



Nigeria – Researched and compiled by the Refugee Documentation Centre of Ireland on 5 April 2017

- 1. What, if any, information is available in relation to the treatment of married women in Nigeria who are unable to have children, particularly by their spouse's family.**
- 2. Is there any information on the availability of state protection for women fearing violence from extended family in Lagos?**

In an article published in the Journal of Policy and Development Studies (section headed “Women and Treatment of Infertility”) the authors state:

“It is the common practice in Nigeria that after marriage, most couples pray and try very hard to achieve pregnancy as early as possible. If the new bride shows signs of fever; it is usually assumed that their expectation is about to be fulfilled. Where this is followed by protruding belly few months later, everyone rejoices secretly. On the other hand, if a new bride remains very healthy without signs of fever for over six months after marriage, then suspicion sets in. Everyone watches silently, thereby the situation becomes tense for the couple. In fact, it is the wife that first reacts to this situation. It is from this moment that such a woman begins to feel susceptible to infertility. She weighs the consequences and feels that her world is collapsing. Most of the time, such woman’s first point of call is her mother (if she is alive) or any woman that can serve as a mother to her. She dutifully explains everything concerning her situation to this ‘arbitration’ who may from experience give her advice on what to do or not to do. Such advice is usually implemented religiously and if pregnancy refuses to occur, the journey is extended to experienced and trusted friends. At this time, the husband does nothing but keep on watching. However, most husbands follow the instructions of the wives at this stage.” (Innocent Ahamefule, Nwosu (Ph.D), Onwe, Friday (Ph.D) (May 2015) *The Plight of Infertile Women in Nigeria*, Journal of Policy and Development Studies Vol. 9, No. 3, p.42)

See also section of this article headed “Stigmatization of Infertile Women” which states:

“Negative consequences of infertility are usually stronger in Africa and are characterized by social stigmatization. The greatest stigmatization comes from mother- in-law. The attitude of mother-in-laws towards their infertile daughters-in-law is usually unfavorable. The attitude of inlaws is relatively unfavourable towards the childless woman and in the long-run; they do support her dehumanization because they believe that the childless woman is aiding the termination of their lineage. As such, in-laws encourage the marriage of a second wife in attempt to ensure the continuation of their lineages. Other women do look down on the childless women, most of the time believe that the childless women are the architect of their condition. The unfavourable attitude exhibit against the childless women by other women include, gossip, scornful laughter downgrading looks, direct/indirect reference

to their plight and sometimes open confrontation. The attitude of most children to the childless at times demands pity. The attitude exhibited by most children towards infertile women is not good. They do not usually respect the childless women. Children feel that they do not have peer in the childless woman's house and as such do not have much to benefit from her. Sometimes, children do mock the childless women, calling them witches and they hardly help or assist them in any chore. However, this attitude changes when the childless woman fosters a child and as a result of the presence of that child, their attitude automatically becomes favorable. During the first two years of marriage, the attitude of most husbands of childless women is that of empathy, pampering, tolerance and love towards their wives. As time passes by couple with pressure from relative and friends, these husbands change their attitude negatively. Most of the time, they blame their wives for the absence of children in the homes and quite often they do beat their wives on flimsy provocation. Eventually, they do take second wives to have children. In some cases, the childless woman is frustrated and sent packing from her matrimonial home. In such situation, all her in-laws will support the action and even heap a lot of blame on her. There are times when the childless woman would not be allowed to take anything from her husband house. She is forced out empty handed. The things that may accompany her home are tears and broken heart." (ibid, pp.43-44)

An article from the Abuja-based newspaper Daily Trust states:

"One issue which has not been well attended to is that of discrimination towards childless women and the treatment meted out on them. Once a woman gets married, the expectation from her family and in-laws is that she takes in after the first few months of marriage. Once that time passes with no sign of pregnancy, begrudging questions begin to spring up, family members begin to get unnecessarily worked up. Before you know it, external members of the family begin to pay unwelcome visits, giving their own piece of advice as they come. The marriage that was supposed to be between two people soon becomes a marriage for the entire extended family, and the woman becomes the center of attention and discussion. This event occurs over a period of time and if a woman lasts between 18 to 24 months in a marriage without getting pregnant, a label is given to her 'the barren one', 'the bad egg' or 'the fruitless tree of the family.' Insults begin to fly from all directions as her mother-in-law reminds her of how productive she was during her child-bearing years." (Daily Trust (17 October 2014) *Nigeria: The Poor Treatment of Childless Women*)

An article from the Nigerian newspaper This Day states:

"The journey to living a fruitful married life did not come immediately after Olubunmi Salako's marriage to her husband. It took eight years of pain, uncertainty and determination, as they moved from pillar to post, while hoping they could get lucky at having a child. Mrs Salako who got married early in life wasn't a happy woman all through the period because pressure was on her to complete the dream of every married woman - to breast feed her own babies and have them run around her home. The joy of a mother was all she craved for. Even though she was not disturbed by her husband and his people, the pressure from the society overwhelmed her, as she was not comfortable been associated with bareness; a title the society places on women who are yet to

have their own babies years after marriage.” (This Day (7 May 2015) *Nigeria: Giving Hope to Infertile Couples*)

An article from the Lagos-based newspaper Vanguard states:

“Nkemdili Okeke is a secondary school leaver, who got married in 2011 at the age of 25, to a wealthy businessman in the South-East Nigeria. Five years after marriage, she is yet to conceive and has been subjected to dehumanising treatments by her husband's family. Particularly, Nkemdili's mother-in-law has become a thorn in her flesh, daily raining abuses on her, calling her all sorts of names, and even accusing her of being a witch that eats up the babies in her womb. That's not all. At other times, Nkemdili's mother-in-law accuses her of ruining her womb, saying she had been into prostitution and has destroyed her womb through incessant abortions. This went on and on for years, that Nkemdili's husband became pressurised by the mother to get a second wife for himself. The claims were that Nkemdili was to be blamed for her inability to conceive. However, on the advice of a neighbour, Nkemdili and her husband, sought medical attention, and lo and behold, it was discovered that it has not all been Nkemdili's fault but her husband's, as he was diagnosed to have a watery and low sperm count, thus suffering from infertility. There are millions of Nigerian women suffering these forms of dehumanisation, for their inability to conceive, and in most cases, the fault is usually laid on their doorsteps, without the slight knowledge that the men could be the problems.” (Vanguard (29 September 2016) *Nigeria: Infertility - Stakeholders Seek Ways to Combat Stigmatisation Against African Women*)

An article from the Nigerian tabloid newspaper The Sun News states:

“Fifty – Seven year old Grace Kambini popularly aka mama chips said she got married out of societal expectations, whereby women are expected to get married to earn respect from their communities. After nine years of marriage, she realised that she could not give birth. Both her husband and his relatives started attacking her. The abuse and insults extended to her home where she was tortured and frequently denied food for weeks at a time. Her husband did not care about her woes. ‘I remember asking my husband, how long I will continue to live this misery. He replied : You refused to leave my house as if your parents are dead, if they are dead you should ask them to open their grave so you may join them. You are of no use to me. Every time I remember his insult or talk about it, I feel faint and out of breath. Due to the stress I endured, I suffered hypertension and diabetes, now my life is about injecting insulin day and night,’ Grace said crying. She had nowhere to go. Unfortunately, Grace has no living relatives on her mother’s side and her in-laws did not seem to care about her suffering. At a point, Grace husband even asked her to go back to her late parent’s home and wake them from the graves so they can accommodate her.” (The Sun News (27 October 2016) *Tortous life of childless women*)

An Immigration and Refugee Board of Canada response to a request for information on protection available to victims of domestic violence in Nigeria, in a section titled “Police Response” (section 3.3), states:

“In correspondence with the Research Directorate, the National Program Coordinator of the Network on Police Reform in Nigeria (NOPRIN), a network

of 46 civil society organizations working on police accountability and human rights in Nigeria (n.d.), indicated that police 'characteristically exhibit bias and discriminatory attitudes in their treatment of female victims of violence' which is 'informed by cultural beliefs and notions which devalue and subjugate women,' and often 'blame the victim'. Sources report that police often perceive domestic violence as a family issue. Sources state that victims of domestic violence are often told to settle the problem themselves or involve other family members.

The NHRC Chairman indicated that domestic violence is 'poorly documented' and 'hardly investigated'. In an interview with Vanguard, a Nigerian newspaper, a human rights activist involved with the Women's Human Rights Clinic in Lagos, which provides alternative dispute resolution to victims of domestic violence, said that 'the Nigerian Police do not respond adequately to complaint[s] from women on domestic violence'. Sources report that police are 'reluctant' to intervene in domestic violence. According to Country Reports 2013, 'police did not intervene in domestic disputes,' and in rural areas, 'police remained reluctant to intervene to protect women who formally accused their husbands of abuse if the level of abuse did not exceed customary norms in the area'.

According to the Executive Director of Partnership for Justice, an NGO that launched Nigeria's Lagos Mirabel Sexual Assault Referral Centre (SARC) in 2013, when reports are made to police about crimes dealing with sexual violence, police are reluctant to file charges, especially against a perpetrator who is the victim's family member. In an interview with Vanguard, the Executive Director of ProjectAlert stated that due to 'police insensitivity to and unprofessional handling of sexual violence cases due to poor training and lack of logistics' there are 'especially' low reporting rates for sexual violence. She states that that 'the greatest challenge' is 'the poor response from the criminal justice system (police and courts) and social service providers (hospitals, social welfare) to victims and their families/friends'.

According to the Executive Director of Partnership for Justice, 'only medical reports from government hospitals are admitted in evidence in the courts' and there is a lack of forensic medical examiners to collect evidence in cases of sexual violence. Furthermore, police will cease their investigation without this evidence. According to the same source, the process to obtain a medical report is 'not victim friendly'. (Immigration and Refugee Board of Canada (10 November 2014) *NGA 104980.E – Nigeria: Domestic violence, including Lagos State; legislation, recourse, state protection and services available to victims (2011-October 2014)*)

The 2016 US Department of State country report for Nigeria, in a section titled "Women" (section headed "Rape and Domestic Violence"), states:

"No laws of nationwide applicability criminalize gender-based violence. The VAPP provides for up to three years' imprisonment, a maximum fine of 200,000 naira (\$635), or both for spousal battery. It defines spousal/partner battery as the intentional use of force or violence upon a person to include touching, beating, or striking with the intention of causing bodily harm. The act provides up to one year's imprisonment for anyone found guilty of intimidation by conveying a threat that induces fear, anxiety, or discomfort. It also authorizes courts to issue protection orders upon application by a victim and

directs the appointment of a coordinator for the prevention of domestic violence to submit an annual report to the federal government. Notwithstanding these federal provisions, only the states of Cross River, Ebonyi, Jigawa, and Lagos had enacted domestic violence laws.” (US Department of State (3 March 2017) *2016 Country Reports on Human Rights Practices – Nigeria*, pp.29-30)

This section of the report also states:

“Police often refused to intervene in domestic disputes 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.” (ibid, p.30)

An article published in *Development and Cooperation*, a monthly English language journal funded by Germany's Federal Ministry for Economic Cooperation and Development, in a section headed “Wave of protest in Nigeria”, states:

“The courts of law are also taking the matter of DV more seriously. Magistrates used to advise squabbling couples to 'go and maintain the peace' and explore reconciliation possibilities even in cases of domestic assault brought before them.

Despite the changing attitudes, many cases of domestic assault are still not persecuted. Only cases of murder and grievous bodily harm get charged to court. DV persists due to a faulty justice system. The National Assembly has hitherto refused to incorporate international instruments and conventions that protect women into Nigerian law, on grounds that some of their provisions violate cultural and religious beliefs.

However, part of Nigerian society is ahead of its judicial system. Josephine Effah Chukwuma, Executive Director of Project Alert, a Nigerian NGO that works to protect women's rights, says public perception and understanding of domestic violence and its negative consequences are growing. ‘Significant progress has been made as a result of mass sensibilisation’, she claims. ‘Fathers and brothers are seeking help for their daughters and sisters now.’

Chukwuma stresses that ‘the silence has been broken’. She says the support systems are getting better, but there is definitely room for further improvement, especially on the part of government agencies (the police, hospitals and courts). ‘Most of the support services are given by NGOs,’ she points out. Meanwhile, most women in Nigeria's disadvantaged north are still treated as second-class citizens, including physical and sexual abuse.” (Development and Cooperation (4 July 2014) *Miles apart, -sisters in pain*)

This response was prepared after researching publicly accessible information currently available to the Research and Information Unit within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

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