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COI QUERY

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COI QUERY RESPONSE – Nigeria

Domestic violence, including prevalence, societal attitudes and treatment of survivors, legislation, state protection, access to support services

1. Prevalence of domestic violence; societal attitudes and treatment of survivors

According to the 2023 Freedom House report, rape and domestic violence offenses ‘remain widespread, with low rates of reporting and prosecution’.¹ The United States Department of State (USDOS) and Nigeria’s National Human Rights Commission further affirmed that domestic violence was widespread and considered socially acceptable.² The National Human Rights Commission elaborated that Nigeria is a patriarchal society, in which women are perceived as ‘properties owned by the husband’, ‘the husband is at liberty to “discipline the wife” for any wrongdoing, and this can take the form of beating or deprivation of some sort’.³

The 2022 Amnesty International (AI) report on Nigeria described that violence against women and girls remained ‘endemic’ and there were ‘increased reports of domestic and sexual violence’.⁴ The United Nations Human Rights Council, in a 2021 report of the Special Rapporteur, indicated that domestic violence was ‘prevalent and vastly underreported throughout Nigeria’.⁵

According to the 2023 General Country of Information Report on Nigeria by the Ministry of Foreign Affairs of the Netherlands citing numerous sources including confidential sources, domestic violence was viewed as a ‘family matter’ and police officers ‘refused to get involved, especially if the alleged abuse was not incompatible with local customary norms’. Survivors of gender-based violence often faced ‘victim-blaming, contemptuous treatment, financial extortion, gender stereotyping and lack of empathy’ when reporting cases to the police.⁶

The 2022 USDOS report further illustrated that the police refused to intervene in domestic violence disputes and blamed the survivors for provoking the abuse. Courts and police, in rural areas, were particularly ‘reluctant to intervene’ in formal accusations from women.⁷

¹ Freedom House, Freedom in the World 2023 - Nigeria, 2023, [url](#)

² USDOS, Country Report on Human Rights Practices for 2021 – Nigeria, 13 April 2022, [url](#), p. 39 ; Nigeria, National Human Rights Commission, Sexual and Gender-Based Violence/Harmful Traditional Practices Against Women and Girls across Nigeria, 13 August 2021, [url](#), p. 15

³ Nigeria, National Human Rights Commission, Sexual and Gender-Based Violence/Harmful Traditional Practices Against Women and Girls across Nigeria, 13 August 2021, [url](#), p. 15

⁴ AI, Amnesty International Report 2022/2023 - Nigeria, 27 March 2023, [url](#)

⁵ UN Human Rights Council, Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Agnès Callamard, 11 June 2021, [url](#), para. 88

⁶ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, January 2023, [url](#), p. 62

⁷ USDOS, Country Report on Human Rights Practices for 2022 – Nigeria, 20 March 2023, [url](#), p. 26

According to a Spotlight Initiative report from 2022, the rates of domestic violence were considered ‘high with almost two out of every ten married women and girls (16 percent)’ reporting to have experienced physical or sexual violence from their spouses or partners.⁸ The USDOS annual report covering 2021, citing a 2019 survey on domestic violence, indicated that 47 % of female respondents had faced domestic violence or were aware of someone who had. ‘82 % of respondents indicated that violence against women was prevalent’.⁹

2. Legislation

According to Freedom House, Nigeria has strict laws on rape and domestic violence.¹⁰ The Netherlands report described that ‘the federal Violence Against Persons (Prohibition) Act (VAPP) prohibits violence against women and girls’. The law also has provisions to protect the survivor’s identity. Despite this, not all states have adopted the law.¹¹ According to AI, as of March 2023, 35 out of 36 states in Nigeria have passed the VAPP Act.¹²

The VAPP, section 19, prohibits spousal battery and states that anyone who commits this offense could face imprisonment not exceeding three years or a fine not exceeding 200,000 Nairas [approximately EUR 243], or both.¹³

Section 55 of the Nigerian penal code, which applies to the states of the former Northern region,¹⁴ cites that it is not an offence if a husband inflicts harm on his wife for ‘corrective’ measures as long as it does not cause ‘grievous’ harm.¹⁵

The 2022 Bertelsmann Stiftung’s Transformation Index (BTI) country report on Nigeria, described that the state lacks the ‘willingness and capacity’ to protect women, in particular women of lower socioeconomic status, against acts of violence, including rape and spousal abuse. However, the same source illustrated that the statutory rights of women have ‘slightly improved’. Rape has been legally defined as a serious crime in all of Nigeria, and women are now able to take their husbands to court for criminal assault. Nevertheless, according to BTI, Nigerians who are ‘not members of the elites would fail if they were to seek redress for human rights violations through judicial procedures’.¹⁶

The Netherlands report described that an increase of awareness and advocacy related to domestic and gender-based violence, has increased the number of reports; however, factors

⁸ Spotlight Initiative, 16 Facts about Violence Against Women and Girls in Nigeria, 22 November 2022, [url](#), p. 10

⁹ USDOS, Country Report on Human Rights Practices for 2021 – Nigeria, 13 April 2022, [url](#), p. 39

¹⁰ Freedom House, Freedom in the World 2023 - Nigeria, 2023, [url](#)

¹¹ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, January 2023, [url](#), p. 60-61

¹² AI, Amnesty International Report 2022/2023 - Nigeria, 27 March 2023, [url](#)

¹³ Nigeria, Violence Against Persons (Prohibition) Act, 2015, [url](#), p. 8

¹⁴ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, January 2023, [url](#), p. 39

¹⁵ Nigerian Tribune, How the Penal Code enables violence against women in Nigeria, 21 March 2021, [url](#); Street Journal (The), Gender Equity: Major laws discriminating against women in Nigeria, 8 March 2022, [url](#)

¹⁶ Bertelsmann Stiftung, BTI, Country Report for 2022 – Nigeria, 23 February 2022, [url](#), p. 11

related to court proceedings, cost, stigmatization, lengthy legal procedures, and a lack of protection and assistance for victims, were reported to hinder victims from seeking justice.¹⁷

According to the 2022 USDOS report, the law criminalizes rape and domestic violence. However, spousal or marital rape is not criminalized.¹⁸ Moreover, USDOS stated that sentences for rape and sexual assault under federal law were 12 years to life imprisonment for offenders over age 14. The USDOS described these sentences as ‘inconsistent and minor’ and as federal law has not been adopted by all states, sentences were still dictated at a state-level, which ‘allowed for lesser sentences’. Mainly, southern Nigerian states have adopted laws prohibiting some forms of gender-based violence and strived to safeguard certain rights, but ‘most states did not have such legislation’ and ‘survivors had little or no recourse to justice’.¹⁹

3. State protection and access to support services

Information specifically on state protection and access to support services for domestic violence survivors was scarce among the sources consulted by the EUAA within the time constraints of this query. The following information on state protection and access to support services for gender-based violence survivors could be relevant.

The Initiative for Equal Rights in a 2021 report described that no uniformity exists across Nigeria in protecting women and girls and persons against gender-based violence including domestic violence.²⁰

According to the Netherlands country report, shelters for survivors of gender-based violence are available but there is a shortage, and they generally only take women for a short period of time. Victims depend on the ‘goodwill of their family and friends’ and the socioeconomic status of the women is a factor on whether a women will ‘succeed in building a new life afterwards’.²¹ Moreover, according to sources cited in the Netherlands country report, there are various types of support including medical, psychological, social, and legal assistance for victims. Although, ‘in practice, support from the authorities to victims was insufficient due to a lack of capacity and resource’.²²

The Netherlands report further indicated that NAPTIP [the national anti-trafficking agency, also mandated since 2016 to implement the VAPP] has lacked ‘sufficient resources and capacity’. The agency has a national hotline, in which gender-based violence can be reported. In urgent cases, ‘the hotline can transfer the call to the police, but the effectiveness of the police is

¹⁷ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, January 2023, [url](#), p. 62

¹⁸ USDOS, Country Report on Human Rights Practices for 2022 – Nigeria, 20 March 2023, [url](#), p. 26 ; Street Journal (The), Gender Equity: Major laws discriminating against women in Nigeria, 8 March 2022, [url](#)

¹⁹ USDOS, Country Report on Human Rights Practices for 2022 – Nigeria, 20 March 2023, [url](#), p. 26

²⁰ Initiative for Equal Rights (The), An Inclusive Study for Violence against Women in Nigeria, July 2021, [url](#), p. 30

²¹ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, January 2023, [url](#), p. 64

²² Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, January 2023, [url](#), p. 64

limited'.²³ The same source also indicated that 31 referral centres existed for gender-based violence in Nigeria, with some states having several and some states none. If a victim was able to reach a centre, 'high-quality help' would be available to them. A confidential source stated that, despite these centres, 'women usually had no choice but to return to their husbands'.²⁴

According to Australia's Department of Foreign Affairs and Trade (DFAT) Report on Nigeria, the VAPP, 'offers some protections to victims and survivors of gender-based violence in the jurisdictions in which it applies'. Upon application by a victim, a protection order can be issued and compensation may be offered to survivors of rape. State governments do provide a small number of shelters, but according to the report, these shelters are 'poorly equipped and do not provide adequate protection for victims'.²⁵ USDOS further affirmed that the law 'authorizes courts to issue protection orders', and 'directs the appointment of a coordinator for the prevention of domestic violence to submit an annual report to the federal government'.²⁶

Concerning rape and sexual assault survivors, the USDOS stated that, through federal law, protection officers could be appointed at a local government level to offer survivors court assistance and various health services. A public registrar of convicted sexual offenders was also provided, as well as provisions to protect the identity of rape survivors and offer appropriate compensation to survivors through court proceedings.²⁷

²³ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, January 2023, [url](#), p. 61

²⁴ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, January 2023, [url](#), p. 62

²⁵ Australia, DFAT, Country Information Report – Nigeria, 3 December 2020, [url](#), p. 36-37

²⁶ USDOS, Country Report on Human Rights Practices for 2020 – Nigeria, 30 March 2021, [url](#), p. 34

²⁷ USDOS, Country Report on Human Rights Practices for 2022 – Nigeria, 20 March 2023, [url](#), p. 26

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ADDITIONAL SOURCES CONSULTED

Africa News; Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD); Asylum Research Center (ARC); Canada - Immigration and Refugee Board of Canada (IRB); ECOLI.net; European Union – EUAA COI Portal; Refworld; United Nations High Commissioner for Refugees (UNHCR)