 6 of the MDGs. The education sector is one of the major institutions that can be used to shape the dynamics of social and power relations between girls and boys as well as women and men in a positive way towards reducing their vulnerability to HIV/AIDS. The current policy environment in the sector is however grossly inadequate to support the realization of this very important aspect of the fight against HIV/AIDS.

Although, the National Health Policy states categorically that health is a human right, its strategies do not give direction for the adoption of rights-based approaches for ensuring the actualization of the right to health. Its recognition of the high maternal mortality rate and other gender-related issues do not inform any commitment to gender sensitive strategies on the whole. The National Policy on Adolescent Health needs to be updated with specific information and strategies that address the differential vulnerabilities and access to services for males and females.

On the other hand, the National Policy on HIV/AIDS recognizes women's subjugation and subordination, poverty and lack of legal frameworks to protect the rights of

this gap, it is considered to be a reactionary rather than pro-active one. For a country that does not have a policy on Gender in Education and where gender has not been mainstreamed into the National Policy on Education, it would have been more useful to have a policy that seeks to mainstream gender into education at all levels rather than only basic education.

The fact that the objectives of the NPE are not driven by a deep analysis of the multi dimensional role that the educational sector can play in the social development process of Nigeria, a lot of assumptions and gaps abound in the policy. For instance, the NPE ignores the very important need of re-structuring the whole educational system including teacher education towards ensuring that Nigerian schools and institutions do not continue to serve as institutions that perpetuate gender stereotypes and inequality. Although this issue was addressed in the National Policy on Gender in Basic Education, it is limited and does not cover the whole education sector. There is therefore no clear commitment to engendering educational curriculum at all levels. This is a critical issue that the sector needs to address.

Response of the education sector to HIV/AIDS epidemic has been strengthened with the School Health Policy and the National Policy on HIV & AIDS for the Education Sector in Nigeria. The education...please complete the sentence

The National Health Policy makes a sketchy attempt to mention gender and human rights issues but does not signify a consistent commitment to gender equality. It is common knowledge that the HIV/AIDS epidemic in sub-Saharan Africa including Nigeria is feminised, with women and girls being more infected and more affected. Patriarchal norms and values continue to widen the generational gap between women/girls and men/boys placing the former at the receiving end. Poverty as a major driving force of the epidemic increases women's vulnerability to HIV. The disparity between the sexes in terms of social indicators highlight the need for gender-responsive programming.

Since this policy represents a framework for articulating programmes on various health issues, there is the need to strengthen its commitments to gender equality

Policy Declarations and Guiding Principles

This section mentions key policy/legal documents like the Child Rights Act, the Convention on the Elimination of all forms of Discrimination against Women (CEDAW), ICPD Programme of Action, and MDGs. The section does not mention the National Gender Policy which was already in existence at the time of publishing this policy.

Still under underlying principles and values, the following were mentioned: rights based approaches, diversity of young peoples' needs, gender equity and equality. These values can be built upon as entry points to facilitate the implementation of the gender equality components of the NSF.

Goal and Objectives

These sections are completely gender blind. Only generic references are made.

Targets

Out of 21 targets set by the policy, only 7 specifically address issues with gender differentials in focus. These include the following:

- Reduce incidence of unwanted pregnancies among young people by 75%;
- Reduce rate of marriage among young people less than 18 years by 50%;
- Reduce maternal mortality ratio among young people by 75%;
- Integrate family life and HIV&AIDS education into the curricula of all primary and secondary schools;
- Achieve universal access of young people to basic education (primary up to junior secondary school);
- Eliminate gender disparity among young people at all levels of education;
- Eliminate incidence of female genital cutting/mutilation among young people.

Strategic thrusts

All the strategies highlighted are generic.

INTRODUCTION

HIV/AIDS has emerged as a global development issue with sub-Saharan Africa (SSA) accounting for over two-thirds of the world's infected population. With between 2.9 and 3.3 million people living with HIV/AIDS (FMOH, 2005)¹, Nigeria has the largest concentration of HIV positive people after India and South Africa. Current projections show that women and girls account for over 50% of these alarming figures. Young women make up 60% of all 15-24 year olds living with HIV/AIDS and of all the regions of the world, only in sub-Saharan Africa do we find more women (57%) infected than men. There is evidence that gender roles and relations are inextricably linked with the level of individual's risks and vulnerability to HIV infection as well as the level of care, treatment and support that women living with HIV and AIDS can access. A recent UNAIDS study reveals that HIV/AIDS programmes that address gender equality as a central goal maximize overall effectiveness² (UNAIDS, 1999).

Nigeria has made tremendous efforts at curtailing the spread as well as mitigating the impact of HIV/AIDS. Upon the expiration of the 3-year HIV/AIDS Emergency Action Plan (HEAP) in 2004, the government of Nigeria reviewed its response to the HIV/AIDS epidemic and developed a National Strategic Framework for Action 2005-2009 (NSF). With the support of UNIFEM, UNFPA, CIDA and other development partners, gender was mainstreamed into the NSF. The NSF recognises the existence of gaps in policies in some areas of Nigeria social development and most importantly, the inability of most policies to address issues of gender equality and therefore recommends a review of different sectoral policies in order to ensure that they are supportive of the fight against HIV/AIDS in Nigeria.

This synthesis report documents a part of the efforts of UNIFEM, CIDA/NARF and NACA to ensure a successful realisation of the 8th Objective of the NSF. The report is divided into four sections including the introduction. The second section gives a brief description of the outcome of sectoral policy review exercise that was commissioned

¹UNDP, Millennium Development Goals Report, Nigeria, 2004

²UNAIDS. (2004) Report on the global AIDS epidemic

by UNIFEM under its project Promoting Gender Equality and Human Rights Sensitive Policy Environment in the Nigerian HIV/AIDS National Response. The conclusions and recommendations drawn from the analysis are presented in the third and fourth sections.

GOAL

In line with Objective 8 of the NSF, the goal of the project is to promote a gender sensitive HIV & AIDS policy environment that supports safer sex practices, reduces stigma and promotes positive living and the rights of PLWHA.

SPECIFIC OBJECTIVE OF REVIEW EXERCISE

The specific objective of the review exercise is to determine the extent to which policy provisions on agriculture, education and health align with the gender components of the NSF.

METHODOLOGY

In reviewing the selected policies, a framework (see Appendix 1 & 2) for doing gender and human rights analysis of policy documents was developed and used. In developing the framework, insight was drawn largely from the work of Matshalaga (2005) which was used in mainstreaming gender into the NSF. The framework constitutes a guideline for asking critical questions that helped in assessing the level of sensitivity and commitment of the policies to gender equality and human rights principles.

It is worthy to note that apart from the National Policy on Gender in Basic Education and the Agricultural Sector Workplace Policy on HIV/AIDS which is still in its draft form, the other policies reviewed were already in existence before the NSF.

NATIONAL POLICY ON THE HEALTH AND DEVELOPMENT OF ADOLESCENTS AND YOUNG PEOPLE IN NIGERIA, 2007

This policy builds on the National Policy on Adolescents Health. It was updated to cover all young people aged 10-24.

Situation Analysis

Under situation analysis, the policy describes sexual and reproductive health issues of boys separate from girls. Issues pertaining to specific sex were mentioned including teenage pregnancies, unsafe abortion, vesico-vagina fistulae (VVF), morbidities and mortalities.

HIV/AIDS statistics were given for young people as 3.6% for age group 15-19 and 4.7% for age group 20-24. Also knowledge of HIV transmission routes was given as 57%. These were not disaggregated. There is evidence from other studies that young girls are more vulnerable than young boys to HIV infection.

Under the sub-head Nutrition, the issue is treated generically. It does not take cognizance of the fact that in many communities, young girls are denied adequate nutrition because they are less valued than boys. Where food is scarce, young girls are more likely to be deprived than boys.

In discussing substance abuse as a risk to young people, the section does not emphasize the fact that more boys use drugs than girls. Clearly highlighting these differentials go a long way in focusing plans and resources to achieve better results.

Section 2.1.6 (education, career and employment) gives differential statistics for girls and boys while the rest of the section treats the issues generically.

Rationale

The rationale for this policy states that *investing in young people's health and development promotes equity, equality, social justice as well as human rights*. While this is not an explicit commitment to promote equality, it is a recognition of the importance of these issues.

the infrastructure is weaker and services such as information, testing, condom availability etc. are less accessible. The impact of this in the agricultural sector is higher on women than men because women constitute 70% in the productive agricultural sector, resulting in more women - as care givers - abandoning their agricultural productivity to take care of family even though they are not infected by HIV.

It is in line with this, that the HIV/AIDS National Strategic Framework for Action 2005-2009 called for the mainstreaming of gender into sectoral policies in recognition of the existence of gaps in policies in some areas of Nigeria social development and most importantly the inability of most policies to address issues of gender equality. In recognition of this fact the NSF recommends a review of different sectoral policies in order to ensure that they are supportive of the fight against HIV/AIDS in Nigeria.

Analysis of policies in the agricultural sector is therefore aimed at evolving new strategies for reducing women's vulnerability to HIV/AIDS by laying a solid foundation for poverty reduction through sustained increase in agricultural productivity and for enhancing output necessary for growth. The ultimate aim is to ensure that policies in the sector align with gender equality and human rights principles as well as capable of contributing to the realization of the objectives of the NSF. The policies reviewed are: The New Agricultural Policy Thrust, 2001; The Cooperative Development Policy for Nigeria, 2002 and The Draft Agricultural Sector Workplace Policy on HIV/AIDS. It is worthy to mention that apart from the Agricultural sector workplace policy on HIV/AIDS which is still in its draft form, the other policies reviewed were already in existence before the NSF.

policies do not therefore speak to the gendered vulnerabilities and impact of health problems in many instances. The NSF development process appears to be the first real attempt to factor in gender differentials into any National framework for action on HIV/AIDS. The National Gender Policy approved by the National Executive Council in 2006 posits that *Promoting gender equality is now globally accepted as a development strategy for reducing poverty levels among women and men, improving health and living standards and enhancing efficiency of public investments. The attainment of gender equality is not only seen as an end in itself and human rights issue but a pre-requisite for the achievement of sustainable development*⁴. Running this commitment, demands that all policies and frameworks are reviewed and updated to ensure coherence.

In Nigeria, the tripartite legal system - statutory, customary, Sharia operate contradictory evidence procedures which permit trivialization of women's legal status. Protecting human rights in Nigeria in the context of HIV/AIDS is hampered by the dearth of laws specifically addressing injustices against people living with HIV/AIDS. Progressive international human rights instruments, especially CEDAW continue to be treated with contempt. Justice is often hampered by a lack of adequate jurisprudence.

The success of any public policy or national development plan rests on the capacity to implement it. In Nigeria, capacity for gender mainstreaming is weak. The gender analytical capacities of technocrats and professionals are low, resulting in sectoral gender imbalances. Capacity building is not a narrow undertaking or endeavour but rather a broad and encompassing project that "incorporates the building of human, institutional, infrastructure, legal and financial capacities"⁵. This calls not only for new investment and expenditure but also for attitudinal and institutional change, re-focusing and re-orienting the existing institutions and organizations⁶.

⁴National Gender Policy, 2006, pg 1

⁵S Jugessur, Capacity-building for science and technology in Africa, in *Science in Africa: The challenges of capacity-building*, American Association for the Advancement of Science, Washington DC, 1994, p 13.

⁶Makoa, F.K., AIDS in Lesotho, 72 African Security Review 13(1), 2004

inputs and agro processing, training and information and agricultural extension services.

The policy aims at the attainment of self sustaining growth in all sub-sectors of agriculture and the structural transformation necessary for the overall socio-economic development of the country as well as the improvement in the quality of life of Nigerians. These encapsulate the concerns around strengthening women's agricultural activities beyond subsistence agriculture to cash crop production and exports to increase potentials of women's agricultural activities to contribute maximally to the improving personal incomes and the overall economic growth of Nigeria. However, the preamble of the policy fails to show the gender differentials in the needs, priorities, roles of women and men and the way in which gender inequalities affects women and men differently. As a result, there is no clear articulation of the issues to gender to provide a basis for the formulation of credible objectives to improve the lot of poor female and male farmers.

Goals and Objectives

The objectives of the New Policy Thrust are related to the constraints to women's agricultural production including food and subsistence local production. It also identifies increase in production and processing of exportable commodities, modernization of agriculture production, creation of more agricultural and rural employment opportunities to increase income of farmers and rural dwellers; protection and improvement of agricultural land resources. While the objectives are commendable in themselves, the lack of specificity and differentiation in status of women and men as actors in this development field weakens the intent of the policy document. For instance generalized language such as farmers, rural dwellers are too broad and not adequate enough to identify vulnerable populations and define desirable strategies. There is need for the policy goals and objectives to be able to identify vulnerable populations for specific targeting as is reflected in the objectives of the NSF.

Further to the section on the goals and objectives, the policy document also

and discrimination against women often regarded as transmitters of the virus.

Under Adolescents and Youths Programmes, there is need to include interventions/strategies that would target young girls and married adolescents who are at high risk of HIV infection in addition to the strategies already provided.

There is a dearth of laws that protect the human rights of people living with HIV/AIDS with regards to access to health care services. The National HIV/AIDS policy provides very rich policy guidelines which focus on the protection of human rights of citizens in the context of HIV/AIDS (p24&25). Against the background that some sections of the 1999 Federal constitution, provisions of Customary laws, religious laws and the penal code contribute to vulnerability to HIV among women and girls, there is need, to advocate for review of any policies, or legal provisions which place women, girls, men and boys at risk of HIV infection.

Finally, under the Monitoring and Evaluation section, the National policy highlights the importance of monitoring, evaluation, research and surveillance in program development and management. Section 4 of the policy states: *in order to monitor the trends of the epidemics, and to determine the effects and the impact of strategies undertaken to reduce the spread and impact of HIV and AIDS, proper surveillance is necessary.* The policy mandates relevant institutions to collect continuously information on HIV and AIDS and factors that influence the spread of HIV. The policy does not have any gender considerations in the whole section on monitoring and evaluation. It did not state as a policy the need for sex disaggregated data and gender focused research in the monitoring and evaluation of programs. The cross-cutting nature of gender-related factors in the transmission and spread of HIV requires that quality research, and all monitoring and evaluation procedures are informed by gender analysis. The inability of the national policy on HIV/AIDS to emphasize or even mention the need for gender sensitive monitoring, evaluation, research and surveillance is a weak point that must be addressed. This is necessary because the national policy gives direction to the NSF and its implementers.

gender equality objectives are achieved in the implementation of the new policy thrust.

Thematic Areas of the New Policy Thrust on Agriculture:

- The Policy thrust focuses on 7 thematic areas which include
- The creation of a conducive macro-environment to stimulate greater private sector investment.
- Rationalizing the roles of government in their promotional and supportive activities to stimulate growth.
Reorganizing the institutional framework for government intervention in the sector to facilitate smooth and integrated development of agricultural potentials.
- Rural Development
- Increasing agricultural production through increased budgetary allocation and promotion of the necessary developmental, supportive and service oriented activities to enhance production and productivity and marketing opportunities.
- Increasing fiscal incentives to agriculture among other sectors and reviewing import waiver anomalies with appropriate tariffication of agricultural imports.
- Promoting increased use of agricultural machinery and inputs through favourable tariff policy.

A focus on these areas will potentially alleviate some of the constraints that disadvantaged women and men encounter in this sector. This must however be done with appropriate devolvement of gender sensitive strategies and actions that will close gender gaps. For instance in the area of increased budget allocation to enhance productivity and marketing opportunities, it would be necessary to do a holistic gender analysis to reveal the situation of women in relation to financial and marketing capacities to inform appropriate allocation of resources to areas that address such disadvantages. Also in defining strategies to increase stimulating greater private sector investment in agriculture, there is need to take into consideration the gender dimensions of privatization as it affects women and men

Also, most of the objectives linking up to the goal do not indicate how the particular needs of women and men in the prevention, care and support of HIV/AIDS which are different could be specifically addressed. Objective (vi) for example, states thus: *Provide access to cost-effective care and support for those infected, including antiretroviral drugs.* A generic objective such as this does not provide the impetus for programme planners to ensure that specific barriers to access for women or men are removed in designing care and support programmes. The National Response Review conducted in 2004 revealed that fewer women had access to anti-retroviral treatment for several reasons including their low socio-cultural and economic status. Objective (xii) specifically mentions the target groups for prevention programmes including *women, children, adolescents, young adults, sex workers, long distance drivers, prison inmates and migrant labour.* This provides an enabling environment for the achievement of NSF Goal and Objectives 3 and 4. There is the need to articulate an objective that addresses the socio-cultural and economic factors, poverty and dependency and the special vulnerabilities of young girls and married adolescents.

Most of the targets set in the National Policy on HIV/AIDS are gender blind. For example, *Ensure the access to antiretroviral drugs in all states of the federation by 2010.* The specific groups addressed are not highlighted. It is important to mention specific vulnerable groups since their access is especially limited by interplay of several related factors. Women and girls and the very poor need great support in the area of HIV/AIDS care, access to services and information and empowerment with income generation opportunities. Women suffer marginalization as a result of unequal balance of power with men. This is deeply rooted in the socio-cultural context of society and enforced by society's institutions including health and educational systems. There is no specific target that explicitly addresses that subject of human rights. One of the targets mentions achieving the MDG on education. Gender sensitive objectives, when clearly stated also help in overcoming bureaucratic resistance to gender equality in programming and resource allocation. According to the WHO (2002), "in the HIV/AIDS pandemic, both a person's sex and gender determine the extent to which he or she will be vulnerable to the infection

Section 7.4 which focuses on Service Delivery Activities under Inputs Supply and Distribution notes that *“timely availability of inputs is basic and critical to agricultural production, government has strongly committed itself to ensuring the supply of agricultural inputs to the Nigerian farmer”* such as improved starter materials, fertilizers etc. While the policy identifies this as constituting a serious obstacle to the Nigerian farmer, the policy fails to differentiate the kinds of farmers being referred to in the document. It is generally known that women farmers encounter more difficulties in accessing agricultural inputs than men even when women operate within cooperatives. The privatization of the distribution of fertilizers and marketing of these commodities have created more difficulties in cost and increased bureaucratic bottlenecks. Therefore, the implementation of this policy document requires the development of gender sensitive strategies to ensure a more effective delivery of agricultural inputs, operational credits, capacity building of actors in processing, packaging and marketing systems. Marketing systems are largely male dominated and women need to be empowered through training and incentives to compete more effectively in both local and global trade and market systems. In this way, the government would be creating a more equitable environment for both women and men operators and actors in the agricultural sector.

aimed at closing gender gaps in access to information, care, treatment and support.

In addition to age-disaggregated data, the Contextual Background will benefit tremendously from sex-disaggregated data. Such data will highlight the HIV/AIDS situation as it affects men and women, boys and girls. Once the contextual background fails to identify gender-based disparities, it is difficult to mainstream gender in planning. Thus the likelihood of achieving gender sensitive NSF objectives is bleak unless the policy environment is enabling.

Pages 6-11 of the National HIV/AIDS Policy highlights problems related to the HIV/AIDS epidemic in Nigeria. Transmission through sexual intercourse is highlighted as the most important mode of transmission in Nigeria. Several issues are raised in this section with regards to male and female vulnerability. These include risky sexual behaviour amongst high risk groups such as long distance lorry drivers, migrant labourers, sex workers and their clients. Though the high prevalence of STIs is highlighted, the differential vulnerability of women and girls to STIs is not mentioned. Again the section highlights subjugation and subordination of women in the country which limits their ability to decide when, how and with whom they have sex. Recognition of male and female behaviours that promote HIV and other STI transmission underscores the need to ensure that interventions are contextualized.

The National HIV/AIDS policy devotes a whole section to the discussion of human rights. The section opens with the statement *Stigma and Discrimination shown to persons living with and affected by HIV/AIDS worsens the spread and the impact of the epidemic*. It further highlights how stigma and discrimination drive the epidemic underground. Lack of access to effective treatment is also mentioned in this section. So also are sexually transmitted infections. The section advocates a multi-sectoral approach to rights promotion and protection and a review of laws to ensure that the human rights of people living with HIV/AIDS are protected. This section needs to clearly state that women and girls are more vulnerable to human rights abuse because of their low socio-economic status.

In discussing poverty as a driving force of the epidemic, mention is made of the fact

recognizes the right of people to employment, livelihoods and work. This is also recognized as a critical issue within the NSF thematic areas 4, 5, and 8 and objectives 4 and 8 on creation of enabling environment, care and support and impact mitigation. However, the non-disaggregation of target groups in the vision statement of the policy is a major disadvantage of the policy to effectively support delivery on the targets and objectives of the NSF. As such, the policy primarily fails in proper targeting, exploring and defining the dimensions of poverty and differentials of vulnerability of women and men in the area of economic enterprise.

Also, the preamble recognizes constraints associated with the operations of women's micro-enterprise and cooperatives operation. It recognizes that the basic principles and value system that characterize cooperative movement are based on "self help, democracy, equality, equity, solidarity, social responsibility and empathy". Also among the seven core principles of cooperatives include autonomy, independence, education, training, information and economic participation. These are some of the major cornerstones of women's participation in cooperatives. In addition, it also identifies some of the major constraints to women's micro-enterprise operation in the area of funding limitations especially identified with the thrift and credit societies in the context of lack of management capacity.

Goals and Objectives

The goals and objectives of the policy are very broad and generalized and do not reflect an in-depth understanding of the peculiar situation of women's cooperatives or women who are members of cooperatives. However, implicit in objectives (c) - "*removing all obstacles that hinder free and effective operation of cooperative groups and their participation in national economic affairs*" and, (d)- "*promoting cooperative friendly fiscal and monetary policies and creating a conducive environment for the survival and prosperity of cooperative enterprises*" reflects in very broad terms and without specifically targeting any social grouping (women or men), the intent of the policy to work towards eliminating some of the barriers that women cooperatives encounter. Implicit in the goals and objectives are human rights principles of equality, inclusiveness, participation and non-discrimination

making.

The second point under Chapter 4 which deals with National Health, Human Resources Development, mentions *ensuring equitable distribution of human resources*. This is undefined but the subject of equity does open up opportunities to mainstream gender when properly applied.

Chapter 4 of the policy deals with Monitoring and Evaluation. Here the policy envisions that monitoring and evaluation reports will contribute significantly to personnel training, placement and reward at all levels. This point does not emphasize sex, age or other dis-aggregation of data. Dis-aggregation helps identify trends and could reveal serious gaps or differentials. Reports will inform decision for improvement. Dis-aggregated data are needed to track the performance of the NSF.

Finally, the policy on page 27 states that within the health care system, efforts shall be made to redistribute financial resources. A clear statement on re-distributing financial resources in an equitable manner is necessary. Gender budgeting will ensure that allocations address specific gaps. Gender budgeting is required to achieve the NSF objectives.

Clearly, the National Policy on Health has hidden clauses that could be amplified to mean a commitment to human rights protection and gender equality. It however lacks clear pathways to achieving these commitments. The policy could be updated with clear commitments and specific strategies targeted at closing the gaps. In relation to the NSF, the policy can clearly be sharpened to better support implementation of the former.

Furthermore the Cooperative Development Policy also articulates the roles of various stakeholders and major actors in the agricultural and cooperative sector. These are the government and the cooperative movement. In identifying the roles, the document incorporates some strategic actions for actors which include establishing structures such as the Councils of Cooperative Affairs and Cooperative Advisory Board at the national and state levels. It is important to ensure gender sensitivity as a basic principle in the selection of members of such bodies.

More specifically under the roles for the government, the policy document states that the National Planning Commission and the office of the National Economic Adviser be directed to ensure that the cooperative sector and its legitimate interests are well reflected in the determination of national economic development policies, plans and priorities. However, in the preamble to the presentation of the priorities of the policy, there is no indication as to deliberate efforts to disaggregate the needs and concerns of men from women to make for specific and meaningful targeting and interventions.

Under the roles of cooperative financing on page 18 and 5.4 under National Cooperative Development Fund, the policy provides “that all cooperatives shall subscribe to the fund, which will accumulate to form the basis for guaranteeing all cooperative credit transactions”. It also assures that with ‘the fund in place, any society or union will be able to approach a bank or finance house for a loan using the fund as guarantor” (Pg 20). This is commendable and has the potential of improving on operational capital of women cooperatives; however, access to operational credit has to be effectively enabled through workable strategies to reach poor women and men cooperatives. It is necessary to re-examine these strategies and roles so as to develop implementable sub-strategies for credible implementation. This will create opportunities to economically empower HIV/AIDS positive women and women affected by HIV/AIDS who depend on agriculture to sustain their families.

Also, the policy document recognizes and appreciates the role that women and women organizations play in the social and economic affairs of the country in spite of

The mention of couples presumes a commitment to male involvement in reproductive health. This represents a positive paradigm shift from the status quo where reproductive health issues were basically regarded as purely women's issues. A commitment to male involvement contributes to the achievement of the NSF objective 3 as mentioned in section 3.1 of this report. This commitment needs to be translated to action at all levels. State level policies on health and HIV/AIDS need to explicitly demonstrate commitment to gender equality and the promotion and protection of people's rights to choice and health services.

Considering the important roles that women play in their various communities, it is surprising that section 3.5 -*Community Involvement*- of the National Health Policy does not articulate any specific plan to involve women. The traditional bureaucracies at community levels often exclude women and as such it is absolutely expedient to make plans that actively include women in key decision making processes especially since women often have more need for hospital use than men. In addition, point 3 under the same section states that *the Federal and State Ministries of Health shall consult accredited groups and association representing various interests within society*. This is gender blind. Various interests may be represented but unless specific plans are made to include women, they are often forgotten because of the patriarchal arrangement of society. Participation is a human right. Governments at all levels (Federal, State and Local Government) need - to ensure, through political and financial support, that community consultation occurs in all phases of health planning and implementation including HIV/AIDS policy design, programme implementation and evaluation and that community organizations are enabled to carry out their activities, also in the field of ethics, law and human rights, effectively. Such consultations need to carry women along in recognition of the important roles they play in communities. The NSF development process was highly participatory. The process has been documented by UNIFEM and could serve as a model for participatory approaches all over the world.

The National Health Managerial Process of Chapter 3 mentions programmed budgeting under point number 3. There is a paradigm shift to gender budgeting and

THE AGRICULTURAL SECTOR WORKPLACE POLICY ON HIV/AIDS (DRAFT)

Goals and Objectives:

The Agricultural Sector Workplace Policy on HIV/AIDS, though still in its draft form represents the sector's commitment and determination to stem the tide of the epidemic. The overall goal of the Federal Ministry of Agriculture and Rural Development Policy on HIV/AIDS is to prevent and control further spread of the scourge in the sector and to provide care and support for the people living with and those affected by HIV/AIDS (PLWHA and PABA). Some of the policy objectives include provision of accurate and timely information on HIV/AIDS through sensitization and awareness creation programmes and activities; build the capacities of the sector to effectively respond to the HIV/AIDS pandemic; promote behavioural change in the sector; strengthen collaborative efforts between the sector, civil society, Government Agencies and other development partners; establish an institutional framework for effective coordination, implementation, monitoring and evaluation of the sector's response to the pandemic and contribute to the National Response on HIV/AIDS through the core competence of the sector. As was observed in the other policies reviewed, the objectives and goals of the draft workplace policy on HIV/AIDS does not reflect gender dimensions in its target groups and focus but indicates the aim to increase opportunities to rights of people to information on HIV/AIDS. It also intends to build capacities of the sector but does not indicate which group of people will benefit from these initiatives. The generalized and broad nature of the objectives and goals does not allow a direct alignment with the goals and objectives of the NSF.

Guiding Principles and Scope:

The scope of the draft workplace policy covers the areas of Prevention of HIV infection, Impact mitigation, care and support for staff and clients or those affected by HIV/AIDS; Reduction of stigma and discrimination on the basis of real or perceived HIV status; Capacity building for stakeholders and Promotion of gender equity and equality. The scope as presented in the relationship shows a more positive correlation with the protection of human rights of PLWAs and the affected within the

a strong framework for the promotion of human rights. Approaching health from a rights-based perspective will create access to services for the poor and marginalized, majority of who are women. It will also reduce stigma and discrimination thus contributing to Objective 8 of the NSF.

Principle 8 mentions that *a gender sensitive and responsive national health system shall be achieved by mainstreaming gender considerations in implementation of all health programmes*. While this represents a strong commitment to gender equality, it does not translate to an over-arching principle traversing the entire document. There are gaps in subsequent sections. That notwithstanding, contextualizing what is meant by *gender sensitive and responsive national health system* will close the gender gap in access, type and quality of services. A gender-sensitive and responsive health system will create an enabling environment for achieving the NSF goal of providing equitable prevention, care treatment and support.

Policy Objective

This section commits to improving the health of Nigerians. This is a generic commitment which does not categorically state who these Nigerians are. This commitment is considered to be gender blind. It presupposes that Nigerians are a homogenous group. In actual programme implementation, it is possible that programmes become too generic and lose cognizance of the differential vulnerability, lack of access and impact of disease on women, men, girls and boys. There is a vicious cycle in which health determines wealth and wealth determines access to quality health services. Similarly, poverty, one of the driving forces of HIV/AIDS reinforces inequality; HIV/AIDS creates poverty; poverty denies access to services in a vicious circle. An improved health status will improve the wellbeing of people living with HIV/AIDS including women.

Policy Targets

The Health Policy's targets are the same as the health targets of the MDGs (4, 5 and 6). It is important to note that all the health related MDGs are hinged on the status of women and cannot be achieved without gender equality and women empowerment

principles of human rights, social justice, equity and equality and, the workability of the policy shall be guided by the principles of gender equity, equality and sensitivity, the policy does not state in clear terms how these will be achieved. The background, policy goal and objectives do not reflect sensitivity on gender nor human right concerns. The policy does not take into account the different needs and impact of HIV/AIDS on men and women in the sector.

Despite the fact that the policy scope highlights its application to the promotion of gender equity and equality (one of the interventions on youth friendly information and other facilities) it does not take into consideration the greater level of vulnerability that girls have over boys to HIV/AIDS infection. It also does not highlight gender sensitive monitoring and evaluation strategies to enable tracking of achievements. In addition, the draft workplace policy also lacks HIV/AIDS specific budgetary sub-head to sufficiently address the cost implications of prevention and control programmes. However, some of its intervention areas such as empowerment for safe sexual behaviour, availability of condoms and femidom and the provision of adequate information and education on the implication of harmful traditional practices do reflect gender sensitivity and human right concerns.

HEALTH SECTOR

The policies reviewed in this sector are the National Policy on Adolescent Health (1995); National Policy on HIV/AIDS Control (1997); National Health Policy (2004); and the National Policy on the Health and Development of Adolescents and Young People in Nigeria (2007). Analysis of these key policy documents reveals a huge gap in commitment to gender equality and the promotion and protection of human rights. Most of the goals, objectives and strategies are generic and gender blind.

National Health Policy, 2004

The revised National Health Policy opens with an empowering picture of a father holding his new born baby. This picture is empowering because it challenges the status quo. In Nigeria, childbearing and child-rearing are associated with women and often documents are replete with images of women in their socially defined roles. The picture suggests that men can be involved in child-rearing just like women. Objective 3 of the NSF seeks to increase gender sensitive non-health sectoral responses for the mitigation of the impact of HIV/AIDS by 50%. One of the strategies to reduce women's burden of care is male involvement. Policy coherence in the area of male involvement will enhance the country's potential to achieve the NSF goals.

The opening page heightens expectations of the policy as a unique document with a clear mission to mainstream gender equality perspectives. In addition, it would appear that the document seeks to promote women's right by ensuring participation of men in domestic activities. This expectation is quickly quashed however, as one scans through the document for gender-sensitive strategies.

Chapter one of the National Health Policy opens with a discussion of the current situation of health in Nigeria. The chapter acknowledges that poverty and the prostrate conditions of our health care facilities, among other things are responsible for the low health status of Nigerians. It clearly highlights Nigeria's high maternal and infant mortality rates. The chapter closes by drawing the link between poverty and ill-health, describing it as a vicious circle. The concluding statement for this chapter

equality or human rights related concerns. This is considered to be a serious gap in view of the gender disparity that is prevalent at the primary and secondary school levels especially in the Northern parts of the country. According to the Global Coalition on Women and AIDS, without gender parity in education, empowering women and reducing their vulnerability to HIV will remain elusive goals. Although there are known efforts at addressing this problem by the Federal Government and other development partners, it is necessary for the NPE to reflect Government's commitment to the promotion of gender equality. This will make the policy to serve as a good model for the States to adopt.

Although, the NPE was issued a year after year 2003 when the HIV prevalence rate in Nigeria was 5%, none of the above aspirations reflect recognition of the danger posed to the education sector by the HIV/AIDS pandemic. On the other hand, the NSF that was developed a year after the education policy was issued, recognizes the great role that the education sector has to play in checking the spread of HIV infection.

Philosophy and Goals of Education

The philosophy upon which the education policy is built sounds laudable, however analysis of the philosophy reveals the need for further clarification of some of the issues raised therein. The policy is hinged on the understanding that education should be geared towards self realisation, better human relationship, individual and national efficiency, effective citizenship and national consciousness. Empowering people towards 'self realisation' and 'better human relationships' has embedded in it respect for gender equality and human rights. Furthermore, 'realising effective citizenship' sounds good, but citizenship itself is gendered. Men and women are often positioned differently when it comes to the issue of citizenship and, women in many instances have been found to be at the disadvantaged position (Lister, n.d.). An education policy that would contribute to the creation of an enabling environment for the realisation of the objectives of the NSF should be seen to pursue transformational goals that clearly challenge processes and institutions that

measures to ensure the protection and actualization of this right by every Nigerian child. The implication of not addressing this issue from a rights based perspective is to leave decisions as to whether or not a child acquires education to the discretion of the parents or guardians which will reduce the level of access to comprehensive HIV/AIDS information for young people.

Provider Forum

The idea of establishing community management committees and sub-committees in LGAs for Basic Education is laudable if well implemented. This should foster community ownership of schools, enhance their development as well as ensure continuity and sustainability of standard. It can also create opportunities for mobilizing parents and community leaders to be involved in the fight against HIV/AIDS. This section aligns with objectives 2, 3, 4, 5 and 8 of the NSF.

Transparency and Accountability of Financial Management

This section of the policy is very vital to the success of any development programme especially in Nigeria, a country with a record of high level of corruption. Rather than state governments' position and directive on this, the policy framers called on the Federal Government to mandate Federal Ministries, State governments and LGAs to be transparent and accountable in the implementation of their programmes. This is a little strange in view of the fact that the policy document is a federal government document.

Planning and Policy Implementation

The policy recognizes the fact that the National Policy on HIV/AIDS is backed by a well developed strategic framework and seeks to take a clue from that. In order for such recognition to have a positive impact on the success of the NSF, there is a need for the results framework of the strategic framework to include indicators that can be used to measure its contribution to the reduction of the vulnerability of girls and boys to HIV infection.

basis for effective participation in and contribution to the life of the society'. Some of the ways of promoting the acquisition of skills for effective participation in and guaranteeing individual contribution to the society is through knowledge of and sensitivity to gender equality and human rights issues. The absence of such aspirations at the age of character formation has significant implications for the lives and future of such young children.

Section 4 j (ii) seems to contradict the provisions of section 3 which deals with basic education and paragraph 19(a) of section 4 of the policy. Sections 3 and 4 (19)(a) affirm that *primary education shall be tuition free, universal and compulsory*, however, in recognition of the need to bridge gender gaps in education, section 4 j (ii) states that *'special efforts shall be made by all appropriate agencies to encourage parents to send their daughters to school'*. This provision also contradicts the Child's Right Act (1999) which makes it a crime for any parent or guardian not to allow a child or ward to go to school especially primary school. By the provision of the Child's Rights Act, which incidentally supersedes the NEP, basic education in Nigeria is mandatory. The issue of encouraging parents to send their daughters to school therefore does not arise. Research has shown that having girls enter and stay in school is a key contributor to effective programmes on HIV. The reason for this is partly because HIV and sex education delivered through school curricula have been found to be highly *"effective in improving students' knowledge, skills and behavioural intentions and can delay initiation of sex..."* (IIEP, 2003).

The first specific objective for secondary school education is supportive of gender equality as it seeks to guarantee higher education for all primary school leavers irrespective of sex, social status, religious or ethnic background. Realizing this objective however requires backing by appropriate strategies. Children at this level of education are at a very critical stage of their lives in view of strong influence of peer pressure. The broad goal of the policy for this level of education is to prepare individuals for:

- useful living within the society and

by parents and guardians. Creating incentives for the children without looking at how parents/guardians can visualize some advantages accruing to them may not always yield the desired result.

Gender Responsive Curriculum

Gender sensitive books and learning aids are critical to any successful education programme that seeks to mainstream gender. The policy is considered weak in this regard for lack of a specific mechanism for ensuring that school text books have gender mainstreamed into them. This section provides that new editions and new text books to be used in schools are to be censored for gender sensitivity. What happens to subjects that do not have new editions for some time? This provision of the policy is not considered coherent enough for the laudable goal it seeks to pursue. Not taking decisive steps to engender all books to be used in schools at the same time may bring about confusion in what is being taught and may eventually do more harm than what the situation is before the implementation of the policy. For the policy to be seen to seek to support the achievement of objective 3 of the NSF and to promote respect for the rights of women and girls, it must have a clear policy direction for mainstreaming gender into all books used in schools.

Retention, Completion and Performance

In analyzing the situation of dropout rates of girls and boys from schools, the statistics presented in this section of the policy confirms that there is a serious problem with both sexes - girls (17%), boys (15.8%) even though that of girls is worse than that of boys. A gender sensitive policy should therefore seek to create innovative means of addressing the problem holistically to create a balance. Ignoring the problem of boys because statistics show that the situation of girls is worse may eventually lead to a situation whereby the situation of boys will be worse than that of girls.

State Policies and Laws Against Early Marriages

This section of the policy aligns with objective 8 of the NSF and Goal 2 of the MDGs. So far, only 16 States out of the 36 have adopted the Child Rights Act. There is a need to put in place measures for proper implementation of the section.

duration comprising six years of primary education and three years of junior secondary education. The mission is clear and specific as it seeks to ensure gender equality in the delivery of all basic education programmes. The goal of the policy is also considered to be well-focused. It aims to ensure equal access to education especially disadvantaged children and to ensure high rate of retention, completion and performance. The goal is driven from a right based perspective which clearly aligns with objective 8 of the NSF.

The Policy Environment

The policy expresses linkages with other related policies in the country. An important policy though not specifically mentioned, is the National Policy on HIV/AIDS. There is a need to draft a clear and direct linkage of the HIV/AIDS Policy with the Policy on Gender in Basic Education in view of the enormity of HIV/AIDS problem and the great role that gender education can play in reducing women and girls' vulnerability to HIV infection in Nigeria.

Increase Access to Education

Although the foreword to the policy recognises the fact that while gender disparity in school enrolment, retention and completion at all levels is either in favour of girls or boys depending on location, section 3.0 only addresses the problem of gender disparity in schools as it affects girls in the Northern region. Failure to provide policy direction for the needs of boys in areas where gender disparity in education exists in favour of boys may signify disrespect for the rights of boys which may ultimately result to increased vulnerability to HIV infection for the girls in the area where the boys lack access to adequate information on HIV/AIDS and other reproductive health issues.

One of the strategies of government in this area is advocacy and sensitization. This is aimed at sensitizing communities on the importance of girl child education towards increasing girls' enrolment ratio. Addressing issues of gender disparity in education requires paying detailed attention to the issues of boys and girls as a whole.

The policy articulates education as a right of every Nigerian child. This should be

is bridged.

Science, Technical and Vocational Education

The goals of section 7 of the NPE include the promotion of science education and the cultivation and acquisition of knowledge for the 'conduct of a good life and democracy'. This provides an entry point for the promotion of research into HIV. The untold damage that HIV/AIDS has done to humanity requires the contribution of every sector to the quest for cure. In view of the wide gap between the number of boys that take Science courses as opposed to the number of girls that do same, there is a need for the policy to lay a foundation for setting up special programmes encouraging girls to take science subjects.

Tertiary Education

According to the NPE, tertiary education includes universities, colleges of education, polytechnics, monotechnics and institutions offering correspondence courses.

The HIV prevalence rate among young people aged 20 -29 which was 4.8% as at 2005 is higher than the national prevalence rate of 4.4% (FMOH, 2005). This is about the age of many of the young people in tertiary institutions. Unfortunately, the education policy does not have a goal of empowering youth at this level of education with the information that they need to be able to pursue healthy life styles and thereby reducing the spread of HIV. It is also not designed as an entry point for reaching young people with information on human rights. All seven goals of this level of education as articulated in the policy are focused on building the knowledge base of students towards their effective contribution to the economic development of the country. With the high level of HIV prevalence among young people, it is important for tertiary institutions to create the enabling environment for the acquisition of life skills by students.

Teacher Education

The educational sector is a critical sector in the quest for gender equality. It has, over the years in many societies (including Nigeria) served as an institution for the perpetuation of gender inequality. Changing this requires transformation in teacher

education. It is necessary to mainstream gender equality, human rights and HIV/AIDS into teacher training curriculum at all levels in Nigeria. Teacher training programmes should build capacities of teachers to be able to facilitate the emergence of school policies, programmes and practices that favour gender equality, respect for individual rights and effective learning.

The teaching profession is also a highly stereotyped one. There are more female teachers than male teachers especially at the lower levels of education because teaching is considered by many to be a woman's job. There is a need for the policy to promote the achievement of parity in the sex of teachers at all levels.

Open and Distance Education

The idea behind open and distance education is considered highly gender sensitive for its flexible nature and the fact that it seeks to promote equity in educational opportunities especially for those who would have been denied. It can create the opportunity for women who dropped out of school or those that are nursing children to be able to continue their education without necessarily disrupting their reproductive roles. There is a need to seek innovative means of encouraging women to take advantage of the opportunities that this form of education creates to improve their potentials for competing effectively with their male counterparts.

Although the policy framers recognised the fact that it is an opportunity for reaching a large number of learners wherever they may be, it is not viewed as an entry point for transforming society in its articulated goals. The cheap means through which communication is maintained between learners and teachers in open and distance education sector provides a great deal of opportunity of reaching a good proportion of the population with necessary information on HIV/AIDS, gender equality and human rights.

Special Education

This section of the policy categorises people with special needs into 3 groups:

- The Disabled
- The Disadvantaged

NATIONAL POLICY ON GENDER IN BASIC EDUCATION, 2007

Foreword

The foreword to the Gender Policy in Basic Education introduces the policy as government's response to the challenges of achieving gender equality in education. On the contrary, because the policy focuses on basic education, which covers six years of primary school and the first three years of secondary, it cannot address the challenges in achieving gender equality in the whole education sector.

A strong point of this section of the policy is that it situates the problem of gender disparity in education enrolment, retention and completion within the context of women subordination and male dominance which is endemic in many Nigerian societies. A clear understanding and articulation of the root causes of a problem such as this, is a major step towards problem solving.

Introduction

The introductory section opens with a clear recognition of the serious and negative implications of not guaranteeing the right to education for every Nigerian citizen. The section puts forward the notion of an instrumentalist approach to the realisation of women's rights e.g. educated mothers guarantee their survival, wellbeing and that of their children. Adopting an instrumentalist approach to development undermines the notion of right.

The section makes a strong linkage between development and high literacy. A strong point of the policy is that it seeks to compliment other existing policies e.g. National Policy on Education (UPE), Universal Basic Education Policy, Integrated Early Child Care and Education Policy and the National Policy on Women.

Vision, Mission and Goal

The vision of the policy is to promote gender sensitivity at all levels in pursuit of the NPE and the attainment of EFA and MDGs targets. It is not clear how the policy will ensure the realisation of this vision in view of the fact that it is a policy on gender in Basic Education. Basic Education is defined by the NPE as education of nine years

monitoring and evaluation framework for the policy to have indicators for measuring gender equality results in the educational sector.

Planning, Administration and Supervision of Education

The policy recognises the important role of administration in the success of the education system.

One of the principles upon which the administrative machinery is based is the close participation and involvement of communities at the local level in the administration and management of schools. There is an assumption here that 'communities' will involve men and women. The practice of denying women the opportunity of participating actively in decision making processes at different levels of the society often have negative effects on their lives and the development of the nation as a whole. It is important to put in place measures for ensuring that women are active participants in the management of community schools. The policy needs to be specific about this.

Financing and Education

The policy only expresses the fact that education is an expensive social venture and reminds all levels of government that it is a joint responsibility. The section ignores the very important need for structuring its finance mechanisms to address the problem of unequal access to educational opportunities for boys and girls. The section fails to lay a foundation for the creation of special funds for encouraging girls to go to school in the Northern parts of the country and boys in some Eastern States. In order for the policy to support the realisation of the NSF, there is a dire need for it to pursue vigorously the right to education for all. This will go a long way in addressing the problem of early marriage and help girls to delay sexual debut which is one of the effective means of checking the spread of HIV/AIDS.

National Steering Committee are as follows: *Honourable Ministers of Education (Chairperson); Health; Environment; Water Resources; Agriculture and Rural Development; Housing and Urban Development; Finance; Information and National Orientation, Women Affairs; FCT and Works; Chairman, National Planning Commission; Chairman, National Primary Health Care Development Agency; Chairman, National Programme on Food Security Chairman, National Emergency Management Agency; Executive Secretaries, UBEC, NERDC, NEPAD, NMEC and NCNE; Chairman, Senate & House Committees on Education and Health; Chairman, Governing Board, Education Trust Fund; State Commissioners of Education; Permanent Secretary, Federal Ministry of Education (Secretary).* At the moment most of these positions are occupied by men. There is a need to insert a general clause that can ensure the achievement of gender parity in membership of such a committee for it to be in alignment with the aspirations of the NSF.

Implementation Strategies

The implementation strategies include Planning; Capacity Building; Partnership and Collaboration; Monitoring and Evaluation; Advocacy and Resource Mobilization; Research and Knowledge Sharing

In relation to planning, the policy has been backed up with an implementation guideline. It is worthy of note that neither the policy nor its implementation guidelines reflect attention to gender and human rights sensitivity in the kind of capacity building programme that will be made available to the different categories of beneficiaries of the capacity building programmes being promoted by the policy. For the policy to be seen to align with the objectives of the NSF, it would be necessary for gender and human rights concerns to be mainstreamed into such capacity building programmes in order to further strengthen the engendering process of the education sector.

Funding mechanisms

As laudable as the policy looks, its sustainability mechanisms are weak. The main source of funds for implementing the policy is from government. Government

state clearly steps that the sector will take in addressing the gap. The same thing should have been done in relation to the issue of attrition rate of teachers in schools.

Justification for the Policy

The recognition of the need to have a standard practice to guide the actions of institutions in the sector, in relation to HIV/AIDS is a positive step towards the promotion of human rights and support for the implementation of the NSF. This section demonstrates the dire need for the policy. An observed gap in the articulated issues that justify the need for an education sector HIV/AIDS policy is the information needs of HIV positive students in tertiary institutions. Some of them grew up with the infection and are now in the ages of decision making in relation to having sexual partners or even entering into marital relationships. Their information needs transcend HIV prevention as articulated in the policy. There is a need for policy direction on how to understand their needs and how to effectively address them within the sector.

Policy Process

This section documents the process that led to the development of the policy which was said to be highly participatory. Broad consultation with and participation of stakeholders is critical for ensuring that they take ownership and also to ensure the emergence of a people-centred policy.

Policy Framework

Some of the principles that guided the development of the policy are:

- recognition of HIV/AIDS as a development and workplace issue;
- non-stigma and non-discrimination in recruitment, employment, admission and termination;
- gender sensitivity, equity and responsiveness;
- respect of fundamental human rights of all people
- greater involvement of people living with HIV/AIDS;
- partnership and involvement of CSOs, FBOs and the private sector.

These and other principles articulated in the section align with the objectives of NSF.

One of the principles however needs to be better broken down in order for it to be

Healthful School Environment

Ensuring a healthful school environment is critical to the achievement of gender equality in education. Many parents have been found to deny their children (especially girls) the opportunity to go to school because of the lack of confidence that they have in school authorities to provide necessary security for the safety of their children as well as the absence of adequate sanitary condition in schools among other factors.

School Feeding Services

The school feeding initiative has also been found to encourage very poor parents who form a good proportion of parents who would prefer to send a boy to school instead of a girl should they have to make a choice. Reports have also shown an increase in enrolment rates because of the introduction of school feeding services in some public schools

.The policy is considered to be highly supportive of the right to education because of its focus on the provision of services that often serve as barriers to people's access to education especially at the lower level. Ensuring that children are able to access education in a friendly environment is a major step in reversing the trends of HIV/AIDS. HIV/AIDS education is one of the core components of the skill-based Health Education Curriculum. Research has shown that HIV/AIDS education taught in schools is highly effective in improving students' knowledge, skills and behavioural intention, and can delay initiation of sex (IIEP, 2003).

Skilled Based Health Education

The School Health Policy seeks among other things '*to promote the development of sound health knowledge, attitudes, skills and practices among the learners.* Acquiring knowledge and appropriate and practical health related life skills are critical to the prevention of HIV/AIDS. This aspect of the policy is in alignment with the objectives of the NSF as it covers a broad range of topics including personal health, HIV/AIDS, Family life education, maternal and child health, nutrition, etc.

There is also no specific objective directed at addressing the problem of sexual harassment and other forms of sexual abuse in the school environment making the school environment safe for teachers and learners is critical to addressing the problem of HIV/AIDS especially in the education sector.

Scope of Application

The scope of the policy is in support of the NSF as it covers all institutions of learning be they government or privately owned ones.

Commitments

The policy is adjudged to align with the NSF and other policies and laws of Nigeria. This section highlights the linkage of the policy to other related national laws and policies such as the Child's Rights Acts, the National Policy on Education and the National Policy on HIV/AIDS.

Policy Thematic Areas

The policy aligns with the NSF as its thematic areas are some of those addressed by the NSF. They include issues around Prevention of HIV/AIDS; Reduction of Stigma and discrimination; Treatment, Care and Support; Orphans and Vulnerable Children; Gender Rights and Ethics and Programme management and Development. Presentation of most of the different thematic areas was grounded within the context of gender and human rights concerns. For instance prevention efforts will involve providing staff with adequate information that will take into account gender-specific risk factors for HIV/AIDS as well as issues of gender based violence towards achieving attitudinal and behavioural change. The policy also talks about the plan to produce and distribute Family Life and HIV & AIDS Education Curriculum. The comprehensive curriculum covers issues such as human development, personal skills, HIV infection, relationship and society and culture. The section on recruitment, Employment, Admission and Termination promotes the rights of infected and affected persons as it frowns against compulsory testing, indirect screening methods and discrimination of any sort against positive learners or workers.

Strategies

The section provides corresponding strategies for addressing the highlighted thematic issues. The strategies were also found to be driven by concerns for the human rights of people. In the area of Voluntary Counselling and Testing, the policy promotes the maintenance of confidentiality in the handling of all medical, including HIV related information. The policy seeks to protect learners and workers against stigmatization and discrimination. In the area of gender rights and ethics the policy seeks to address the problem of negative stereotypes around roles especially as it concerns caring for the sick and HIV infected persons. The policy however does not make a link here with the need to engender teaching curriculum at all levels. Although the policy on Gender in Basic Education addresses this issue, there is a need for sectoral policies to be linked in order to avoid gaps in implementation.

Counselling, Grievances and Disciplinary Procedures

The policy also puts in place a mechanism for ensuring that its provisions are well implemented. Aggrieved persons can explore the use of existing work-place grievance settlement processes or seek legal redress where such systems have failed. It also allows an aggrieved person to seek redress through legal representatives. This is a highly progressive provision. It is adjudged to be highly supportive of the NSF as it gives full consideration for the rights of a positive person.

Responsibility for Implementation

In order to ensure that the policy is not another one for the shelf, the HIV/AIDS units of the Federal and State Ministries of Education and their parastatals were given full responsibility for its implementation. Unfortunately, this is not enough to guarantee proper implementation. The issue of capacity for effective and efficient implementation is there, there is also the issue of resources and political will etc.

NATIONAL SCHOOL HEALTH POLICY (2006)

The National School Health Policy is one of the components of the programme “Focusing Resources on Effective School Health (FRESH)”. The goals of the school health policy are to:

- Enhance the quality of health in the school community
- create an enabling environment for inter-sectoral partnership in the promotion of child friendly school environment, for teaching and learning and health development

The specific policy objectives are to:

- Provide the necessary legal framework for mobilization of support for the implementation of the school health programme
- Set up machinery for the co-ordination of community efforts with those of government and non-governmental organizations towards the promotion of child friendly school environments
- Guide the provision of appropriate professional services in schools by stakeholders for the implementation of the school health programme
- Promote the teaching of skill-based health education
- Facilitate effective monitoring and evaluation of the school health programme
- Set up modalities for the sustainability of the school health programme

Introduction

The introductory part of the policy recognizes education and health as basic rights as it sees the school health programme as one of the strategies for achieving the Health for All Declaration (HFA) as well as the education and health related goals of the Millennium Development Goals (MDGs). Recognising and supporting the actualization of individual and collective rights is a major step towards achieving gender equality.

School Health Programme

The scope of the School Health Programme covers Healthful School Environment, School Feeding Services, Skills based Health Education; School Health Services and School Home and Community relationships.

highly gender sensitive greater involvement of people living with HIV/AIDS. This would be better written as greater involvement of groups of people living with HIV/AIDS. The point must be made that different groups of people living with HIV/AIDS have diverse issues affecting them and they may not be common among the different groups. For instance, women and men have different issues. Women with disability have issues that are different from the issues of men with disability. Issues of people who acquired the infection at adult age are different from the issues of those who were born with it. Having more 'groups of people' involved is therefore considered more gender sensitive than having 'more people'.

Goals of the Policy

The goals of the policy are very smart and focused. However they can be made to be more gender sensitive by being a bit specific about the groups of people whose issues it seeks to address. For instance, the first goal is to prevent transmission of HIV/AIDS and other sexually transmitted infections. It does not state the groups of people it seeks to focus on.

Human rights concerns informed the development of the policy goals as it specifically aims to protect and support vulnerable groups.

Specific Objectives

The specific objectives are to: promote awareness and education on HIV & AIDS and other sexually transmitted infections; develop strategies and interventions that support behavioural change; create supportive work and learning environment for infected and affected staff and learners and provide a workplace environment devoid of stigma and discrimination on the basis of real or perceived HIV status, or vulnerability to HIV infection.

The objectives can be made more gender sensitive by having specific objectives that address the information and service needs of different groups of people especially those with diverse forms of people. In view of the high level of exclusion that they experience in planning and programming, it is essential to specifically mention their issues on policy formulation.

School health Services

This component of the policy covers both preventive and curative services. Access to health care services in Nigeria is generally adjudged low. Many communities spread across the country do not have access to basic health care services provided by a health professional in a modern clinic. The provision of this service in schools is bound to increase people's access to health care services across the country. It can also help to increase knowledge of HIV status as well as early detection of diseases among children. For this section of the policy to be seen to align with gender equality and human rights concerns of the NSF, it would be necessary for it to address basic issues around adolescent reproductive health.

School, home and community relationship health

The school health policy seeks to foster cooperation among parents, communities and other institutions of learning. It encourages home visit by teachers and school visit by parents. Active participation of schools in community outreaches and communities in school health programmes can go a long way in enhancing access to educational opportunities for disadvantaged children in different communities and ultimately contribute to the gender and human rights concerns of the NSF.

Institutional Framework

The multi-sectoral approach is adopted for the implementation of the school health programme. This is in line with the NSF, the implementation of which is also through the multi-sectoral approach. This approach reinforces recognition of the rights of individuals and the need for collective efforts in order for such rights to be actualised. This section clearly states the roles of all institutions that are relevant to the implementation of the policy.

The section also sets up a series of committees (nine) that are to be constituted at the national, state, local government and school levels towards the successful implementation of the policy. It would seem that the achievement of gender parity in the membership of the committees was not given a serious consideration in determining such members. Membership of all the committees is based on occupation of certain key positions at different levels. For instance members of the

NATIONAL POLICY ON HIV/AIDS FOR THE EDUCATION SECTOR IN NIGERIA (2005)

The National Policy on HIV/AIDS for the Education Sector in Nigeria (2005) is a major support for the realization of the objectives of the NSF. It is designed with an understanding of the issues that drive the epidemic. The policy recognizes that women are more infected and affected than men due to gender inequalities. The policy is divided into 8 sections: Introduction; Impact on the Supply, Demand and Quality of Education; Justification for the Policy; Policy Process; Policy Framework; Thematic Areas; Strategies; Counselling; Grievances and Disciplinary Procedures and Responsibility for Implementation.

Introduction

The introductory part presents statistics on the epidemic in Nigeria which shows clearly that women are more vulnerable than men. The section traced the history of the epidemic in Nigeria and highlights the fact that the impact of the epidemic is mostly felt in the areas of violation of rights of infected and affected persons; supply and demand for labour; loss of valuable skills and experience; increase in the number of OVCs; threat to occupational safety and investment; gender inequalities and increased burden on women who bear the brunt of the epidemic. A good understanding of the dimensions of the disease is a major step towards effective and efficient intervention.

Impact on the supply, demand and quality of education

The impact recognized by the policy includes a reduction in efficiency and productivity owing to illness and absenteeism; depletion of student-teacher populations; increase in teacher demand and reduction in teacher supply; increase in school dropouts and reduction in access to education.

Statistics provided in this section predicts an annual increase in teacher attrition rate of over 3%. Unfortunately this revelation did not inform policy direction on how the education sector will address this dreadful gap. This is opposed to the step taken in relation to the issue of OVCs. The section recognizes the fact that Nigeria has the highest burden of OVCs in West Africa and went ahead in the section on strategies to

funding to the education sector over the years has been extremely low compared to the enormous needs of the sector. Reliance on resources from budgetary allocation through the '*ministries of Education and other relevant ministries, agencies and parastatals at all levels*' for a successful implementation of the policy may mean doom for the policy, even though these should ordinarily be the main source of financing the policy. Although donor support is also listed as one of the sources of funding for implementing the policy, from available evidence donor support are often not large enough to spread round the country even though it bridges remarkable gaps.

- The Gifted and Talented

Some words can either motivate or demoralise an individual or group of persons. The use of the term 'Disabled' is considered dehumanising and disempowering. These groups of people are better referred to as 'the physically challenged'.

The policy seeks among other things to '*provide adequate education for all people with special needs in order that they may fully contribute their own quota to the development of the nation*'. It also seeks to provide opportunities for the exceptionally gifted and talented to develop their talents. There is an assumption in this aspiration that by seeking to '*provide adequate education for all people with special needs*' will effectively address the needs of boys and girls equally. Physically challenged children and those with special needs, especially females have been found to be vulnerable to sexual abuse which is a predisposing factor to HIV infection. Unfortunately, the policy does not address the needs of the female physically challenged children in this regard. It is important for the policy to seek to align with the principles of the NSF by ensuring that learning environments are safe for all users including children with special needs.

Furthermore, the policy also needs to support the realisation of the NSF by addressing the information needs of people with special needs towards promoting their sexual rights.

Educational Services

This is the arm of the education administration that facilitates the implementation of the education policy by ensuring that policy goals are realised and the education system functions effectively.

The goals of the education services do not express sensitivity to gender equality. Although it seeks to develop, assess and improve educational programmes, it does not state the direction in which such improvement would be channelled.

This section also makes provision for the development of a monitoring and evaluation machinery for the implementation of the NPE it will be necessary for any

develop and promote Nigerian languages, art and culture in the context of the world's culture. The assumption here is that there is a homogenous Nigerian culture. The popular culture especially in the context of the relationship between men and women is that which portrays women and girls as having a lower status than their male counterparts. This popular and all-be-it negative culture has been recognised as such by the international community (see international conventions on the promotion of women's rights and gender equality. It is also one of the development issues that the 3rd MDGs seeks to address). The Nigerian government has also taken up the challenge of changing the culture of portraying women and girls as having a lower status than their male counterparts by developing a national gender policy which currently seeks to engender the education sector. The NPE needs to give a clear direction on the kind of culture it wants to promote.

Mass Literacy, Adult and Non-formal Education

Development of policy and negotiations with international agencies in relation to support for mass literacy, adult and non-formal education comes under the full control of the Federal Ministry of Education. One of the goals of mass literacy, adult and non-formal education is the provision of functional literacy and continuing education for adults and youths who have either never been to school or those who dropped out of school. This section of the policy is gender sensitive as it recognises the fact that some people are disadvantaged and that different groups of people have special needs. In order for this sensitivity to be relevant and supportive of the fight against AIDS, there is a need to expand the goals of mass literacy, adult and non-formal education to respond to the challenges of present day. It is obvious that this form of education is designed to reach a large percentage of the population in view of the fact that the overall illiteracy rate which was put at 33% as at 2000 is still considerably high. There are more illiterate women (44%) than men (UNESCO, 2000). The educational sector has to take advantage of the large audience of this level of education to support the realisation of the objectives of the NSF. The policy needs to go a bit further in its implementation strategy to ensure that there are special measures for reaching women and indicators for measuring the level of reach by sex. This is to ensure that the gender gap among this group of people in the society

backed by a policy direction that promotes access to quality education. Research reports have shown that even where children go to school, the quality of education is often far from optimal. 'Children may attend but still not achieve literacy' (Hyde and Miske, 2000).

Failure to ensure quality of education will mean having young people who have completed basic education without having any knowledge and skills to justify the number of years spent in school. This can further discourage parents and guardians from sending young people to school and therefore mar efforts of a successful implementation of the policy. The long run effect is that the policy would not have impacted the implementation of the NSF positively.

Integration and Mainstreaming Issues

Addressing gender issues for the purpose of achieving positive change requires sensitivity to individual and collective sensibilities. This section of the policy seeks to integrate subjects and courses offered in basic education into non-formal Islamic education particularly in Northern States. The fact that anti-west sentiments are very strong especially in the Northern parts of Nigeria is undisputable. The use of the term 'Western Education' in this section of the policy is therefore considered inappropriate as it might make implementation of such a laudable programme a difficult task in view of possible opposition. There is a need to change the language to a more acceptable one.

Capacity Building in Gender Mainstreaming in the Basic Education Sector

This section limits the building of capacity of teachers on gender issues to personnel in the Basic Education sector. Promoting gender equality in education calls for the training of all personnel at all levels of education in gender issues. Being gender sensitive requires consistent and sustained exposure to gender issues, therefore, ensuring that all Nigerians passing through the education system irrespective of level continue to appreciate gender issues and concerns at every stage is critical. For the education sector to make any meaningful impact on the HIV/AIDS National Response System, personnel at all levels of education in the country should acquire necessary skills and knowledge.

Gender Sensitive Education Budgets

Making provision for budgetary allocation towards proper implementation of the policy's aspirations is a laudable provision in the policy as the lack of resources has been found to mar the successful implementation of many gender programmes in different parts of world. A shortcoming of this provision is however in relation to its narrow focus on only increasing access to basic girl child education in some parts of the country without addressing the special needs of boys in some disadvantaged locations. Studies have shown that gender gaps that favour girls to the detriment of boys also exist in some parts of the country. Failure to pay adequate attention to such a problem amounts to a lack of respect for the rights of such boys to education. There is need to review the policy in order for it to address male disadvantages in view of the fact that it is supposed to be a gender policy and not a girl child education policy.

Training and Supply of Female Teachers to Schools in Rural Areas

One of the reasons for which girls are not to be allowed to go to school especially in the rural areas is the non-availability of female teachers. Addressing this need as articulated in the policy will boost the confidence of parents and enhance their support for female education. This must also, however, be done carefully in order to ensure that qualified teachers are posted to schools. The need for access to quality education should not be compromised by the desire to have female teachers available in rural areas. The implication of this is to have girls who have gone through school but are unable to go any further than basic education and also not so different from those that are not educated. The danger of this is to continue to have wide gender gap among people holding public offices to the detriment of women. This may in turn impact the HIV/AIDS response negatively in terms of not having adequate number of women involved in decision making and programming around HIV/AIDS and other reproductive health issues.

Incentive for Girls

Being a gender policy, this section could be more gender sensitive if it creates incentives for boys too in areas where boys experience disadvantages. Incentives for increasing boys' and girls' access to education should also be designed for parents and guardians in view of the fact that the decision not to go to school is often taken

- higher education

Useful living can mean anything. There seems to be an assumption here that there is a common standard for articulating and measuring what entails 'useful living' within the society. Experience has shown that even when women are marginalised from actively participating in decision making on issues that affect their lives as well as those of their communities, as far as they are able to perform their reproductive roles, they are adjudged by the society to have a 'useful and successful life'. This section of the policy needs to be better couched to articulate a desire to raise future female and male leaders that are able to imbibe a culture of respect for fellow beings, participate actively in the development of their communities and well equipped to face the challenges of present day life.

In specific terms, section 5(22) (b) of the policy seeks to offer diversified curriculum to cater for the differences in talents, opportunities and future roles of young people. The issue of 'future roles' has implication for gender equality. Research has shown that the differences in roles of women and men as structured by the society limit the opportunity of women and girls to attain their full potentials and contribute meaningfully to the development of the nation. The curricula of Nigerian schools at present have been found to promote gender inequality in their teaching of roles of the two sexes which in itself is one of the major factors that drives the epidemic. The gender dimensions of the epidemic are highly recognised by the NSF and it is important for all other policies including the NPE to be reviewed to align with it in order to ensure that the educational sector plays its role of creating access to information that can promote respect for the rights of women and girls towards achieving a long term effect of reducing women and girls' vulnerability to HIV/AIDS. It is necessary to improve upon this section of the policy to read disciplines instead of roles. An entry point for getting this form of information to secondary school students is through one of the core subjects that both junior and senior secondary schools are expected to take such as, social studies and citizenship education at junior secondary schools and Biology or Health Science at the senior secondary level. Section 22 (d), the fourth specific objective for secondary school education seeks to

Girls Scholarship and Second Chance Education Programme for Junior Secondary

Special measures such as provision of scholarship schemes for encouraging girls to go to school is a critical step in bridging the gender gap in retention rates. However, because a similar problem does exist in retention for boys in some parts of the country, there is a need to extend such incentive to boys in affected areas especially in the South-East. This will promote consistency in the provisions of the policy. For instance, addressing the needs of boys in this section will enhance alignment with section 4.7 of the policy and ultimately support the proper implementation of the NSF since schools have been found to be a good and viable place for teaching young people comprehensive HIV/AIDS education.

Girl Child Encouragement Clubs

The idea of establishing girl child encouragement clubs will impact positively on the lives of girls; however, empowering girls without providing corresponding support for boys will eventually have negative implications for the lives of girls and may mar efforts at reversing the spread of HIV infection. Protecting the reproductive health of young people requires that boys and girls have access to adequate, quality and age relevant information on family life education.

Reproductive Health Education

This provision of the policy is highly instrumental to the successful implementation of the NSF if properly implemented. When young people are exposed to comprehensive reproductive health information, they are often able to take control of their lives by making informed decisions.

Advocacy, Sensitization and Mobilization

This section of the policy does not reflect the Federal Government provision on compulsory education. The Child Rights Act makes it a crime for any parent or guardian to deny a child the opportunity of going to school. Advocacy and sensitization efforts prescribed by this section should be made to stress this position. This section of the policy should be framed based on a rights based perspective. In other words, the basic right to education of every child should form the basis of this provision. Doing this will mean government taking necessary and stringent

perpetuate women's disempowerment

The policy recognises that the overall philosophy and goal of the nation is to 'live in unity and harmony as one indivisible, indissoluble, democratic and sovereign nation founded on the principles of freedom, equality and justice'. These are basic principles necessary for the realisation of gender equality. However, articulating them at the beginning of a policy statement without corresponding strategies in its subsequent sections in order to ensure that they become a reality in the lives of the citizens leaves the expression of belief in these principles at the level of rhetoric.

Early Childhood/Pre-primary Education and Basic Education

The NPE addresses the needs of children of pre and primary school ages. One of the goals of education at this stage as articulated by the policy is to inculcate social norms (section 13(d) in children of pre-school age. Some social norms as we know today are highly discriminatory against girls and women. In order for the NPE to be seen to align with the spirit of the NSF and policies that are linked to it, this section of the education policy needs to be specific about the kind of social norms that pre-primary school children should be exposed to. Progressive social norms that children should learn are those that promote respect for the human rights of women, men, boys and girls and those that project both sexes as equal beings and partners in the development of their society.

Basic education on the other hand is defined by the policy to mean six years of primary education and three years of junior secondary education. It also includes adult and non-formal education programmes at primary and junior secondary school education levels for adults and out-of-school youths. The policy articulates eight goals for the education of children between ages of 6 and 11 of which none expresses commitment to the use of this level of education as a foundation for developing children that will transform Nigeria as a just and equitable society. None of the goals seeks to promote the appreciation of gender equality principles and respect for human rights among children.

The third goal of this level of education aspires to 'give citizenship education as a

Capacity Building for Inspectorate in Gender Mainstreaming

The provision of this section aligns with objectives 3 and 5 of the NSF as well as the National Gender Policy. There is a need for strong collaboration between the Federal Ministry of Education and the Federal Ministry of Women Affairs in this area in order to promote standardization as well as to avoid duplication of efforts.

In-built Monitoring and Evaluation in Project Designs, Impact Studies and Mid-Term Reviews and 5-yearly Evaluation

In order for the Monitoring and Evaluation component of the policy to accelerate achievement of the policy goals, there is the need for the development of a monitoring framework that can ensure the measurement of gender equality results. It is also important to state how regularly such information/data would be required from all stakeholders.

EDUCATION SECTOR

The four policies reviewed in the education sector are the National Policy on Education 4th Edition (2004) (NPE), the National Policy on HIV & AIDS for the Education Sector in Nigeria (2005), the National School Health Policy (2006) and the National Policy on Gender in Basic Education (2007).

FEDERAL REPUBLIC OF NIGERIA NATIONAL POLICY ON EDUCATION, 4TH EDITION (2004)

The introductory section of the National Policy on Education states clearly the philosophy and objectives that underlie government's investments in education. It is pertinent to note that prior to the formulation of the 2004 policy, Nigeria has had three national education policies, the first being that of 1977. The changes in policy were necessitated by the dynamics of social change and the demands on education which the policy articulates as follows:

- the lifting of the suspension order on Open and Distance Learning Programme by Government;
- revitalization and expansion of the National Mathematical Centre;
- establishment of Teachers Registration Council (TRC);
- introduction of Information and Communication Technology (ICT) into the school system;
- prescription of French Language in the primary and secondary school curriculum as a second official language;
- prescription of minimum number of subjects to be taken by SSCE candidates;
- the integration of basic education in the programme of Quranic schools, to ensure equal opportunity and effective implementation of UBE;
- repositioning science, technical and vocational education in the scheme of national education for optimum performance and;
- general contextual change to reflect the state of professional practice in education, among others. Interestingly, the critical issues that informed the emergence of the 2004 policy (policy under review) do not include gender

reads 'We are therefore at a point where we need to improve the health of Nigerians not only to break the vicious circle of ill-health, poverty and a low level of development but to convert it to a virtuous circle of improved health status, increased wellbeing and sustainable development'. Though not explicitly spelt out, the mention of poverty and the quest for increased wellbeing and sustainable development demonstrate a commitment to promote health as a human right. The same commitments are expressed in Chapter 2 of the 1999 Federal Constitution of Nigeria and the African Charter on Human and People's Rights which state that all citizens have a right to the highest attainable standards of physical and mental health. By extrapolation, the policy expresses concern for the poor. The poor are usually marginalized and lack access to healthcare. The policy creates an enabling environment for the implementation of the NSF since poverty is linked with vulnerability to HIV as well as access to services. Pro-poor strategies are required to create access for the very poor, majority of whom are women. Objective 8 of the NSF seeks to improve the policy environment (policies, guidelines, legislations) that supports the rights of women and the general population, particularly that of People Living with HIV/AIDS (PLWHA).

Underlying Principles

The policy lists 8 underlining principles and values. The first principle mentions social justice and equity which when applied correctly have great potentials to promote human rights and close gender gaps. Social justice refers to the belief that every individual and group is entitled to fair and equal rights and participation in social, educational, and economic opportunities³. Equity suggests fairness and the affirmative action strategies proposed in the NSF can be achieved within the framework of the National Health Policy.

The second principle states that health and access to quality and affordable healthcare is a human right. Further, Principle 3 reiterates that *equity in health care and in health for all Nigerians is a goal to be pursued*. Both principles 2 and 3 provide

³www.scottishmuseums.org.uk/about/glossary_terms/S.asp

sector. It identifies gender equality concerns as central to achieving the objectives of the policy. Also, a core guiding principle of the draft workplace policy is premised on the fundamental principles of human rights, social justice, gender equity, equality and sensitivity amongst others. However, the failure of the objectives to provide a direct correlation with human rights and gender equality creates a disconnect in the presentation of the policy.

Target Groups and Policy Targets

The policy has the following as target groups: Crop farmers, Livestock farmers and pastoralists, Fisher folks, Agro processors and marketers, Farm input marketers and manufacturers, all staff/students in the agricultural sector and all rural dwellers. There is no differentiation in the social grouping of target groups so as to identify the most vulnerable which is critical to the development of effective strategies and programmes

Also, the major target of the sector's policy on HIV/AIDS, which is to achieve at least 10% reduction in HIV/AIDS prevalence rate every five years dovetails into the objectives of the NSF but also needs to be made operational by defined gender sensitive strategies to encourage gender balanced targeting.

Policy Strategies

Some of the proposed policy strategies are: Advocacy for mainstreaming HIV/AIDS concerns into regular/scheduled programmes of the sector; Integration of HIV/AIDS prevention and care issues into the curricula of colleges of agriculture and other in-service training programmes; regular and/or periodic sensitization of staff of the sector and clients on HIV prevention, care and control and encouragement of modest dressing of all stakeholders in the sector to avoid indecent behaviour. The strategies include prevention and care issues. These are issues of critical concerns for women. The policy however does not indicate what form the implementation will take.

In conclusion, the analysis of the Draft Agricultural Sector Workplace Policy on HIV/AIDS reveals that the policy document did not take into consideration the issue of gender and human rights in some of its components. Despite the fact that the policy in its guiding principle reflects that it is premised on the fundamental

(MDG 3). Studies have shown that maternal mortality reduces the survival rate of infants. Empowered and educated women raise healthier families and are more receptive to reproductive health information including HIV prevention, anti-retroviral therapy, malaria and TB prevention strategies etc. MDG 6 commits to halving and beginning to reverse the spread of HIV/AIDS by 2015. The NSF represents a National effort towards distilling this target into actionable points. The NSF clearly spells out roles and responsibilities of its State and Local Government equivalents, SACAs and LACAs. It also defines roles for partners in the public, private sectors and civil society. Both the National Health Policy and the NSF provide the right environment and direction for States to align HIV-related policies with the principles of human rights, equity and justice in the HIV/AIDS response. States need to urgently articulate their inputs towards realizing MDG 6 and the Objectives of the NSF from gender and human rights perspective.

National Health System and Management

Section 3.1 under Chapter 3 uses gender neutral language like - guaranteed minimum health care package for all Nigerians shall be the mobilizing target. Also, section 3.2 - Health System Based on Primary Health Care - is basically generic and gender neutral but point number 4 under the same section focuses on maternal and child healthcare. The reference to vulnerable groups - women and children is significant. Women and children are often more vulnerable to human rights abuse. Maternal health problems often arise from restricted access to healthcare services due to women's low socio-cultural and economic status in patriarchal societies. They may also arise due to gender-based violence against women and girls. HIV/AIDS contributes significantly to maternal and child mortality. The section does not however articulate clear strategies to tackle human rights abuses or inequalities arising from these. All the strategies are generic and gender blind.

The section mentions *family planning services offered to couples*. The subject of family planning connotes choice, a basic human right. Offering family planning services to couples demonstrates recognition of couples' right to information and the right to decide responsively whether or when to have children and how many.

the prevailing socio-cultural discrimination against them. As a result, it makes an effort to articulate specific strategies to mainstream gender concerns into the development and operation of cooperative societies. It posits that:

- The cooperative movement shall be supported through the Federal Ministry of Women's Affairs and Social Development to further promote the organization of women cooperative groups, in addition to those registered under the Better Life (BLP), Family Support Programme (FSP) and Family Economic Empowerment Programme (FEAP).
- The cooperative movement shall facilitate the integration of women into the mainstream cooperative activities from the lowest to the highest level through affirmative action by making it mandatory for cooperative bye-laws to reserve some key leadership positions to be contested exclusively by women.
- All legislation that is gender discriminatory in both state and national cooperative laws and statutes would be repealed.

These measures are commendable and if implemented effectively would go a long way in preventing the violation of human rights of women and ensuring their right to employment and viable livelihoods. The Federal Ministry of Women's Affairs and Social Development is expected to provide leadership in promoting women's cooperatives and also facilitating the integration of women into the mainstream cooperative activities through affirmative measures. This presupposes that the Ministry must have the necessary capacity to be able to effectively deliver on this. The issue of capacity strengthening is critical if the Ministry would be able to implement its identified role.

unless this commitment to make budgets relevant for all entities in a country is clearly stated, the likelihood is that important issues relating to women, children or men will be excluded. The National Health Policy does not make any categorical statements that show commitment to gender budgeting. Governments need to open up budgeting processes especially with regards to health issues and HIV/AIDS so that important issues pertaining to vulnerable groups including PLWHAs are not excluded. Development of a resource framework to ensure equitable distribution and targeting of resources at the Federal and State levels cannot be over-emphasized.

Under section 3.14, the composition of the National Primary Health Care Development Agency (NPHCDA) does not mention adequate representation of all constituencies including women. It also mentions a part-time *Chairman*. Affirmative action for women in appointive positions will help redress several years of gender inequality and bring women's issues to the fore. The composition emphasizes geo-political representation but not gender representation. The language 'Chairman' connotes the stereotypic male leadership. The language of the National Health Policy needs to be moderated and engendered to promote women's participation and facilitate their entry into leadership positions. In order to create an enabling environment for the implementation of the NSF with regards to gender equality and human rights, complementary programmes that strengthen women's leadership and life skills are required. Mechanisms to track HIV/AIDS spending levels also need to be put in place.

Under section 3.20, which deals with State Primary Health Care Management Boards, the nomenclature Chairman is used again. There is the need to emphasize gender representation on Management Boards. Points (iii) and (iv) under section 3.22 of Chapter 3 both recommend the appointment of one representative of women in the Area Council. Female representation is mentioned here. This is a step in the right direction and could ensure that women's issues are placed on the agenda. The NSF recognizes that women living with HIV/AIDS have peculiar issues that require sustained advocacy to ensure that they are mainstreamed in decision

especially in objective (f) which states thus - "*ensuring that cooperatives are not treated on less than equal terms with other forms of private business*" While some inferences are made to issues relating to the concerns of women and men, these are however couched in generalized language that does not show any specific targeting of any group. The achievement of the objectives may be realized even without reflecting gender equality results in view of the generalized nature of the goals and objectives, the interpretation of which seems to be entirely at the instance of implementers who may not be gender sensitive.

Thematic Areas

The Cooperative Development Policy recognizes that agricultural cooperatives form the largest number of societies and membership in Nigeria. Studies have shown that women constitute about 70 percent of agricultural workers through their contribution in subsistence farming and cash crop production. Majority of agricultural production takes place in the rural areas where most of the poor reside especially women. Some of the specific strategies designed under this thematic area of focus include information and training, using farmers cooperatives to achieve increased production of food, fibre and other industrial raw materials, farm produce and other commodities, formation of agricultural committees to collate and summarize the requirements for inputs such as fertilizers, herbicides, pesticides etc. However, there is a need to identify specific modalities of implementation so that women and men's concerns are visible and taken care of in the process of implementation. For instance, in the training and information initiative, there is need for development of criteria to ensure that women and men benefit. This is necessary since women have continually experienced marginalization and discrimination in access and participation in agricultural training and information, extension services and inputs. Also there is a need to assure gender sensitive formulation of committees to ensure that women and men who are essentially sensitized become members in this committee so that their concerns are effectively articulated and mainstreamed into plans, activities and programmes. This will go a long way in fulfilling human rights principles of participation, equality and non-discrimination.

NATIONAL POLICY ON HIV/AIDS/STIS CONTROL, 1997

The policy does not provide sex-disaggregated data on HIV prevalence. Thus, at a glance, one cannot tell whether women or men bear the highest burden. It however highlights important factors that could limit the achievement of the National Response to HIV/AIDS. These include socio-cultural barriers to proven HIV/AIDS preventive methods, the “subjugation and subordination” of women in the country, a lack of appropriate sex/family life education available in social and educational institutions, the high prevalence and poor treatment practices for sexually transmitted infections, lack of access to effective treatment among others. Ideally, recognition of the fact that women are subjugated and subordinated to men should inform programme development. The clause is supportive of the NSF but does not translate into overall commitment to addressing gender equality in the rest of the document. Other parameters identified and mentioned in this section especially *family life information and access to effective treatment* have undertones lamenting the abuse of the rights to information and health services

Contextual Background

The differential vulnerability between the sexes, differential prevalence rate and differential impact of HIV/AIDS on men and women, boys and girls are not highlighted in this section. Also, the section lacks sex disaggregated data on HIV prevalence but provides age-disaggregated information on HIV/AIDS prevalence which shows that young people generally are the most at risk population in Nigeria. The fact that young girls are 3-4 times more vulnerable to infection than young boys is not mentioned. In addition, this section merely highlights mainly macro impacts on the health, social and economic sectors e.g. medical burden on the health system, strain of a large population of people infected and affected on the family and society, as well as the effect of the HIV/AIDS epidemic on government's achievement of various economic policies. The impact of HIV/AIDS on individual women, especially their burden of care is ignored. Also, the disadvantages that women face in all sectors social, economic and political are not highlighted. A gender and human rights sensitive diagnosis of the problem is required in order to plan programmes

COOPERATIVE DEVELOPMENT POLICY FOR NIGERIA, 2002

Policy Vision, Principles and Objectives

The preamble highlights the importance of developing a policy for cooperative development in Nigeria. It makes strategic references to the issues of lack of funding the capacity of the poor to seek to develop their human capital potentials to improve livelihoods and well-being. This section states unequivocally that the intent of the policy is to reduce mass poverty by increasing opportunities for the poor (who are majorly the ones involved in cooperatives) to take advantage of emerging markets and opportunities to contribute maximally to ensuring political and economic stability of Nigeria. Women form a majority of the poor in Nigeria and this increases their vulnerability to marginalization and discrimination in development spheres. However, the language of presentation of the vision of the policy as stated does not explicitly reflect a clear intent to specifically target women as a special group. This is especially so, as women are the majority in the informal sector and small scale enterprise production. Women also constitute the majority of members of cooperatives in Nigeria as they have come to use formation of cooperatives as a strategy to form collective power in order to improve access to resources. By increasing opportunities for people to come out of poverty, the vision of the policy which is “to promote members' entrepreneurial capacities so that they can generate adequate surpluses for themselves and create opportunities for economic progress for the public” is intended to create employment opportunities and raise the income of individuals and families.

Although poverty reduction is the primary focus of the policy, there is no use of gender disaggregated data to show the dimensions of poverty, the level of participation of women and men in cooperatives. By neglecting to do this, the policy runs the risk of building programmes on the erroneous development assumption that women and men will be equal beneficiaries of the outcomes of policy implementation.

By identifying poverty reduction among populations as a major issue, the policy

that *women are more vulnerable than men as poverty also decreases their ability to negotiate safer sex*. This clearly highlights the need to include life skills training - assertiveness and negotiation skills as well as income generation activities in interventions targeting women.

Still under the section on human rights, the National Policy on HIV/AIDS states that *Nigeria assigns a high priority to the care and support of persons infected and affected by the HIV epidemic*. It goes further to highlight the inability of the health system to cope with an imminent explosion of the epidemic and proposes the roll out of community based care as an essential continuum of care. The section can be sharpened by clearly highlighting women's disproportionate vulnerabilities and burden of care. There is the need to propose strategies that tend to alleviate women's care burden, including male involvement in home and community based care and access of caregivers to credit. The proposed amendments will further strengthen the framework for achieving NSF objectives 3, 4 and 8.

Guiding Principles

This section clearly state that “the policy will be based on the principles of human rights, social justice and equity”. These provide a window of opportunity for gender mainstreaming. This commitment does not however culminate in any deliberate move towards engendering the rest of the document.

Goals and Objectives

The goal of the policy is *to control the spread of HIV in Nigeria, to provide equitable care and support for those infected by HIV and to mitigate its impact to the point where it is no longer of public health, social and economic concern, such that all Nigerians will be able to achieve socially and economically productive lives free of the disease and its effects*. The goal statement is gender blind and does not articulate differential impact on men, women, girls and boys. Though the concept of equitable care and support connotes a commitment to ensuring that various groups benefit from HIV/AIDS programmes, there is need to explicitly spell this out so that programme implementers can mainstream gender equality and human rights perspectives in the programmes.

especially with regards to roles, status and access and control over resources. These have implications especially for the achievement of the gender equality objectives of the NSF. Women and men living positively with HIV/AIDS whose livelihoods are based on agricultural production at different levels will be affected by actions of the government on privatization. It is important that as states work to implement these policies, there should be efforts to implement the thematic area in a manner that accommodates the needs of women and men and not re-create and re-enforce gender inequalities.

Strategies and Activities

In delineating the roles of the tiers of government to ensure the implementation of the new agricultural policy thrust, the policy identifies different roles and responsibilities for the federal, state and local government authorities as well as the Private sectors. These include ensuring provision of general policy framework, rural infrastructural development, research and development, access to land, agricultural extension services, training and manpower development, improvement in marketing of agricultural commodities, availability and affordability of improved starter materials (seedlings, fingerlings, brood stock etc), agricultural improvement programmes (such as animal vaccines, water management, adaptive technology, agricultural development fund, service delivery activities, credit and micro-credit delivery; processing, storage, agro allied industry and rural enterprise development and export promotion of agricultural and agro-industrial products.

Specifically under the Agricultural Development Fund, the policy states that “*a minimum statutory allocation of 5% of the National Budget should be allocated to the agricultural sector. States and local governments should make adequate provision for the funding of agriculture in their annual budgets*” (pg 34). The policy further identified potential sources of funding but does not mention any mechanisms for monitoring or ensuring compliance with this directive and also does not provide for special targeting of disadvantaged groups as the focus of disbursement of the allocated funds. There is a need to encourage gender sensitive budgeting in the agricultural sector.

and his or her ability to access available treatment". A UNAIDS study revealed that programmes that mainstream a gender perspective maximize overall effectiveness. The National Policy on HIV/AIDS clearly needs to be reviewed to provide for gender equality in line with NSF. The NSF objectives speak to specific entities and require policy back-up to ensure that interventions are context specific and actually close the gender gaps.

Policy Strategies

The policy focuses on five strategic components: Prevention of HIV/AIDS; Law and Ethics; Care and Support; Communication; Programme Management and Development. Strategies listed under Prevention, include promotion of safer sexual behaviour, appropriate use of condoms, prevention of HIV/AIDS transmission through blood and blood products, voluntary counselling and testing, prevention of mother to child transmission, early diagnosis and effective treatment of sexually transmitted infections and adolescent and youth-focused interventions. Under promotion of Safer Sexual Behaviour, the policy highlights "Empowering women through education and legislation to protect them from unsafe sex". This is important since it addresses women's rights to information and education as well as protection of their rights to safer sex. The sub-strategy on condom use does not mention female condoms. Male condoms are effective but unless women can negotiate their use, we will have a situation that places women's vulnerability in the hands of men. The need to make a strong policy statement on making female condoms available at affordable rates is highlighted. Women often cannot negotiate safer sex. Even where female condoms are available, most women require permission of their spouses to use the female condom. In order to achieve the gender equality goals of the NSF, empowerment of women to negotiate safer sex is important. Men also need to be empowered to respect women's rights.

Under blood safety, the frequent needs of women for blood transfusion in pregnancy make their case different from those of men. On VCCT and PMTCT, the role of men in fuelling MTCT was not articulated. There is need to articulate the role of men in contributing to Mother to Child Transmission of HIV/AIDS to reduce stigma

recognizes some constraints that are likely to bedevil the successful implementation of the policy which include poor state of rural infrastructure, poor funding, lack of appropriate technology to reduce drudgery in agricultural production and processing activities, inadequate availability of inputs especially of improved seeds, seedlings, fingerlings, credit, fertilizers, agro-chemicals and farm machinery; poor targeting of beneficiaries resulting in the capture of government provided production incentives by unintended beneficiaries; weak agricultural extension delivery services resulting in ineffective dissemination of modern farming technologies and poor feedback mechanism for research to respond to farmers needs, low capacity of organized farmer groups in service delivery and inadequate database for policy formulation. Some of the factors identified differ in dimensions of their proportional effect on women and men in the agricultural sector, but with the obvious lack of differentiation with sex disaggregated data, it becomes very difficult for the policy implementation to target specific needs of women and men in the agricultural sector. For instance the reference to the low capacity of farmers groups is not reflective of any particular kind of farmers that the policy is referring to and in the degree of their disadvantage. However, it is interesting to note that problem of poor organization of farmers groups is one of the basis for the development of the Cooperative Development Policy of Nigeria.

The gender neutrality of the language of presentation also have implications for monitoring the impact of the policy to determine to what extent it has achieved its objectives especially for male and female agriculturists in the sector. Nonetheless, it is important to note that the policy identifies with some of the disadvantages women are faced with in this sector, even though it fails to provide an accurate picture of the degree of disadvantage for women and men.

In addition to the already identified constraints, the policy also recognizes the "neglect of gender considerations in programme implementation" as one of the major factors for the failure of effective implementation of agricultural policies. However, the policy document does not seem to adopt proactive gender sensitive strategies in the policy document to ensure that gender concerns are visible and

THE NATIONAL POLICY ON ADOLESCENT HEALTH, 1995

Goal

The goal simply states *to meet the health needs of adolescents*. Adolescents cannot be treated as a homogenous/monolithic group. Female and male adolescents have different health problems. There is need to articulate a commitment to the differential issues in order to close the generational gap between male and female adolescents. Female adolescents are more at risk of HIV infection than male adolescents. Their vulnerability factors include: anatomy of the female reproductive organ including its wide mucosal surface which makes for easy entry of the virus. Female adolescents face gender based violence that could result in HIV infection. Critical examples include rape or sexual coercion. Female adolescents are more likely to drop out of school to either generate additional income when the breadwinner for their families becomes ill or to provide care for their sick relatives. Early marriage and marriage to older men also fuel the transmission of HIV to young girls.

In order to provide an enabling environment for the achievement of the NSF, there is need to state clearly a commitment to gender-responsive programming in the policy goal.

Objectives -

The policy objectives are gender blind. Gender blind policies render the specific needs of females and males obscure.

Strategic Policy thrusts -

The strategies are generic with no specific commitment to the differential situations or needs of male and female adolescents.

Challenges of Implementing the Policy Frameworks

This review has identified clear gaps in health-related policy frameworks. The goals, objectives and strategies mostly do not adequately provide an enabling environment for the implementation of the NSF from a gender equality and human rights perspective. For many of the policies, the process of formulation lacked adequate participation by the poor and marginalized groups including women and youths. The

THE NEW AGRICULTURAL POLICY THRUST, 2001

The overriding importance of agriculture in socio-economic development of Nigeria makes it imperative that great emphasis must be placed in its growth and development. Consequently, over time agricultural development has been prosecuted on a slow and steady track barely meeting the gross domestic food needs of the populace. Constrained by changing national macro-policies and lack of gender considerations in programme implementation strategies of the agricultural policy, the first National Policy on Agriculture in 1988 evolved and was expected to be reviewed in the year 2000.

The New Agricultural Policy Thrust consists of the following broad sections:

- Executive Summary
- Policy Direction
- Stakeholders Role
- The Broad Policy Objectives
- The Features of the Policy
- Appraisal of Impact of the Agricultural Policy
- Constraints of Achievement of Policy Achievements

Preamble and Introduction

In the introduction and preamble, the policy articulates the aim of agricultural policies of the past and recognizes that failure can be adduced to the absence of gender considerations in programme development and inconsistencies in the implementation strategies of the micro-agricultural policies. It recognizes that success in implementation can be achieved through increased budgetary allocation to agriculture and rural development, improving incentives to agriculture and rural development and promoting increased application of modern technology to agricultural production. Ironically, the policy at this point also fails to address the gender dimensions within such thematic areas of consideration to enable appropriate targeting of vulnerable population and designing of effective interventions. However, the issues identified are relevant to the constraints that women encounter in agriculture in addition to the access and control over agricultural productive resources such as operational capital, labour, agricultural

HIV/AIDS is driven by socio-cultural and economic factors. The policy frameworks reviewed do not articulate adequate implementation strategies that seek to create access for the poor through subsidies, free health and educational services and income-generating activities. The link between HIV/AIDS, poverty and gender inequality calls for economic reforms, gender budgeting and gender impact assessment of public financial systems. While the policies seek to address needs of the general population, it is important to recognize that women and men have differential needs and vulnerabilities requiring gender-sensitive strategies to make meaningful impact. The policies reviewed do not challenge patriarchal constructs that marginalize women at all levels.

FINDINGS OF POLICY REVIEW EXERCISE

The findings of the review exercise are presented based on the three sectors from which the reviewed policies were selected Agriculture, Education and Health.

AGRICULTURE

Agriculture in Nigeria accounts for about one third of the gross domestic product and investment in this sector is said to be the key component of the emerging strategy for poverty reduction with the majority of agricultural produce coming from peasant farmers in the rural areas where women make up 70% of the agricultural workforce. However, the Nigerian HIV/AIDS profile reveals a higher level of HIV/AIDS prevalence in rural areas, where a large number of rural families have reduced agricultural workforce or have abandoned their farms due to HIV/AIDS.

It is likely that the AIDS epidemic will cause a major agricultural labour shortage in many countries, with 7 million agricultural workers already lost and at least 16 million who could die before 2020 in sub-Saharan Africa. A study in Namibia by the Food and Agriculture Organisation of the United Nations (FAO) showed that for all types of households in farming communities, AIDS death also meant the loss of productive resources through sale of livestock to pay for sickness, mourning and funeral expenses as well as a sharp decline in crop production (Commonwealth Secretariat 2002). Although the data on the impacts of HIV/AIDS on agriculture is limited, studies have shown that HIV/AIDS will have adverse effects on agriculture, including loss of labour supply and remittance income as stated in the above excerpt. The loss of a few workers at the crucial periods of planting and harvesting can significantly reduce the size of labour and the level of food production. Additionally, a loss of agricultural labour is likely to cause a switch to less labour intensive crops, which may mean a switch from export crops to food crops. As a result, foreign exchange earnings and general production would be disrupted. Thus the rural communities bear a disproportionate share of the burden of HIV/AIDS care as many urban dwellers go back to their villages of origin when they fall ill, where

CONCLUSION

The NSF 2005-2009 affirms commitment to gender equality and human rights protection by proposing specific gender-sensitive strategies and targets. This review was informed by the need for policy coherence between the NSF and other key sectoral policies.

The analysis of key policy documents revealed a huge gap in commitment to gender equality and human rights promotion and protection in some sectoral policies. Most of the goals, objectives and strategies of some of the policies reviewed are generic and gender blind. There is widespread consensus that for development and economic growth to impact people positively and improve their wellbeing, their differential situations must be taken into account in policy formulation, planning, budgeting and programme implementation. Engendering policies is inevitable if the trends of HIV/AIDS are to be reversed.

Women play a significant role at all the various stages of food production in developing countries, yet female farmers are often marginalized in the formulation of agricultural policies and strategies in many countries including Nigeria. In much of Sub-Saharan Africa, widows have virtually no land or inheritance rights, women receive less than 10 percent of all loans earmarked for the agricultural sector. The thrust of gender mainstreaming in HIV/AIDS programming is to ensure that overall, interventions are directed towards attaining positive impact that are equitable for both men/boys and women/girls. Gender and human right concerns should be recognized from the planning stage to the monitoring stage of any given programme. A better understanding of, and consequently, better approach to addressing the way HIV/AIDS affects women and men differently, will go a long way to ensure effective management and mitigation of HIV/AIDS in Nigeria.

In the education sector, a major set-back for the National Policy on Education is that it provides no policy direction for mainstreaming gender into the education sector at all levels. Although the National Policy on Gender in Basic Education seeks to bridge

people living with HIV/AIDS as factors fuelling the epidemic. Although, the policy does not show adequate commitment to gender equality, it shows strong commitments to the protection of human rights and legal reforms. It however needs to be updated with more specific information on the gender dimensions of HIV/AIDS and specific strategies that can bridge gender gaps. The National Policy on HIV/AIDS provides direction to sectoral/workplace policies and thus aligns with the NSF especially its 8th objective.

The review exercise calls for, among other things, the need to review different sectoral policies towards aligning them with the objectives of the NSF. It also calls for the need to provide necessary support to State governments to develop gender sensitive policies that can support the successful implementation of the NSF. Sectoral policies should address the gender gaps in the different sectors and not address women and girls issues alone. Such policies should also be seen to ensure that women are active participants in the decision making processes of the different sectors.

NATIONAL STRATEGIC FRAMEWORK ON THE HEALTH AND DEVELOPMENT OF ADOLESCENTS AND YOUNG PEOPLE IN NIGERIA, 2007

This policy is essentially the same as the Policy reviewed above. In addition, it gives a breakdown of strategies, activities and indicators, all of which are generic and show no element of gender sensitivity.

It does appear that there was an intention to mainstream gender into this policy. The technical expertise to do this right may have been lacking resulting in huge gaps identified above.

and human rights in the light of the National Gender Policy.

Although, the National Policy on HIV/AIDS and the National Policy on Adolescent Health clearly aligns with the NSF and promotes the achievement of its 8th objective, they need to be updated with more specific information on the gender dimensions of HIV/AIDS and specific strategies that can close gender gaps.

EXECUTIVE SUMMARY

This report documents the outcome of the policy review exercise undertaken by a team of researchers in executing the project titled '*Promoting Gender Equality and Human Rights Sensitive Policy Environment in the Nigerian HIV/AIDS National Response*'. The project was designed by the United Nations Development Fund for Women (UNIFEM) in collaboration with the Nigeria AIDS Responsive Fund of the Canadian International Development Agency (CIDA/NARF) towards strengthening the national response to HIV/AIDS especially in relation to the achievement of the gender equality results of the HIV/AIDS National Strategic Framework for Action 2005-2009 (NSF).

The policies reviewed cover three sectors - Agriculture; Education and Health. These are: New Agricultural Policy Trust (2001); Cooperative Development Policy for Nigeria (2002); National Policy on Integrated Rural Development (2004); Agricultural Sector Workplace Policy on HIV/AIDS (Draft); National Policy on Education 4th Edition (2004); National Policy on HIV/AIDS for the Education Sector in Nigeria (2005); National School Health Policy (2006); National Policy on Gender in Basic Education (2007); National Policy on Adolescent Health (1995); National Policy on HIV/AIDS Control (1997); National Health Policy (2004); and the National Policy on the Health and Development of Adolescents and Young People in Nigeria (2007).

As diverse as they are, some of these policies revealed huge gaps in commitment to gender equality and human rights promotion and protection.

Though many studies have highlighted the diverse ways in which HIV/AIDS can impact on agriculture negatively, major gender and human rights considerations have not been addressed in some of the policies of the sector. In articulating the causes of failures in the Agricultural sector, the New Agricultural Policy Trust identifies the lack of gender considerations in programme development as a major factor. However, its objectives do not clearly articulate the specific gender imbalances that it seeks to address. Furthermore, the National Policy on Integrated

people living with HIV/AIDS as factors fuelling the epidemic. Although, the policy does not show adequate commitment to gender equality, it shows strong commitments to the protection of human rights and legal reforms. It however needs to be updated with more specific information on the gender dimensions of HIV/AIDS and specific strategies that can bridge gender gaps. The National Policy on HIV/AIDS provides direction to sectoral/workplace policies and thus aligns with the NSF especially its 8th objective.

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Rural Development is designed to transform the nation's rural life but its key objectives are highly generic and gender neutral. On the contrary, the Cooperative Development Policy of Nigeria captures a series of strategic gender issues such as lack of access to land and agricultural inputs by women and goes further to enumerate strategies for addressing the needs of various groups especially women. Unfortunately, the policy has been faulted in view of its lack of appropriate mechanism for ensuring proper implementation. The draft Agricultural Sector Workplace Policy is suggestive of the sector's commitment to contributing to a reversal of the trends of HIV/AIDS in Nigeria, but it is still in its draft form.

In the education sector, gender was not mainstreamed into the National Policy on Education and the National Policy on Gender in Basic Education is only designed for the basic education level which only covers primary school and the first three years of secondary school. Limiting gender equality sensitivity to only basic education section is not enough to enable Nigeria achieve the gender equality results of the NSF and ultimately goals 3 and 6 of the MDGs. The education sector is one of the major institutions that can be used to shape the dynamics of social and power relations between girls and boys as well as women and men in a positive way towards reducing their vulnerability to HIV/AIDS. The current policy environment in the sector is however grossly inadequate to support the realization of this very important aspect of the fight against HIV/AIDS.

Although, the National Health Policy states categorically that health is a human right, its strategies do not give direction for the adoption of rights-based approaches for ensuring the actualization of the right to health. Its recognition of the high maternal mortality rate and other gender-related issues do not inform any commitment to gender sensitive strategies on the whole. The National Policy on Adolescent Health needs to be updated with specific information and strategies that address the differential vulnerabilities and access to services for males and females.

On the other hand, the National Policy on HIV/AIDS recognizes women's subjugation and subordination, poverty and lack of legal frameworks to protect the rights of

increased advocacy for economic reforms, gender budgeting and gender impact assessment of public financial systems.

Policies should, in addition to ensuring that women's practical needs are met, be seen to provide direction for challenging patriarchal constructs that marginalize women at all levels. This can be pursued by employing equity strategies including affirmative action in access to services and leadership positions.

Considering the spate of gender-based violence including coercion and rape, reproductive health policies should be made to promote access to emergency contraception services for women and girls.

In line with the International Guidelines on HIV/AIDS and Human Rights, National and State policies need to provide for legal services that educate people living with and affected by HIV/AIDS about their rights, provide free legal services to enforce those rights, develop expertise on HIV-related legal issues and utilize means of protection in addition to the courts, such as offices of ministries of justice, ombudsmen, health complaint units and human rights commissions.

In order for policies to effectively address issues in an equitable manner, it is important to ensure that they have the necessary positive effects that are based on appropriate and current situation analysis that espouses gender differentials in status, access and control over resources.

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