



Nigeria – Researched and compiled by the Refugee Documentation Centre of Ireland on 26 April 2019

Information on arranged/forced marriages of young girls including: rates nationwide; rates for Kaduna; available state protection for those who report on forced marriages; related honour killings nationwide/in Kaduna; treatment of families who refuse to allow their daughter undergo a forced marriage; Hausa/Fulani traditions of child marriages; & state protection for Hausa/Fulani who report child marriages

A 2012 Immigration and Refugee Board of Canada response, in a section titled “Prevalence of Forced Marriage”, states:

“In correspondence with the Research Directorate, Uju Peace Okeke, a lawyer and sexual-and-reproductive-rights activist, indicated that there is a ‘high’ incidence of forced marriage in Nigeria. Sources indicate that the prevalence of forced marriage is dependent on a number of different factors. Okeke says it depends on culture. In correspondence with the Research Directorate, a project coordinator at Women’s Rights Watch Nigeria, a Nigerian women’s rights advocacy organization, notes, in addition to culture, the factors of religion, location, socio-economic status, and ethnic group. Similarly, the Director of Widows for Peace through Democracy (WPD), a UK-based advocacy organization for widows in developing countries, says that factors include tribe and sub-clan, location, education, and income.

The Women’s Rights Watch Nigeria project coordinator indicated that forced marriage is ‘very prevalent’ in the north of Nigeria, where the population is largely Muslim, and that it is ‘not common’ in the south and among Yoruba communities. Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

The Women’s Rights Watch Nigeria project coordinator stated that, in the north, forced marriage is part of the culture and religion. Okeke attributes the higher prevalence of forced marriage in the north to the cultural and religious practice of polygamy. According to the Women’s Rights Watch Nigeria project coordinator, in the north, forced marriage is ‘very prevalent’ among the urban and rural poor, but ‘not very common’ among educated populations.”
(Immigration and Refugee Board of Canada (9 November 2012) *Nigeria: Prevalence of forced marriage, particularly in Muslim and Yoruba communities; information on legislation, including state protection; ability of women to refuse a forced marriage*)

In a section titled “Age of Marriage in the North” this response states:

“According to *The Times*, northern Nigeria has one of the highest rates of child marriage in the world. According to the British Council in Nigeria, more than half of Nigerian women in the north are married by the age of 16 and are

expected to give birth to a child during the first year of marriage. The *Nigeria Demographic and Health Survey 2008* reported the median age of marriage for 15 to 19 year olds in the northeast to be 15.9 and in the northwest to be 15.7. The Times reports that some girls in northern Nigeria are married by the age of 12.” (ibid)

A section titled “Refusing a Forced Marriage” states:

“According to the Director of WPD, the ability of women to refuse a forced marriage in Nigeria ‘depends on the tribe, the sub-clan, the location, the degree of education, [and] income levels’. In correspondence with the Research Directorate, an assistant professor of Anthropology at the University of Kansas indicated that the consequences of refusing a forced marriage are ‘contingent upon the family’. According to Okeke, it is easier for a woman in the south to escape a forced marriage because women in the south ‘are more educated’.” (ibid)

An article by various authors published in the journal *Sex Health Issues* states:

“The Convention on the Rights of the Child (CRC) that was adopted by the United Nations in November 1989 got ratified in Nigeria in March 1991. However, the actual legal definition is that ‘a child means every human being below the age of 18 years unless, under the law applicable to the child, the majority is attained earlier’” It is pertinent to note the legality clause italicized in the quotation. This clause was a weak defence for the protection of child when Sani Ahmed Yerima, Nigeria Senator asserted that ‘Islamic Law allows marriage not by age but by maturity, which is attained once a girl reaches the age of puberty’.

Moreover, the law was supposed to render invalid any contravening custom or tradition including cultural and religious practices that are injurious to the child. Yet, the law has been ineffective in arresting the incidence of child marriage in some parts of Nigeria. The country is bound by federal laws, but a statutory law cannot be applied on marriages contracted under Customary or Islamic laws.” (Agege EA (12 August 2017) *Legalities of child marriage in Nigeria: Implications on health and strategies of prevention*. *Sex Health Issues* 1: DOI: 10.15761/SHI.1000105)

A report from the South Africa-based Bhekisisa Centre for Health Journalism, in a section headed “The number child brides is expected to double by 2050”, states:

“Child marriage is common in northern Nigeria, where up to three out of four girls (76%) are married before their 18th birthday, data from the United Nations Population Fund (UNFPA) shows. Nigeria is home to the largest number of child brides in Africa, Unicef reported in 2015, with 23-million girls and women who were married in childhood. Countrywide, this means nearly half (49%) of Nigeria’s women marry under the age of 18.

Taking the country’s population growth into account, the total number of child brides in Nigeria will double by 2050, Unicef predicts in a 2014 report, *Ending Child Marriage: Progress and Prospects*.

This is despite the country last year officially becoming the 17th to join the African Union's eight-year campaign to end child marriage. Nigeria has launched its own drive to eradicate the practice by 2030.

In the north, child marriage has been politically and culturally controversial and efforts to end it are often thwarted. In 2010 Ahmed Sani Yerima, then a 49-year-old senator for Zamfara West, defiantly married a 13-year-old Egyptian girl as his fourth wife. Yerima defended his decision as sanctified by Islam and later reportedly again used his religion to oppose changes to a constitutional clause that means girls under the age of 18 become 'full age' once married.

The Nigerian government made child marriage illegal in 2003 when it adopted the Child Rights Act, which raised the minimum age of marriage to 18. But the legislation was created at a federal level and only 24 of Nigeria's 36 states have passed the Act, according to a Unicef press release marking this year's Nigerian Children's Day in May.

Even in the states that have adopted the legislation, it is 'not well enforced', says Sylvia Adebajo, director of the Population Council in Nigeria.

'The main drivers of child marriage in Nigeria are poverty, poor educational attainment and strong social and religious traditions,' Adebajo explains." (Bhekisisa Centre for Health Journalism (28 June 2017) *Nigeria's children tied up in a marriage knot*)

A guidance note published by the European Asylum Support Office, in a section titled "Child marriage and forced marriage", states:

"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 'indecent' 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.” (European Asylum Support Office (EASO) (27 February 2019) *Country Guidance: Nigeria - Guidance note and common analysis [Analysis of particular profiles with regard to qualification for refugee status]*)

The 2018 US Department of State country report for Nigeria, in a section titled “Children” (paragraph headed “Early and Forced Marriage”)

“The law sets a minimum age of 18 for marriage for both boys and girls. The prevalence of child marriage varied widely among regions, with figures ranging from 76 percent in the Northwest to 10 percent in the Southeast. Only 25 state assemblies adopted the Child Rights Act of 2003, which sets the minimum marriage age, and most states, especially northern states, did not uphold the federal official minimum age for marriage. The government engaged religious leaders, emirs, and sultans on the problem, emphasizing the health hazards of early marriage. Certain states worked with NGO programs to establish school subsidies or fee waivers for children to help protect against early marriage. The government did not take legal steps to end sales of young girls into marriage.

According to an NGO, education was a key indicator of whether a girl would marry as a child--82 percent of women with no education were married before 18, as opposed to 13 percent of women who had at least finished secondary school. In the North parents complained the quality of education was so poor that schooling could not be considered a viable alternative to marriage for their daughters.

Families sometimes forced young girls into marriage as early as puberty, regardless of age, to prevent ‘indecent’ associated with premarital sex or for other cultural and religious reasons.” (US Department of State (13 March 2019) *2018 Country Reports on Human Rights Practices – Nigeria*, pp.37-38)

A report published by the international NGO Girls Not Brides, in a section titled “What’s the child marriage rate? How big of an issue is child marriage?”, states:

“44% of girls in Nigeria are married before their 18th birthday and 18% are married before the age of 15.

According to UNICEF, Nigeria has the third highest absolute number of child brides in the world – 3,538,000 – and the 11th highest prevalence rate of child marriage globally.

Child marriage is most common in the North West and North East of Nigeria, where 68% and 57% of women aged 20-49 were married before their 18th birthday. Child marriage is particularly common among Nigeria’s poorest, rural households and the Hausa ethnic group.” (Girls Not Brides (15 February 2019) *Nigeria – Child Marriage Around the World*)

A Voice of America news report states:

“Nigeria has the largest number of child brides in Africa, according to the U.N. Children’s Fund. The practice is most prevalent in the predominantly Muslim north where conservative Islamic groups staunchly resist efforts to criminalize child marriage. Most girls accept whether they want to or not, but times are changing.

‘We are seeing more and more girls running away from child marriages,’ says Hajia Rabi Salisu, the founder of Arrida Relief Foundation and owner of a children’s home in Kaduna.

She and other activists want states in the north to criminalize marriage before the age of 18. A prominent activist, Salisu says her advocacy has put her at loggerheads with Muslim groups and she regularly receives death threats.

‘I sleep in a different home almost every night because my life is at stake simply for trying to protect the lives of children,’ she told VOA.” (Voice of America (22 March 2018) *Bid to End Child Marriages Arouses Passions in Northern Nigeria*)

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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