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2.13. Women and girls

COMMON ANALYSIS
Last updated: February 2019

This profile refers to specific human rights violations Nigerian women and girls may be exposed to, particularly:

- gender-based violence or violence against women and girls, including domestic violence, sexual violence, and, specifically, violence against women and girls by Boko Haram
- female genital mutilation or cutting (FGM/C)
- forced marriage and child marriage

For guidance on women and girls victims of trafficking, see the profile Victims of human trafficking, including forced prostitution.

COI summary

[*Targeting*, 3.13; *Country focus*, 4]

- **Gender-based violence or violence against women and girls, including domestic violence and sexual violence, and, specifically, violence against women and girls by Boko Haram:**

A Demographic and Health Survey study in 2013 has shown that 28 % of all women between 15 and 49 have experienced some form of physical violence since they turned 15. The percentage of those who experienced violence in the year before the survey was 11 %, decreasing from 15 % in 2008.

It is reported that the incidents of gender-based violence have increased significantly with the insurgency of Boko Haram in the North East. In the period from 2009 to 2016, Boko Haram has abducted approximately 2 000 women and girls, subjecting them to sexual abuses, including rape, forced marriage to their captors, being sold in the market as 'war booty', forced participation in insurgent operations, including as suicide bombers, as well as to forced labour. Some women who have been forced to marry Boko Haram fighters, or who have been abducted, raped or enslaved, have been rejected by their families, stigmatised and faced difficulties reintegrating in their societies, where sex outside marriage is not acceptable. Women with children from Boko Haram members are reported to face even more difficulties. However, stigmatisation varies between families, individuals, and communities and other women who had escaped Boko Haram have been re-integrated

[*Targeting*, 3.1.7, *Country focus*, 4.4.3].

Trafficking to other countries, as well as within the border of Nigeria, is a phenomenon which predominantly affects women and girls [*Targeting,* 3.15; *Sex trafficking*; see also Victims of human trafficking, including forced prostitution].

It is reported that young single IDP women face a higher risk of sexual abuse, including reports of abuse by soldiers and CJTF in camps.

Women with no support network and female-headed households, especially in some areas, may have additional vulnerabilities [*Key socio-economic indicators,* 2.4.3, 2.9.1].

In 2015, Nigeria passed new legislation, the Violence Against Persons Prohibition (VAPP) Act, which aims to provide legal framework for the prevention of violence, especially against women and girls. Rape and other forms of violence are penalised. However, this is a federal act and only applies to the Federal Capital Territory. 13 states have similar laws in place.

FGM/C:

Federal legislation prohibits FGM/C of a girl or a woman and relevant state legislation is in place in several Nigerian states. However, no legal action to curb the practice is reported.

The persons who perform the practice on girls aged 0 - 14 are in large majority traditional circumcisers (86.6 %). However, health care personnel may also be involved, especially nurses and midwives (10.4 %), and the share of FGM performed by these actors increases.

The general prevalence rate of FGM/C in Nigeria shows a downward trend. According to a survey carried out in 2017, of the women aged 45 - 49, 27.6 % had undergone FGM/C, while this was 20.1 % for women aged 30 - 34, and 12.3 % of women aged 15 - 19.

FGM/C prevalence rates vary significantly across the country, depending on the area and the predominant ethnic group. According to a 2016-2017 survey, the South West and South East zones have the highest prevalence (41.1 % and 32.3 % respectively), followed by the South South and North West zones (23.3 % and 19.3 % respectively). The North East has the lowest prevalence of FGM/C: 1.4 %. The practice is more prevalent in rural areas.

Some of the ethnic groups with highest prevalence rate of FGM/C are Yoruba (52 – 90 % in different studies), Edo/Bini (69 – 77 %), Igbo (45 – 76 %). The prevalence rate for the Hausa-Fulani is estimated at 13 – 30 %.

The age when FGM/C is conducted and the type of FGM/C also depend on the ethnic group. According to a 2013 survey, of the women having undergone FGM/C, 91.6 % of Hausa, 88.7 % of Yoruba and 90.2 % of Igbo report that they were subjected to FGM/C before the age of 5. On the other hand, 34 % in the North East zone and 25.8 % in the South South (Ibibio and Ijaw/Izon) were subjected to FGM/C aged 15 or older. In rare cases, FGM is practiced prior to a woman’s marriage, during her first pregnancy or upon her death.

Social factors, such as the level of education of the parents, further influence the practice of FGM/C.

The most widespread justification for FGM/C in Nigeria is the concern that contact between the clitoris and the baby's head during birth is lethal or harmful for the baby. Other cultural considerations are cleanliness or hygiene, prevention of promiscuity, enhancing fertility and fulfilled womanhood. There are also concerns that men refuse to marry women who have not been circumcised.

The final decision whether or not to circumcise their daughter is most often with the parents, but there is a considerable variation both individually and among different ethnic groups whether it is the father or the mother who makes this decision. The grandparents or the eldest female on the paternal side may also have a decisive role.

When other relatives try to influence the decision, they may pressure the parents by threats to withhold support due to their 'wrong' decisions. However, it is considered a 'family issue' and parents are usually not subjected to violence or threats of violence. A few cases of relatives disregarding the parents' decision and subjecting the girl to FGM/C are reported, although this is considered to be very unusual.

- **Child marriage and forced marriage:**

  Marriage before the age of 18 is prohibited by law in Nigeria. However, according to the Nigerian government's 2016 strategy, northern Nigeria has among the highest rates of child marriage in the world, particularly in the North East and the North West, with 48 % of girls marrying by the age of 15 and 78 % marrying by the age of 18.

  The effects of early marriage are severe, often both for the girls or young women and for their children.

  There is a strong link between education, poverty and early marriage: girls with no primary education are often married by the age of 15 and girls with primary education marry on average by the age of 18. Child marriage may also be linked to the socio-economic situation of the family, as parents and fathers especially receive a bride price. Another reason for child marriage is to prevent 'indecency' associated with premarital sexual relations or teen pregnancy. The motives for child marriage and the prevalence of the practice vary according to region, ethnicity and religion.

  Forced marriages also occur in Nigeria, especially among the Muslim communities in the North, where the practice is prevalent due to cultural and religious practices linked to polygamy. In the North, forced marriage is common among urban and rural poor population, but not very common among the more educated. Forced marriage is not common in the South. According to relevant reports, there are several factors that play a major role with regard to forced marriages, which include culture, religion, area of origin, socio-economic status and ethnic group belonging.

  Reported consequences of refusal to marry include neglect and ostracism, physical violence and rape.

The ability of women to avoid a forced marriage depends on their income and education.

In addition to the gender-specific risks above, it is also reported that women in Nigeria, and especially single women, face discriminatory practices, concerning work, education and living conditions [*Key socio-economic indicators,* 2.3.3, 2.4.3 and 2.6.3].

Risk analysis

Women and girls could be exposed to acts which are of such severe nature that they would amount to persecution (e.g. sexual violence, trafficking, FGM/C, child marriage). Girls are considered to be especially vulnerable in relation to such violations. Where the risk is of discrimination and/or mistreatment by society and/or by the family, the individual assessment of whether or not this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Gender-based violence or violence against women and girls, including domestic violence and sexual violence: Not all women and girls would face the level of risk required to establish well-founded fear of persecution. The individual assessment of whether or not there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: area of origin, age, being an IDP living in a camp, family status (e.g. single mother), being subjected to forced marriage, socio-economic status, level of education, support network (family or other), etc.

FGM/C: Not all women and girls would face the level of risk required to establish well-founded fear of persecution. The individual assessment of whether or not there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: ethnic group, views of the parents/mother on the practice, age, level of education of the parents/mother, area of origin, etc.

Child marriage and forced marriage: Not all women and girls would face the level of risk required to establish well-founded fear of persecution. The individual assessment of whether or not there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: area or origin, ethnic group, religion, age, level of education of the individual and the family, socio-economic status of the family, etc.

Nexus to a reason for persecution

Available information indicates that in the case of women and girls, the individual circumstances of the applicant need to be taken into account in order to determine whether or not a nexus to a reason for persecution can be substantiated. In individual cases, persecution may be for reasons of membership of a particular social group. Specific examples could include: Yoruba girls under the age of 5 who have not been subjected to FGM/C, based on their innate characteristics (age, gender, ethnicity) and a common background (not having been subjected to FGM/C); and their distinct identity in the respective area of Nigeria, because they are perceived as being different by the surrounding society; women and girls perceived to have had sex outside of marriage in the context of Boko Haram violence, based on their innate characteristic (gender) and common background which cannot be changed (past experience); and their distinct identity in the

context of the North East of Nigeria, because they are perceived as being different by the surrounding society).

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