

RESEARCHED AND COMPILED BY THE REFUGEE DOCUMENTATION CENTRE OF IRELAND ON 11 APRIL 2024

DISCLAIMER

This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. All COI Query Responses are compiled in line with the Common EU Guidelines (2008) and the EUAA Methodology (2023). This response is not and does not purport to be conclusive as to the merit of any particular claim to international protection. Please refer to all documents cited.

COI QUERY RESPONSE

NIGERIA – DOMESTIC VIOLENCE/RAPE

In October 2021 a report issued by the *European Asylum Support Office* states that: “Sources describe the prevalence of domestic violence in Nigeria as widespread or endemic. Most perpetrators of domestic violence are the person’s current husband or partner, though other family members are also common perpetrators, such as mothers, stepmothers, siblings, or fathers and stepfathers.”¹

A report published in August 2022 by *Momentum* states that: “In Nigeria, GBV affects mostly women and girls, with one in three women having experienced some form of GBV...such as intimate partner violence (IPV), rape, or sexual violence (SV), with IPV the most prevalent...Despite the prevalence of GBV in communities in Nigeria, the topic continues to be defined by secrecy. A culture of silence reinforces poor reporting of cases and inadequate support mechanisms for survivors who choose to come forward...A majority of those affected avoid care due to a fear of stigmatization and secondary victimization and often experience fear and shame because of economic dependence on men who may be the perpetrators of violence...”²

A report issued in March 2023 by the *United States Department of State* reviewing events of 2022 notes that: “Sentences for persons convicted of rape and sexual assault were inconsistent and often minor.”³

¹ European Asylum Support Office (19 October 2021) Country Guidance: Nigeria, p.82

² Momentum (August 2022) An Analysis of Laws and Policies to Combat Gender-Based Violence in Nigeria: A Desk Review for the MOMENTUM Country and Global Leadership Nigeria Activity, p.7

³ United States Department of State (20 March 2023) 2022 Country Reports on Human Rights Practices: Nigeria, p.19

This document also states that: “Police often refused to intervene in domestic violence cases or blamed the victim for provoking the abuse. In rural areas, courts and police were reluctant to intervene to protect women who formally accused their husbands of abuse if the level of alleged abuse did not exceed local customary norms.”⁴

In January 2023 the *Netherlands Ministry of Foreign Affairs* points out that: “Gender-based violence was common...Much of the violence happened within the family...”⁵

This report also points out that: “The maximum sentence for rape or sexual assault is life imprisonment...In addition, victims are legally entitled to various types of support, such as medical, psychosocial and legal assistance.”⁶

In July 2023 *Harvard International Review* states that: “Violence against women is another critical area in which the cultural, religious, and legal realms clash. In cases of domestic violence, rape, and assaults, legal protections lag for women turning to the law for protection.”⁷

A report issued in September 2023 by the *International Centre for Investigative Reporting* states that: “Sexual violence is a global problem. Nigeria declared a state of emergency on the issue in 2020 due to the increasing number of cases nationwide.”⁸

In September 2023 a compilation of COI sources issued by the *European Union Agency for Asylum* includes commentary on applicable women’s issues.⁹

In November 2023 *Amnesty International* states that: “Despite some progress made in addressing gender-based violence against women, including the domestication of the Violence Against Persons Prohibition (VAPP) Act...by the Federal Capital Territory and 35 states, violence against women and girls remains pervasive...Gender-based violence continues to be perpetrated by both state forces and non-state actors, with impunity, with perpetrators usually not being held accountable.”¹⁰

In November 2023 the *Office of the United Nations High Commissioner for Human Rights* states that: “The United Nations country team noted that challenges persisted in addressing sexual exploitation and abuse.”¹¹

The *Nigeria Tribune* in December 2023 points out that: “Laws against domestic abuse are essential in the effort to protect battered men and women from abuse. Despite the alarming rate of domestic violence in Nigeria, domestic violence does not fall within the exclusive legislative list of the National

⁴ *ibid*, p19

⁵ Netherlands Ministry of Foreign Affairs (31 January 2023) General Country of Origin Information Report Nigeria, p.60

⁶ *ibid*, pp.60-61

⁷ Harvard International Review (10 July 2023) When Rights Slip Through the Cracks of Culture: Women’s Rights and Justice in Nigeria—Or Lack Thereof, p.3

⁸ International Centre for Investigative Reporting (1 September 2023) Lagos records over 5,500 cases of sexual violence in one year – Govt

⁹ European Union Agency for Asylum (27 September 2023) *Nigeria; Domestic violence, including prevalence, societal attitudes and treatment of victims, legislation, state protection, access to support services*

¹⁰ Amnesty International (15 November 2023) Nigeria: Human rights agenda 2023, p.9

¹¹ Office of the United Nations High Commissioner for Human Rights (10 November 2023) Nigeria: Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights, p.11

Assembly under the 1999 Constitution as amended. However, it comes within the confines of the legislative competence of states. The judicial ineffectiveness when dealing with individual cases of violence against women encourages an environment of impunity that facilitates and promotes the repetition of acts of violence in general and sends a message that violence against women is tolerated and accepted as part of daily life.”¹²

In 2024 *Freedom House* states, commenting on events of the preceding year, that: “Despite the existence of strict laws against rape, domestic violence, female genital mutilation (FGM), and child marriage, these offenses remain widespread, with low rates of reporting and prosecution.”¹³

A publication released in March 2024 by *Bertelsmann Stiftung* states that: “Women and girls are subjected to child marriage and sexual violence; they receive fewer educational opportunities and are discriminated against in the labor market.”¹⁴

References

Amnesty International (15 November 2023) *Nigeria: Human rights agenda 2023*

<https://www.amnesty.org/en/documents/afr44/7157/2023/en/>

Accessed Thursday 11 April 2024

Bertelsmann Stiftung (19 March 2024) *Bertelsmann Stiftung's Transformation Index (BTI) 2024 Country Report – Nigeria*

<https://www.ein.org.uk/members/country-report/bertelsmann-stiftungs-transformation-index-bti-2024-country-report-nigeria>

This is a subscription database

Accessed Thursday 11 April 2024

European Union Agency for Asylum (27 September 2023) *Nigeria; Domestic violence, including prevalence, societal attitudes and treatment of victims, legislation, state protection, access to support services*

https://www.ecoi.net/en/file/local/2097817/2023_09_EUAA_COI_Query_Response_Q43_Nigeria_domestic_violence.pdf

Accessed Thursday 11 April 2024

European Asylum Support Office (19 October 2021) *Country Guidance: Nigeria*

https://euaa.europa.eu/sites/default/files/publications/2022-01/Country_Guidance_Nigeria_2021.pdf

Accessed Thursday 11 April 2024

Freedom House (2024) *Freedom in the World 2024: Nigeria*

<https://www.ein.org.uk/members/country-report/freedom-world-2024-nigeria>

This is a subscription database

Accessed Thursday 11 April 2024

¹² Nigeria Tribune (27 December 2023) Domestic violence in Nigeria: Why the laws have limitations, p.5

¹³ Freedom House (2024) Freedom in the World 2024: Nigeria, p.12

¹⁴ Bertelsmann Stiftung (19 March 2024) Bertelsmann Stiftung's Transformation Index (BTI) 2024 Country Report – Nigeria, p.9

Harvard International Review (10 July 2023) *When Rights Slip Through the Cracks of Culture: Women's Rights and Justice in Nigeria—Or Lack Thereof*

<https://hir.harvard.edu/when-rights-slip-through-the-cracks-of-culture-womens-rights-and-justice-in-nigeria-or-lack-thereof/>

Accessed Thursday 11 April 2024

International Centre for Investigative Reporting (1 September 2023) *Lagos records over 5,500 cases of sexual violence in one year – Govt*

<https://www.icirnigeria.org/lagos-records-over-5500-cases-of-sexual-violence-in-one-year-govt/>

Accessed Thursday 11 April 2024

Momentum (August 2022) *An Analysis of Laws and Policies to Combat Gender-Based Violence in Nigeria: A Desk Review for the MOMENTUM Country and Global Leadership Nigeria Activity*

https://usaidmomentum.org/app/uploads/2022/08/MCGL_GBV-Nigeria_LPA_Final.pdf

Accessed Thursday 11 April 2024

Netherlands Ministry of Foreign Affairs (31 January 2023) *General Country of Origin Information Report Nigeria*

<https://www.government.nl/binaries/government/documenten/directives/2023/01/31/general-country-of-origin-information-report-nigeria-january-2023/Country+of+Origin+Information+Report+Nigeria+January+2023.pdf>

This is a subscription database

Accessed Thursday 11 April 2024

Nigeria Tribune (27 December 2023) *Domestic violence in Nigeria: Why the laws have limitations*

<https://tribuneonlineng.com/domestic-violence-in-nigeria-why-the-laws-have-limitations/>

Accessed Thursday 11 April 2024

Office of the United Nations High Commissioner for Human Rights (10 November 2023) *Nigeria: Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights*

<https://www.ein.org.uk/members/country-report/nigeria-compilation-information-prepared-office-united-nations-high>

This is a subscription database

Accessed Thursday 11 April 2024

United States Department of State (20 March 2023) *2022 Country Reports on Human Rights Practices: Nigeria*

<https://www.ein.org.uk/members/country-report/2022-country-reports-human-rights-practices-nigeria>

This is a subscription database

Accessed Thursday 11 April 2024

Sources Consulted:

Amnesty International

BBC News

Electronic Immigration Network

European Country of Origin Information Network

Freedom House

Google



Human Rights Watch
Immigration and Refugee Board of Canada
Internal Displacement Monitoring Centre
International Crisis Group
Lexis Nexis
Minority Rights Group International
New Humanitarian
Online Newspapers
Refugee Documentation Centre Query Database
Reliefweb
United Kingdom Home Office
United States Department of State
UNHCR Refworld

Contact Information

Refugee Documentation Centre
Legal Aid Board
48/49 North Brunswick Street
Dublin 7
Ireland

Email: research@legalaidboard.ie