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COI QUERY

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All sources used are referenced and cited in the bibliography section. A quality review has been performed in line with the above mentioned COI methodology. This document does not claim to be exhaustive or conclusive as to the merit of any particular claim to international protection. If a certain event, person or organisation is not mentioned in the report, this does not mean that the event has not taken place or that the person or organisation does not exist. Terminology used should not be regarded as indicative of a particular legal position.

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COI QUERY RESPONSE – Nigeria

Possibility to refuse FGM; consequences for refusal to undergo FGM; state protection available in cases of refusal

1. Possibility to refuse FGM

Information on the possibility to refuse FGM is scarce among the sources consulted by EUAA within the time constraints of this query.

According to the 2023 Freedom House annual report on Nigeria, despite strict laws on Female Genital Mutilation (FGM), it still remained ‘widespread’.¹ 15.1 % of women between the ages of 15 – 49 have reported to have undergone any form of FGM, according to the 2021 Multiple Indicator Cluster Survey produced by the National Bureau of Statistics (NBS) and the United Nations Children’s Fund (UNICEF).² Furthermore, the Ministry of Foreign Affairs of the Netherlands 2023 report on Nigeria, citing numerous sources, stated that FGM occurred, with the highest rates being in the southern regions.³ FGM was most common amongst the Yoruba ethnic group, with a rate of 33.7 %, followed by the Edo at 32.6 % and the Igbo at 22.4 %.⁴

According to the 2023 report on Nigeria by the Ministry of Foreign Affairs of the Netherlands, citing confidential sources, the decision for circumcision lies with the parents, as most circumcisions took place before the girl reaches the age of five. The same source further described that factors for girls and women to not be circumcised were ‘parental and community awareness of the dangers and risks of FGM; distance from the community; law and enforcement; and religious intervention’ and that the parents, traditional rulers and the head of the family were ‘the main people’ that could prevent FGM.⁵ Moreover, one confidential source cited in the same report added that for older girls, it is possible to escape FGM, especially with the help of the influential people in the community and that girls and women can escape FGM by settling down in an area where FGM does not occur.⁶

Key findings from the FGM/C Research Initiative from March 2023 described that social obligations as a ‘driver’ of FGM/C in Nigeria, ‘outweighs drivers linked to religion, purity/chastity or hygiene’. Moreover, women were subjected to FGM due to social pressure by their mothers, mothers-in-law and grandmothers, who are referred to as protectors of the

¹ Freedom House, Freedom in the World 2023 – Nigeria, 9 March 2023, [url](#)

² Nigeria, NBS and UNICEF, Nigeria: 2021 Multiple Indicator Cluster Survey, Survey Findings Report, August 2022, [url](#), p. 18

³ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, 31 January 2023, [url](#), p. 65

⁴ Nigeria, NBS and UNICEF, Nigeria: 2021 Multiple Indicator Cluster Survey, Survey Findings Report, August 2022, [url](#), p. 350

⁵ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, 31 January 2023, [url](#), p. 68

⁶ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, 31 January 2023, [url](#), p. 68

tradition of this practice. Women with lower educational and socio-economic status had 'less agency' to 'resist this social pressure' because of 'consequences' they may face.⁷

Sources contacted in a 2023 Landinfo report on FGM in Nigeria, regarding whether parents and women have leeway in the decision whether to carry out female circumcision, described:

'[informal translation] Although the family members within the same family often share an ethnic and regional background, and basically the same traditions, it is not uncommon for sometimes large differences within families in terms of level of education, approach to "modern values" and views of local traditions. Furthermore, what knowledge people have of the harmful practices of genital mutilation in concrete terms will vary. Thus there will be parents who face pressure from various family members to expose their daughters to genital mutilation, and also in many cases could also find support with other family members for (a decision to) not to do it.'⁸

Regarding the use of coercion to undergo FGM, Landinfo indicated that the use of coercion '[informal translation] is not particularly widespread' in recent times. The same source also cited different sources and reported '[informal translation] there is broad agreement among sources that the use of coercion is increasingly a thing of the past'.⁹ A confidential source cited in the same report described that adult women who do not want to be circumcised cannot be forced to do so. A Nigerian activist, in a 2023 digital interview published in the Landinfo report, described an example with a court case where a grandmother is accused of circumcising her grandchild against the will of the child's parents; however, she emphasized that this is not common. Nevertheless, according to Landinfo, there have been reports of coercion, either by parents or older family members.¹⁰ Moreover, the same source further illustrated that there is often disagreement about the extent to which one has to follow local traditions and customs and 'there can be large individual differences and variations among different ethnic groups' with some areas, especially in the south, being more prone to greater social pressure for parents to circumcise children despite the parents not supporting it.¹¹

Further information on the possibility to refuse FGM could not be found among the sources consulted by the EUAA within the time constraints of this query. For more general information on FGM, see EUAA COI Report - Nigeria - Targeting of Individuals, Section 3.13: https://coi.euaa.europa.eu/administration/easo/PLib/2018_EASO_COI_Nigeria_TargetingIndividuals.pdf

⁷ FGM/C Research Initiative, FGM/C: Key Findings, March 2023, [url](#)

⁸ Norway, Landinfo, Nigeria: Kjønnsslemlestelse av kvinner [Nigeria: Female Genital Mutilation], 11 August 2023, [url](#), p. 25

⁹ Norway, Landinfo, Nigeria: Kjønnsslemlestelse av kvinner [Nigeria: Female Genital Mutilation], 11 August 2023, [url](#), p. 26

¹⁰ Norway, Landinfo, Nigeria: Kjønnsslemlestelse av kvinner [Nigeria: Female Genital Mutilation], 11 August 2023, [url](#), p. 27

¹¹ Norway, Landinfo, Nigeria: Kjønnsslemlestelse av kvinner [Nigeria: Female Genital Mutilation], 11 August 2023, [url](#), p. 26-27

1.1 Consequences for refusal to undergo FGM

According to Landinfo, ‘resisting social pressure can be difficult for people with few resources as there are few options for support and shelters available’.¹² The same Landinfo report stated that there was no information available on examples where parents or women who refrained from exposing their daughters to FGM being subjected to violence or threats.¹³

The 2023 report on Nigeria by the Ministry of Foreign Affairs of the Netherlands indicated that ‘uncircumcised women often face mockery, loss of respect, social condemnation, and diminished marriage prospects’ in communities where FGM was considered an important social norm.¹⁴

A 2022 article by the Institute for War & Peace Reporting (IWPR) described a Nigerian woman being ‘taunted by her peers who use derogatory words to describe her’, due to her parents refusing to have her undergone FGM.¹⁵

Further information on consequences for refusal to undergo FGM could not be found among the sources consulted by EUAA within the time constraints of this query.

2. State protection available in cases of refusal

Information on state protection available specifically in cases of refusal could not be found among the sources consulted by EUAA within the time constraints of this query.

The Violence against Persons [Prohibition] Act (VAPP), a federal law enacted in 2015, prohibits FGM and states that anyone who performs or engages another in carrying out FGM could face imprisonment not exceeding four years or a fine not exceeding 200,000 Nairas, or both.¹⁶ The United States Department of State (USDOS) in its 2022 annual report further affirmed that any person committing FGM would be penalized by law but added that ‘enforcement of the law was rare’. However, the USDOS did not explicitly state which law.¹⁷ According to the 2023 Freedom House annual report on Nigeria, although there were strict laws on FGM, there were ‘low rates of reporting and prosecution’.¹⁸ The Netherlands report, however, indicated that the

¹² Norway, Landinfo, Nigeria: Kjønnsslemlestelse av kvinner [Nigeria: Female Genital Mutilation], 11 August 2023, [url](#), p. 27

¹³ Norway, Landinfo, Nigeria: Kjønnsslemlestelse av kvinner [Nigeria: Female Genital Mutilation], 11 August 2023, [url](#), p. 27

¹⁴ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, 31 January 2023, [url](#), p. 69

¹⁵ IWPR, Nigeria: FGM Rises Amid Pandemic, 8 March 2022, [url](#)

¹⁶ Nigeria, Violence Against Persons (Prohibition) Act, 2015, [url](#), p. 4

¹⁷ USDOS, Country Report on Human Rights Practices for 2022 – Nigeria, 20 March 2023, [url](#), p. 27

¹⁸ Freedom House, Freedom in the World 2023 – Nigeria, 9 March 2023, [url](#)



introduction of the VAPP and government measures have ‘contributed to the decline of FGM in Nigeria’.¹⁹

¹⁹ Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, 31 January 2023, [url](#), p. 69

BIBLIOGRAPHY

Freedom House, Freedom in the World 2023 - Nigeria, 2023, <https://freedomhouse.org/country/nigeria/freedom-world/2023>, accessed 14 September 2023

FGM/C Research Initiative, FGM/C: Key Findings, March 2023, [https://www.fgmc.org/media/uploads/Country%20Research%20and%20Resources/Nigeria/nigeria_country_profile_update_key_findings_\(march_2023\)_1.pdf](https://www.fgmc.org/media/uploads/Country%20Research%20and%20Resources/Nigeria/nigeria_country_profile_update_key_findings_(march_2023)_1.pdf), accessed 13 September 2023

IWPR (Institute for War & Peace Reporting), Nigeria: FGM Rises Amid Pandemic, 8 March 2022, <https://iwpr.net/global-voices/nigeria-fgm-rises-amid-pandemic>, accessed 15 September 2022

Netherlands, Ministry of Foreign Affairs, General Country of Origin Information Report Nigeria, 31 January 2023, <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>, accessed 15 September 2023

Nigeria, NBS (National Bureau of Statistics) and UNICEF (United Nations Children's Fund), Nigeria: 2021 Multiple Indicator Cluster Survey, Survey Findings Report, August 2022, <https://www.unicef.org/nigeria/media/6316/file/2021%20MICS%20full%20report%20.pdf>, accessed 13 September 2023

Nigeria, Violence Against Persons (Prohibition) Act, 2015, <https://naptip.gov.ng/resources/Violence-Against-Persons-Prohibition-Act-2015-1.pdf>, accessed 18 September 2023

Norway, Landinfo, Nigeria: Kjønnsslemlestelse av kvinner [Nigeria: Female Genital Mutilation], 11 August 2023, <https://landinfo.no/wp-content/uploads/2023/08/Nigeria-temanotat-Kjonnslemlestelse-av-kvinner-11082023.pdf>, accessed 13 September 2023

USDOS (United States Department of State), Country Report on Human Rights Practices for 2022 – Nigeria, 20 March 2023, https://www.state.gov/wp-content/uploads/2023/03/415610_NIGERIA-2022-HUMAN-RIGHTS-REPORT.pdf, accessed 14 September 2023

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); ECOLnet; European Union – EUAA COI Portal; Refworld; United Nations High Commissioner for Refugees (UNHCR)