Inclusive Futures Initiative



Mapping the Women and Childrens Rights Ecosystem in Nigeria

Inclusive Futures Initiative

2026

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Mapping the Women and Children's Rights Ecosystem in Nigeria

This report is based on the Mapping the Women and Children's Rights Ecosystem in Nigeria research, which involved an extensive review of relevant policies, legislation, and available data on the rights of women and children in Nigeria. The findings are informed by information available at the time of the research and may not reflect subsequent developments.

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About Inclusive Futures Initiative

Strengthening systems for the rights of women, children and young people

Inclusive Futures Initiative (IFI) strengthens evidence generation, narrative framing, and ecosystem collaboration across Africa's women, children and young people's rights ecosystem. Through its portfolio of programmes, including the Women and Children's Rights Observatory (WoCRO), we bridge knowledge and action by creating shared understanding, shaping public conversation, and enabling more coherent collective responses.

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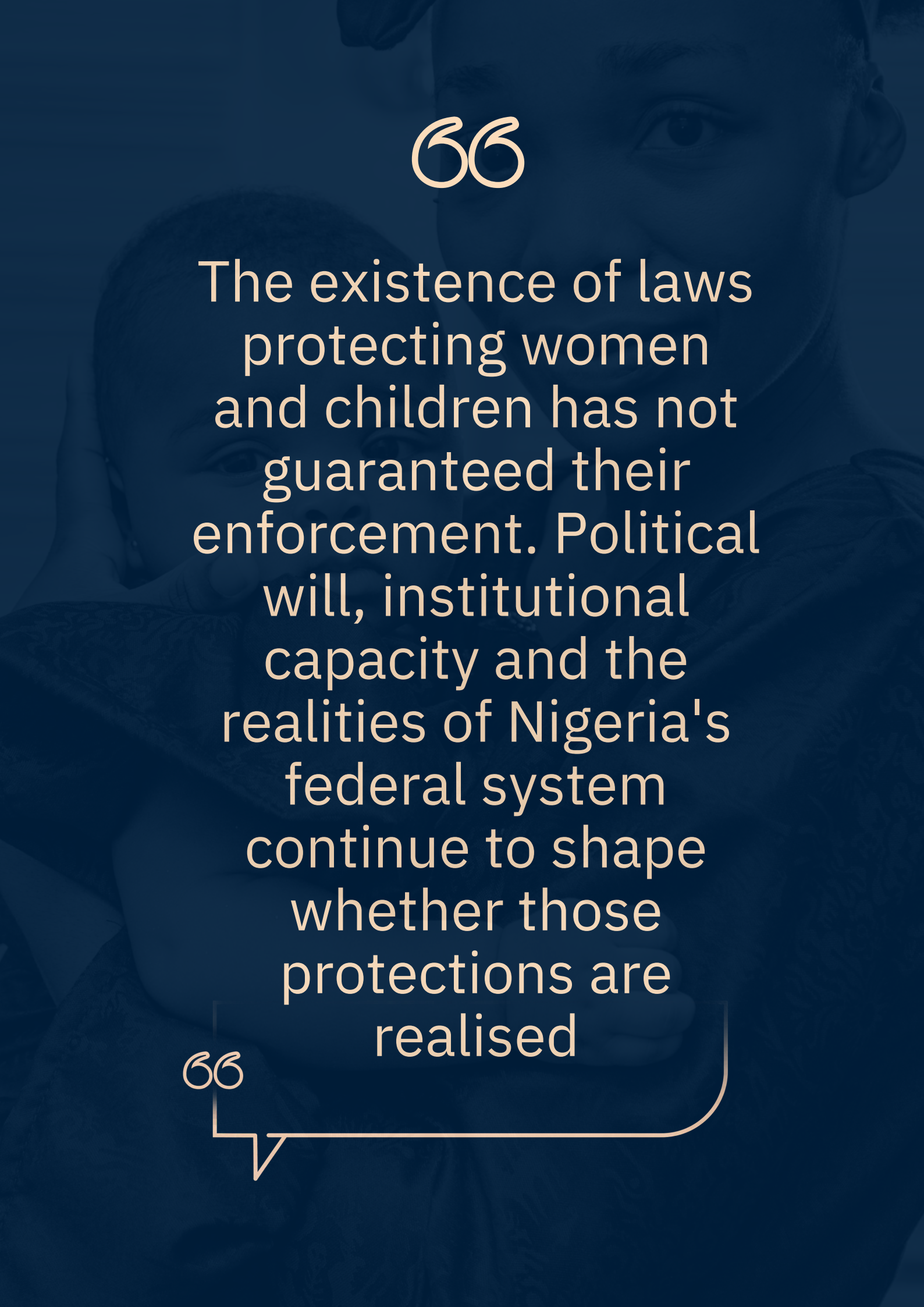


Executive Summary

Inarguably, questions about the realisation of social justice and welfare meet few answers in Nigeria. The description by the 1999 Constitution as non-justiciable, any accrual of rights under these framings, sets a deflating tone. It is alarming that even where there are clear intersections of these so-called unenforceable rights with fundamental liberties or violations that are expressly criminal occur, policy reactions remain vegetative. The evidence of these lies in numerous failed attempts at translating ideals in legislation into reality. A major case in point is the Child's Rights Act of 2003 which is yet to live up to its potential for child protection. Embattled by layers of social, political, and religious sentiments, the Act exemplarises reform steeped in aspirational rhetoric but minimal compelling action. The same applies to the VAPP Act which though a decade later still entered into social and institutional climates that developed little in enforcing social justice for vulnerable populations.

Given the sensitivity of women and children's rights, it has become important to observe the nuances limiting the ability of state authorities to transform laws concerning their protection into change instruments. The report notes that the division of certain legislative powers along federal and state lines is a primary impediment to instituting real safeguards. While national laws may indeed exist in accordance with Nigeria's commitment to international obligations, the constitutional requirement of domestication by states where such commitment touches their legislative concern has proven a hindrance. States, equally constrained by conservative sensibilities within their borders, therefore enjoy the liberty of inaction. An indicator, however, of the likely supersessory role of political will in states' unwillingness is the contradiction between the timing of enactment and progress on implementation. A separate layer of technicality is the confusing array of laws on the subjects of crime and labour. The differing positions of various regulatory instruments are behind this report's analyses of statutes, social pulses, implementation statuses, and opportunities for civil society intervention.

1 Section 6(6)(c), Constitution of the Federal Republic of Nigeria, 1999



> The existence of laws protecting women and children has not guaranteed their enforcement. Political will, institutional capacity and the realities of Nigeria's federal system continue to shape whether those protections are realised

Introduction

Distinct misalignments exist between the overall share of women and children in the Nigerian population and the quality of social and economic guarantees they enjoy. Research by the National Bureau of Statistics placed the population of women at 49.99 percent of the overall population compared to men at 50.01 percent.[2] Children constituted close to half of the national population at 105 million in 2024.[3] However, despite the significant tally, people in this demography face myriad inequalities in accessing healthcare, education, social welfare services, and justice,[4] and are more vulnerable to sociopolitical and economic upheavals.

This report seeks to understand opportunities for new intervention to improve women and children's rights that exist in the country. To do this, the report starts by reviewing the current legislative frameworks guiding women and children rights in the country. It particularly focuses on identifying the multiple inconsistencies in this body of legislation and how this further frustrates the rights ecosystem. It then analyses specific rights protection issues affecting this demography, including female genital mutilation, child labour, child marriage, digital exploitation, and gender-based violence, analysing their current state, and factors responsible for this. It proceeds to identify the key institutions, systems, and stakeholders in the country and the work they have done to advance women and children's rights. Finally, the report identifies strategic gaps in this ecosystem that a new civil society organization can fill through civic technology, data-driven advocacy and community engagement.

2 National Bureau of Statistics. 2024. "Statistical Report on Women and Men In Nigeria 2022." (April). chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.nigerianstat.gov.ng/pdfuploads/2022_Statistical_Report%20on%20Women%20and%20Men_%20in%20Nigeria.pdf.

3 Ministry of Budget and Economic Planning and United Nations Children's Fund. 2025. "The State of Nigeria's Children: Summary of the 2024 Situation Analysis of Children and Adolescents in Nigeria." 2nd Edition (February). https://www.unicef.org/nigeria/media/10591/file/State-of-Nigerias-Children_Summary-of-the-2024-Updated-SitAn.pdf.

4 Ibid



> Women and children account for a substantial share of Nigeria’s population, yet their access to healthcare, education, social welfare and justice remains marked by inequality.

An Analysis of Legislation Protecting Women and Children in Nigeria

03

A variety of laws contain provisions specifically targeted at protecting women and children against abuses. These include the Constitution of the Federal Republic of Nigeria, 1999, Child Rights Act 2003, Violence Against Persons Prohibition Act, 2015, the Criminal Code, the Penal Code, the Child's Rights Laws of various states, the Labour Act, 2004, among others. However, as opposed to providing multiple layers of benefits for rights protection in the country, this diverse body of legislation has created a complex and contradictory legislative environment for women and children's rights.

To begin with, the 1999 Constitution conceives of a power-sharing structure within which subnational entities may operate with controlled or zero overlaps with the Federal Government. The effect of this is that lawmaking on certain matters are exclusive to the federal and state tiers of government. This backdrop is fundamental to the examination of applicable laws as will be seen subsequently. Fundamental also is cultural context to the multimodality of legislation on children's rights. While statutes define the minimum age for a person to qualify as a child, this framing may be viewed differently by the ethnic or sociocultural grouping to which the individual belongs. Thus, a person may remain a child if he is unmarried, is uninitiated into membership of an age grade, does not contribute to the upkeep of the family, below ages 30 or 20 depending on cultural identity,[5] or yet to attain puberty.[6] These metrics formed the base of customary administration of children before the advent of formal statutory frameworks.

5 Ajanwachukwu, Akpa M. 2017. "An Examination of Customary and Statutory Legal Meaning of a Child in Nigeria: a Stream of Two Waters that does not Mix." Fiat Justisia Jurnal Ilmu Hukum 11, no. 1 (January - March): 30 - 38. http://jurnal.fh.unila.ac.id/index.php/fia.

6 AjaNwachukwu, Akpa M. 2017. "The Nigerian Child and the Right to Participation: A Peep through the Window of "The Best Interest" Clause of the Child's Rights Act." Beijing Law Review 8, no. 2 (June). https://doi.org/10.4236/blr.2017.82009.

The Child's Rights Act, 2003

Nigeria's Child's Rights Act was built on the United Nations Convention on the Rights of the Child adopted by the multilateral body in 1989.[7] Following this, the African Charter on the Rights and Welfare of the Child (CRCW) was equally developed by the defunct Organisation of African Unity.[8] Nigeria ratified both a decade apart in 1990 and 2000, respectively. Although the Child Rights Act is often cited as the foremost legal undercrust for aspirations on Nigeria's child welfare ecosystem, recourse must first be had to the 1999 Constitution. This is because it, on the one hand, supplies the foundational reasoning for the existence of all other laws at federal and subnational levels in the country, and on the other, serves as a reference point for rights allotted to children under the CRA, 2003. With regards to the former, Section 4(5) of the Constitution expressly invalidates any law which is inconsistent with any that has been validly enacted by the National Assembly.[9] A validly enacted law is such legislation that the Constitution through the Exclusive and Concurrent Lists has designated as within the powers of the National Assembly to enact.[10] A reading of both Lists, however, would show that the matter of child rights is not ensconced in either, leaving it as a 'residual' matter, exclusively under the authority of state legislatures. The next leg of this is that for instruments such as the United Nations CRC and the African Charter on the Rights and Welfare of the Child to have the force of law in Nigerian courts, it must first be domesticated by the National Assembly.[11] And while the federal legislature may freely enact legislation on matters within the purview of states for the purpose of implementing a treaty,[12 13] such legislation must first be ratified by the majority of the Houses of Assembly of the states.

7 United Nations Children's Fund. 2007. "The Child's Rights Act." OVC Support. https://ovcsupport.org/wp-content/uploads/Documents/Child_Rights_Act_Nigeria_UNICEF_information_sheet_1.pdf.

8 Ibid

9 Section 4(5), Constitution of the Federal Republic of Nigeria, 1999

10 Sections 2 - 4, Constitution of the Federal Republic of Nigeria, 1999

11 Section 12, Constitution of the Federal Republic of Nigeria, 1999

12 Ibid

13 Item 26, Part I, Second Schedule, Constitution of the Federal Republic of Nigeria

Which Nigerian States have domesticated the Child's Rights Act?



However, it would appear that the National Assembly applied a workaround to the fierce resistance encountered by the Convention on the Rights of the Child. While the constitutional requirement is ratification by the majority of the states, it bypassed this by promulgating it as law solely applicable to the Federal Capital Territory.[14] In effect, it began with a limited spread, leaving individual states to elect for themselves to either domesticate it or otherwise. The consequences of this was sluggish localization of the

14 Omoregie, Edoba. 2015. Implementation of Treaties in Nigeria: Constitutional Provisions, Federalism Imperative and the Subsidiarity Principle, A paper delivered at the International Conference on Public Policy (ICPP). chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.ippapublicpolicy.org/file/paper/1433585864.pdf.

Act, with reports in 2020 citing 11 states as still yet to sign it into law.[15] Though all states now have some version of a child protection law,[16] the 'voila' moment is still unreached. Signing a bill into law is one part of the final legislative steps to acquiring enforceability; gazetting is the other. Although failure to gazette a law does not imply that it is invalid or has not come into force, such an omission risks stripping it of enforceability against the public. Per judicial decisions, the gazette forms an official notice to the public of the existence of new legislation, lacking which its application may be sterilised.[17] Consequently, even as Nigeria can now fully claim to have checked the box on legislative provisions for children, it is fairly theoretical as 11 states are yet to gazette their laws to give it full legal effect.[18] The states are Zamfara, Yobe, Bauchi, Borno, Taraba, Oyo, Osun, Ekiti, Kogi, Ondo, and Rivers.

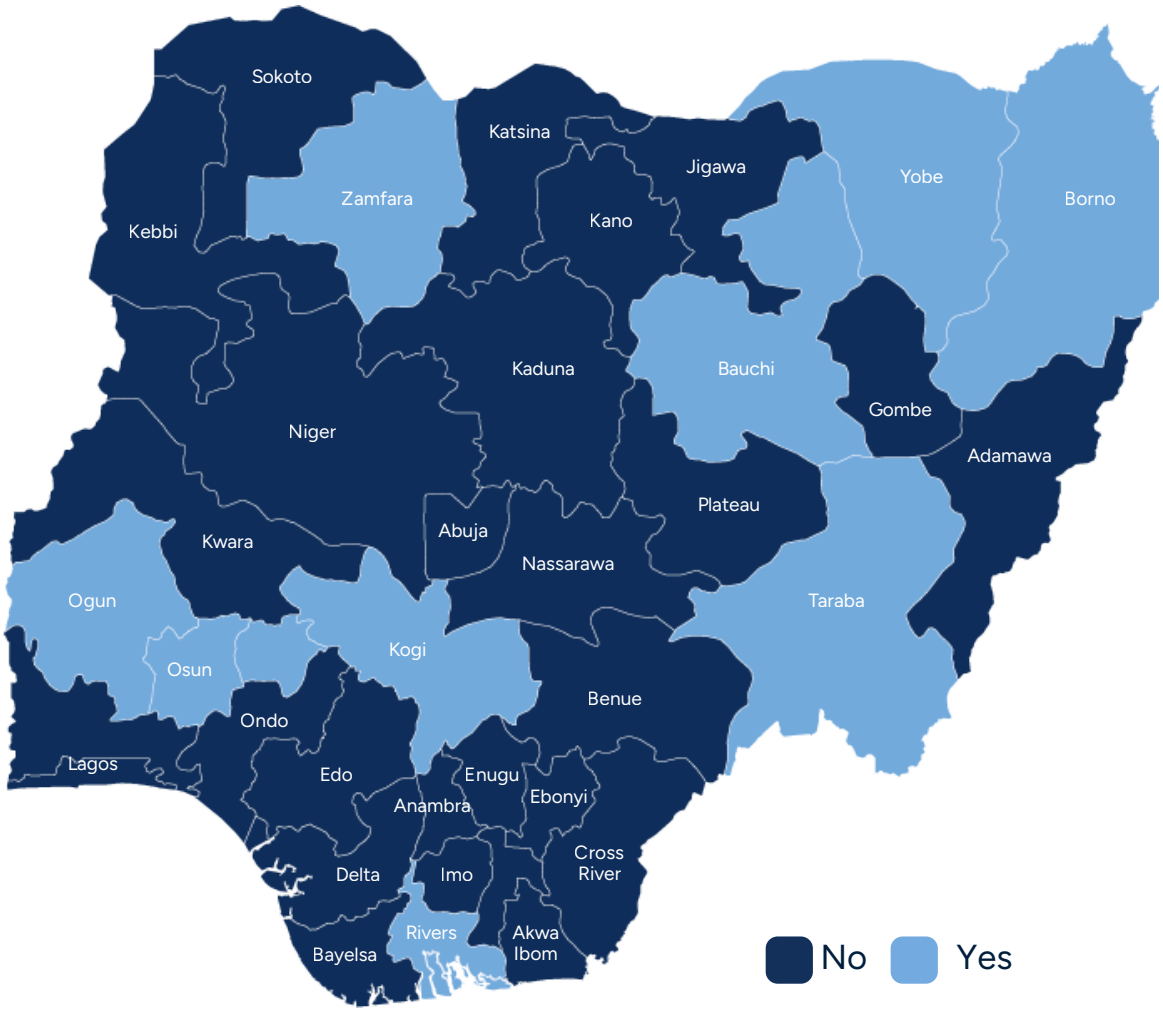
15 Premium Times. 2020. "11 States Yet to Domesticate Child Rights Act — Minister." Premium Times. https://www.premiumtimesng.com/news/top-news/420620-11-states-yet-to-domesticate-child-rights-act-minister.html?tztc=1.

16 Anyanwu, Samuel. 2024. "Universal Children's Day 2024: Nigeria's Efforts To Advance Children's Rights And End Violence Against Children." Federal Ministry of Information and National Orientation. https://fmino.gov.ng/universal-childrens-day-2024-nigerias-efforts-to-advance-childrens-rights-and-end-violence-against-children/.

17 Stransact. 2024. "The Legal Propriety of Ungazetted Acts or Regulations in Nigeria." Stransact. https://stransact.com/en/insights/the-legal-propriety-of-ungazetted-acts-or-regulations-in-nigeria

18 Her Story Our Story. 2025. "Child Rights Act Update." https://herstoryourstory.ng/wp-content/uploads/2021/04/210208-SARC-data-Newsletter-article-v1Jeff.pdf/.

Map of Nigerian States Yet to Gazette Child Right Law



Importantly, the list suggests that though the North was the holdout region on domestication up until the passing into law by Bauchi, the last state to do so, in 2023,[19] slow institutionalisation exists in regions such as the Southwest too. Evidence of this cosmetic treatment of child rights legislation is more apparent in the difference between the adoption timelines and gazetting status of Southwestern states. In Oyo State, the Act was domesticated in 2006; Osun, 2007; Ekiti, 2006; Ondo, 2007; and Rivers, the only South-Southern State on the list, 2010. Beyond the appearance of gazetting as mere

19 Plan International. 2023. "Plan International welcomes signing of the Child Rights Act in Bauchi State - Nigeria." ReliefWeb. https://reliefweb.int/report/nigeria/plan-international-welcomes-signing-child-rights-act-bauchi-state.

superficial procedure, emphasis on this strain of the data is important for two reasons: one, failing to gazette potentially limits the ability of states to assert prosecutorial powers; two, early adoption has not translated to significant protective outcomes on a state-by-state basis.

The Child's Rights Act, 2003

	State	Year
1	Zamfara	2022
2	Yobe	2022
3	Taraba	2005
4	Sokoto	2021
5	Rivers	2010
6	Plateau	2005
7	Oyo	2006
8	Osun	2007
9	Ondo	2007
10	Ogun	2004
11	Niger	2010
12	Nasarawa	2005
13	Lagos	2007
14	Kwara	2005
15	Kogi	2009
16	Kebbi	2022
17	Katsina	2020
18	Kano	2023
19	Kaduna	2018

20	jigawa	2021
21	Imo	2004
22	Gombe	2022
23	FCT	2003
24	Enugu	2016
25	Ekiti	2006
26	Edo	2007
27	Ebonyi	2010
28	Delta	2008
29	Cross River	2009
30	Borno	2022
31	Benue	2008
32	Bayelsa	2016
33	Bauchi	2023
34	Anambra	2004
35	Akwa Ibom	2008
36	Adamawa	2020
37	Abia	2006

This is as the CRA itself reveals lofty aspirations for child welfare. The Act places the best interests of the child as the paramount consideration in all actions.[20] It does this by incorporating the dictates of the constitution on fundamental rights into the list of entitlements accruing to a child,[21] making these rights equally applicable to children.

20 Section 1, Child's Rights Act, 2003

21 Section 3(1), Child's Rights Act, 2003

It also guarantees a litany of other rights. These include the child's right to freedom of thought, conscience and religion; private and family life; free movement; freedom from discrimination; health; leisure; education; special protection; and parental care and maintenance.[22] These rights are subject to the care of parents or guardians exercised in the best interests of the child. While critics have typically argued that the provisions of the CRA are needless given the existence of constitutional and other statutory safeguards, the framing of the rights is crucial to their application in practice[23]. The Act is specific on their assertion, particularly within the guardrails of parental oversight. It also demarcates the projection of parental or state authority to actions that guarantee the best interests of the child. Moreover, it contains key provisions on minimum policy expectations such as the education of children up to junior secondary school,[24] and immunisation for children under two years.[25] Also far-reaching is the existence of penalties for the failure of persons having care and custody of the child to fulfill maintenance obligations mandated under the Act, with the Family Court identified as the appropriate judicial authority before which the rights may be enforced.[26] But the sociocultural tensions are similarly apparent. Notable among these are the right of a child to sue their parents for willful injury caused to the child before, during or after his birth,[27] thresholds on marriageable age, [28] prohibition of child marriage,[29] and prohibition of child betrothal.[30]

22 Part II, Child's Rights Act, 2003

23 Assim, Usang. 2020. "Why the Child's Rights Act Still Doesn't Apply Throughout Nigeria." The Conversation. https://theconversation.com/why-the-childs-rights-act-still-doesnt-apply-throughout-nigeria-145345

24 Section 15, Child's Rights Act, 2003.

25 Section 13(4), Child's Rights Act 2003

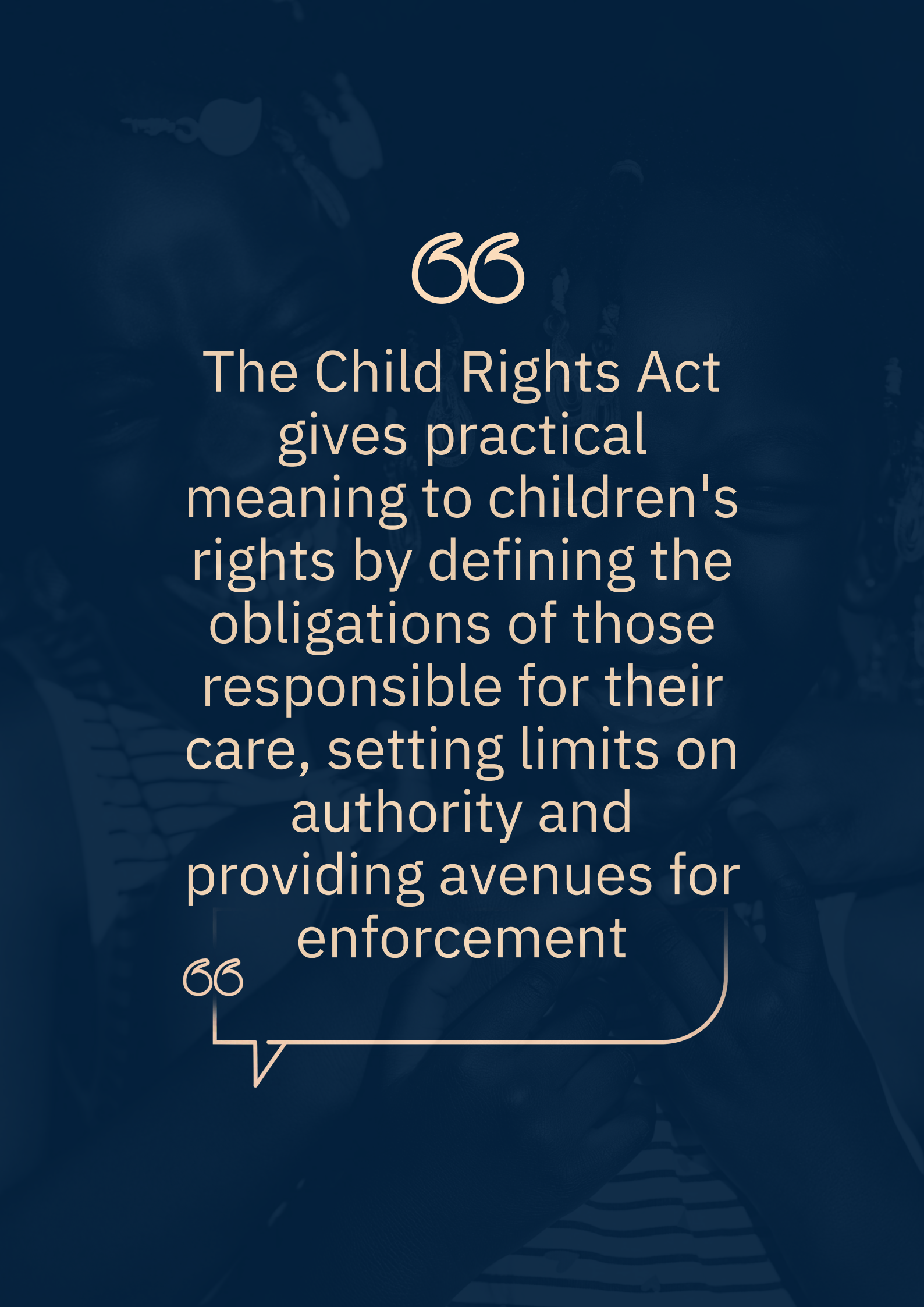
26 Section 14(2), Child's Rights Act 2003

27 Section 17, Child's Rights Act 2003

28 Section 21, Child's Rights Act 2003

29 Section 22, Child's Rights Act 2003

30 Section 23, Child's Rights Act 2003



“The Child Rights Act gives practical meaning to children's rights by defining the obligations of those responsible for their care, setting limits on authority and providing avenues for enforcement”

A direct challenge to long-held religious and traditional values dominant in northern and southern parts of the country, these provisions formed the bases of the furore that greeted the introduction of the Act. Under the constitution, the Federal government retains exclusive authority over marriages excluding those conducted under customary or Islamic law.[31] This meant that states conforming to Islamic law precepts faced the conundrum of harmonising the Act with existing principles if domesticated. To understand this, the example of Jigawa, a state in Nigeria's far north, comes in handy. Its initial adoption of the CRA came with the exclusion of the age bar from its law, settling for puberty as a benchmark instead.[32] That iteration defined puberty as "the age at which a person is physically and physiologically capable of consummating the marriage."[33] The law was later repealed in 2012 and the process for passing a new legislation was set in motion in 2020. Under the current version, a child is defined as a person below the age of 18.[34] However, such an acknowledgement does not translate to recognition of marriage to or by a person beneath that threshold as underage marriage. Instead, in rationalising the state's position, the then chairperson, Jigawa State House Committee on Justice and the Judiciary, Abubakar Muhammad, commented, "It is very difficult to determine the age of a person that is ripe for marriage. Thus, because of the controversial nature of it, we expunged it totally from the Bill."[5] This difficulty in determining marriageable age subsists on an arbitrary scale where no standards exist. This conflict also sheds the spotlight on another facet of the CRA as a body of law. Since the Federal legislature is constitutionally barred from making laws on marriages within the ambit of customary law and Islamic law, these being under the residual purview of states, the age limit exists largely in theory, and its practicality depends on the different subnational entities.

31 Item 61, Part 1, Second Schedule to the Constitution of the Federal Republic of Nigeria, 1999

32 Braimah, Tim. 2014. "Child marriage in Northern Nigeria: Section 61 of Part I of the 1999 Constitution and the protection of children against child marriage." Southern African Legal Information Institute. https://www.saflii.org/za/journals/AHRLJ/2014/24.html#:~:text=For%20instance%2C%20in%20Northern%20Nigeria,the%20prevention%20of%20child%20marriage.

33 Section 2, Jigawa State Child Rights Bill, 2006.

34 Maishanu Abubakar. "Jigawa Assembly Passes Child Rights Bill, Expunges Age Limit for Marriage." Premium Times. https://www.premiumtimesng.com/regional/nwest/501952-jigawa-assembly-passes-child-rights-bill-expunges-age-limit-for-marriage.html

35 Ibid

Aside from age, Islamic and customary law practices are layered with different perceptions of children's autonomy than those envisaged under the CRA. The assessment of maturity, discussed above, varies substantially from the statutes as do the balancing considerations between parental authority and child freedoms. While the CRA aligns with the best interests of the child in conjunction with non-religious parameters, Islamic law, in particular, abides by a system of values that prescribe responsibilities to either parent and the child. Judicially, also, the resolution of disputes under the Sharia law falls within the precincts of the Sharia Courts not the Family Court contained in the CRA.[36] The creation of the Family Court contrasts sharply with the formalised structure of the Sharia courts in northern states. These courts have jurisdiction over children and mature litigants in civil and criminal matters.[37] Their professional adjudicatory backgrounds also vary. While Family Courts are presided over by a judge and two assessors, one assessor schooled in Child Psychology Education, the Sharia Court is constituted by Alkali.[38] The Alkali is versed in Islamic law and principles, birthing vastly different notions of justice. As a result, while the CRA propounds a model of justice that reforms the child, Sharia Law applies retributive penalties as enshrined in Islamic jurisprudence.[39] Thus, penalties such as corporal punishment and amputation may be levied even on child offenders, contrary to the CRA provisions on the child's freedom from torture and degrading treatment.[40] [41] The sentence of amputation, while extremely rare and typically unexecuted when imposed, the last instance in Zamfara State being in 2016,[42] is not an imagined threat; one fifteen-year old teenager in Kebbi

36 Section 153, Child's Rights Act, 2003

37 Ogunniran, Iyabode. 2010. "The Child Rights Act Versus Sharia Law in Nigeria: Issues, Challenges and a Way Forward." Children Legal Rights Journal. https://ir.unilag.edu.ng/items/816d48b0-a007-4122-bb19-cc309c361717

38 Ibid

39 Ibid

40 Ibid

41 Section 11, Child's Rights Act, 2003

42 Bourbeau H., Umar, M.S., Bauman, P. 2019. "Shariah Criminal Law in Northern Nigeria: Implementation of the Expanded Shari'ah Penal and Criminal Procedure Codes in Kano, Sokoto, and Zamfara States, 2017 - 2019. United States Commission on International Religious Freedom.

State was documented as a convict in the early years of the restoration of Sharia law.[43] Flogging, on the other hand, is more common for offences such as theft.[44] The contradiction between both legal frameworks extends to matters such as custody and adoption. For example, in the case of children born out of wedlock, while the CRA permits either unmarried parent to have custody of a child, depending on who seeks to do so, Islamic jurisprudence frowns strongly upon childbirth between unmarried couples, denouncing them as illegitimate.[45] Where the couple are divorced, custody by default belongs to the wife. This contrasts with best interest evaluations under the CRA. On adoption, the CRA outlines qualifications that must be met for a child to be legally adopted. Islamic practice, however, disallows the conferment of rights such as inheritance, intermingling with other members of the household, and recognition by the family name.[46] The dissimilarities and contradictions between these systems are so wide that the Supreme Council of Sharia in Nigeria was compelled to declare that the "CRA will demolish the very basis and essence of sharia and Islamic culture."[47]

The statute, though general in nature, intersects clearly with the protection of the rights of the girl-child. Its emphasis on the protection of the child from harm and harmful practices weighs heavily upon subjects as Female Genital Mutilation/Cutting (FGM/C) and early marriage. The overbearing consideration being the child's best interests, provisions prohibiting violation of the girl-child's dignity, right to education, and health have direct implications for actions that contradict the wellbeing of the child. FGM is layered with consequences extending beyond the perpetration of physical harm. It affects the girl's education, threatens her mental health, subjects her to a lifetime of health challenges, and even death.[48] The same applies to child marriage. Nigeria has the

43 Human Rights Watch. "Letter to Nigerian President Obasanjo on Amputation by a Shari'a Court." https://www.hrw.org/news/2001/10/15/letter-nigerian-president-obasanjo-amputation-sharia-court

44 Bourbeau H., Umar, M.S., Bauman, P., Shari'ah Criminal Law

45 Ogunniran, The Child's Rights Act, 14.

46 Ibid

47 Ibid

48 World Health Organization. 2025. "Health Risks of Female Genital Mutilation." https://www.who.int/teams/sexual-and-reproductive-health-and-research-(srh)/areas-of-work/female-genital-mutilation/health-risks-of-female-genital-mutilation

highest number of child brides on the continent at 23 million girls.[49] For these women, marriage often represents an abrupt halt to any chances at self-actualisation. It propels an onset of early sexual activity, high-risk pregnancies, sexually transmitted infections and partner abuse.[50] Research shows that girls married before the age of fifteen are more likely to experience intimate partner violence.[51] The Child's Rights Act therefore offers substantial regulatory utility in safeguarding vulnerable children.

The Criminal Code and the Penal Code

The Criminal Code and the Penal Code are the backbones of Nigeria's criminal law. They apply respectively to the Southern and Northern regions with modifications to suit local realities. While both do not deal specifically with the question of child rights, they do contain provisions relating to the indictment of children for the commission of crimes, the liability of children for offences, and crimes committed against children. The Criminal Code pegs the age of criminal responsibility, the age at which a child can be deemed liable for the commission of an offence, at seven years, and a child below age twelve is only liable for offences if it can be proved that at the time of doing the act, he had the capacity to know that such an act was improper.[52] On sexual offences, however, a male child below the age of twelve is considered incapable of having carnal knowledge.[53] Consequently, under the Criminal Code, only male children above twelve years of age can be held liable for rape. The Act then proceeds to criminalise offences against morality. These include defilement of girls below the age of thirteen,[54] indecent treatment of boys under the age of fourteen,[55] defilement of girls above thirteen but

49 United Nations Children's Fund. "Child Protection: The Challenge." https://www.unicef.org/nigeria/child-protection

50 Girls Not Brides. N.d. "Child Marriage and Health." https://www.girlsnotbrides.org/learning-resources/child-marriage-and-health/

51 Ibid

52 Section 30, Criminal Code Act

53 Ibid

54 Section 218, Criminal Code Act

55 Section 216, Criminal Code Act

under sixteen,[56] indecent treatment of girls under sixteen,[57] seduction or prostitution of a girl under sixteen,[58] procuring defilement of a woman or girl by threats, fraud or use of substances,[59] abduction of girls under eighteen with intent to have carnal knowledge,[60] detention of a woman or girl with intent to have carnal knowledge,[61] and conspiracy to defile.[62]

What becomes glaring across board is that sexual offences against children below the ages of thirteen, in the case of girls, and fourteen, in the case of boys, come with stiffer penalties compared to those above those ages. Indecent treatment of boys below the age of fourteen is sanctioned with imprisonment for a term of seven years while defilement of a girl below thirteen attracts life imprisonment. The legislative reasoning for each sentence is unclear and even more so if indecent treatment, undefined in the Act, were taken in its ordinary sense to mean sexually inappropriate. That risks a major contradiction in that the Act, in characterising defilement and rape, views both offences as capable of being committed against the female gender only. A likely distinction between both is the specific mention of defilement as involving unlawful carnal knowledge, defined as complete upon penetration.[63] Because similar linkages cannot easily be made in the case of indecent treatment, it is safe to say that penetration is the dividing line between both. Supporting this conclusion is the parallel provision for indecent treatment committed against a girl below ages sixteen and thirteen, respectively, with far less stringent penalties.

However, the vaguely worded design of the section complicates the ability of male victims of sexual assault to seek justice. There would have also been the challenge of proof and statute bars, each substantially raising legal hurdles. Ordinarily, a girl alleging

56 Section 221, Criminal Code Act

57 Section 222, Criminal Code Act

58 Section 222A, Criminal Code Act

59 Section 224, Criminal Code Act

60 Section 225, Criminal Code Act

61 Section 226, Criminal Code Act

62 Section 227, Criminal Code Act

63 Section 6, Criminal Code Act

defilement under the Code would need the testimony of more than one witness and must also bring the matter before the court before the expiration of two months after the alleged offence. Two factors modified these. The Evidence Act, 2011, which is Nigeria's primary law on evidence, permits the testimony of a child under the age of fourteen to be given without oath while requiring corroboration of such statements by other material evidence.[64] In the same vein, a child above the age of fourteen years may give evidence on oath without corroboration.[65] The implication here is that provided the testimony of a child below fourteen is supported by evidence other than his own, offenders may reliably be convicted upon it. For sexual offences victims above the age of fourteen, their testimony may be given without corroboration,[66] lessening statutory hassles for children beyond the benchmark. The second factor is the authority of states to legislate on crimes within their jurisdictions. The Criminal Code Act is a federal legislation on crime, but there are modifications along state lines.

The Act is haunted by further controversy. Critics argue that many of its provisions bordering on child welfare and safety are outdated and out of touch with contemporary realities. Among these is the continued qualification of defilement as a crime that can only be committed against a female child.

Consequently, in state jurisdictions such as Lagos, the two-month limitation period on defilement does not exist.[67] The Act is haunted by further controversy. Critics argue that many of its provisions bordering on child welfare and safety are outdated and out of touch with contemporary realities.

64 Section 209(1) and (3), Evidence Act, 2011 (as amended)

65 Section 209(2), Evidence Act, 2011 (as amended)

66 Olarinde, Smaranda and Udosen, Jacob. 2019. "Children Evidence Under the Nigerian Law: The New Approach Under the Evidence Act, 2011." Beijing Law Review 5, no. 10 (June). https://doi.org/10.4236/blr.2019.105075

67 Florence Ozor. 2021. "Child defilement, Baba Ijesha and the law." The Cable. https://www.thecable.ng/child-defilement-baba-ijesha-and-the-law/

Among these is the continued qualification of defilement as a crime that can only be committed against a female child. This is as multiple instances of sexual abuse against male children have equally been documented, with at least one in ten Nigerian men having experienced sexual abuse in their childhood.[68] The Act has also been criticised for neglecting to stipulate frameworks that guarantee that the best interests of the child are accounted for through all the phases of the criminal justice process, particularly the institutionalisation of accountability for victim care. Its use of language has not been exempted either. Having been developed by colonial authorities in 1916, it projects the era's social consciousness with words described as counterintuitive to favourable emotional health outcomes. In a televised interview, Dorothy Njemanze, women's rights advocate and Executive Director of the Dorothy Njemanze Foundation, described the Act's language as a disavowal of women's agency. She opined that the drafters failed to exude acknowledgement of women's bodily autonomy, opting instead for authoritative prescriptions.[69] The language has also been construed as harmful as terminologies such as "miscarriage" risk amplifying existing cultural and religious biases.[70]

Attempts to amend the Act have focused heavily on penalties over radical reform. Since 2020, the federal legislative efforts have started and sputtered, the most recent drive being in October 2025.[71] [72] Following passage at the lower house, the Nigerian senate was locked in a debate over the extent of sanctions to be imposed on sexual offenders. While sentences were stiffened, a highly noteworthy review

68 Ngini, Chinazom, Odeyemi, Kofoworola and Nwokoro, Cassandra. 2025. "Knowledge, Attitude, and Prevalence of Sexual Violence Among Male Undergraduate Students in a Tertiary Institution in Lagos, Nigeria." American Journal of Men's Health, 19, no. 3 (June). https://doi.org/10.1177/15579883251350895

69 News Central TV. 2025. "Nigeria's Criminal Code Amendment Bill Causes Debate Over Gender Bias and Legal Clarity." https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://www.youtube.com/watch%3Fv%3DBfIzjQkkoDs&ved=2ahUKEwi5q7nezoaSAxUFVKQEHYojHysQtwJ6BAgvEAE&usg=AOvVaw2gGiy5elfGI3POnw-sv8I9

70 Ibid

71 Policy and Legal Advocacy Centre. 2020. "Senate Passes Bill Seeking to Amend the Criminal Code Act." https://placng.org/i/senate-passes-bill-seeking-to-amend-the-criminal-code-act/#:~:text=Speaking%20on%20the%20highlights%20of,Criminal%20Code%20and%20Penal%20Codes

72 Katuka, Maimuna. 2025. "Senate Approves Life Imprisonment for Child Defilement." National Assembly Library Trust Fund. https://naltf.gov.ng/senate-approves-life-imprisonment-for-child-defilement/#:~:text=byMaimuna%20Katuka,removing%20the%20option%20of%20fines

Act, if eventually passed, will now conform with the provisions of the Violence Against Persons Prohibition Act 2015 on the possibility of male rape. Equally worthy of note is the stalemate on Section 230 of the Criminal Code. The section punishes persons for the supply of materials intended to be "unlawfully used to procure the miscarriage of a woman,"[73] birthing debates over the ability of medical professionals to perform lifesaving procedures and the specific instances that would constitute unlawful procurement of a miscarriage.[74]

Penal Code Act

The Penal Code Act is the parallel statute to the Criminal Code and is applicable in northern Nigeria. However, it varies on key provisions concerning women and girls. For one, abortion appears to be more clearly permissible when it is done in good faith and to preserve the mother's life.[75] There is noticeable clarity on abortion as a protective tool for the mother's health compared to the Criminal Code Act. It also offers penalties for conduct affecting the welfare of the child by prohibiting abandonment by parents of children under the age of twelve and neglect or ill-treatment of a child under the age of fifteen by a guardian.[76] On rape, the Act penalises sexual intercourse by a man with a woman without her consent.[77] A person is equally said to have committed the offence of rape when the victim is a child below fourteen years or of unsound mind.[78] The definitional boundaries are stretched to include sexual intercourse by a man with his wife if she has not attained puberty.[79]

73 Section 230, Criminal Code Act

74 Akiyode-Afolabi, Abiola. 2025. "Senate's Pause on Section 230: A Vital Moment for Evidence-based Lawmaking." The Guardian. https://guardian.ng/news/senates-pause-on-section-230-a-vital-moment-for-evidence-based-lawmaking/

75 Section 232, Penal Code Act

76 Section 238, Penal Code Act

77 Section 282, Penal Code Act

78 Ibid

79 Section 282(2), Penal Code Act

These provisions entail a world of difference from the CCA as the age-based tiers in the latter are less visible. Additionally, the Act emphasizes childcare but spares significant mention of sexual offences against children. Rape is similarly a female-focused offence with men deemed the only possible perpetrators. Finally, acts of gross indecency are punishable under the Act regardless of the age of the offender.[80] But where the victim of indecency is a person below the age of sixteen and the perpetrator is a teacher, guardian or other person entrusted with their care or education, it is irrelevant that the child gave consent.[81]

Violence Against Persons ProhibitionAct 2015

The Violence Against Persons Prohibition Act is a far-reaching body of legislation whose enactment was greeted by celebration in many quarters. Its passage followed the clamour for a law that deals comprehensively with all varieties of violence. Importantly, the Act defines rape in gender neutral terms, citing it as the nonconsensual penetration of an individual by another with any object or that other person's body part.[82] It departs from the male-to-female conceptualisation of rape in other important, older laws, but also adds a new dimension to Nigeria's multi-layered criminal legislation. The Act's recognition of the dynamic nature of violence offers an inclusive array of protections for vulnerable groups such as women and children to access. Particularly, the law prohibits the exposure of another person to harmful traditional practices, emotional or psychological abuse, harmful widowhood practices, stalking, spousal battery, abandonment of dependents, incest, economic abuse, intimidation, among others.[83] This encompasses a highly nuanced range of violent offences that can be committed against a person than any other law. Commendable also is the provision for response services to victims of abuse, cutting across the public and private sectors.

80 Section 285, Penal Code Act

81 Ibid

82 Section 1, Violence Against Persons Prohibition Act, 2015

83 Violence Against Persons Prohibition Act, 2015

The Act establishes a framework for the activities of service providers by requiring them to, in addition to routine registration procedures, register under the appropriate government ministries.[84] It takes things further by embedding privacy into the operations of the Judiciary and the providers. The latter is barred from revealing the identity of parties to a proceeding while the court may elect to restrict the publication of details in the interest of justice.[85] Furthermore, the responsibility of appointing protection officers who effectively function as liaisons between victims, the police, service providers and the court, is assigned to relevant government ministries.[86]

Under the Act, repeat sexual offenders and perpetrators of sexual offences against children may be qualified as 'dangerous sexual offenders.[87] Convicted sexual offenders are also required to be documented in a register of sexual offenders which is accessible to the public.[88] The VAPP Act takes a complainant-centred approach that prioritises safe removal of the victim from the abusive environment, upkeep, and minimal-risk litigation. It also integrates private sector expertise into the response architecture ensuring the delivery of quality care even where such is not necessarily localised within public services. It's important to note that it has supremacy over similar provisions in the Criminal Code Act and the Penal Code.[89] The Act has been domesticated by thirty-five states and the FCT, except for Kano.[90] The legislation recently came under threat in 2024 when Senator Jibrin Isah of the Kogi East Senatorial District proposed a repeal.[91] His argument was that the law in its current form is inadequate for providing adequate

84 Section 39, Violence Against Persons Prohibition Act, 2015

85 Ibid

86 Section 41, Violence Against Persons Prohibition Act, 2015

87 Section 43, Violence Against Persons Prohibition Act, 2015

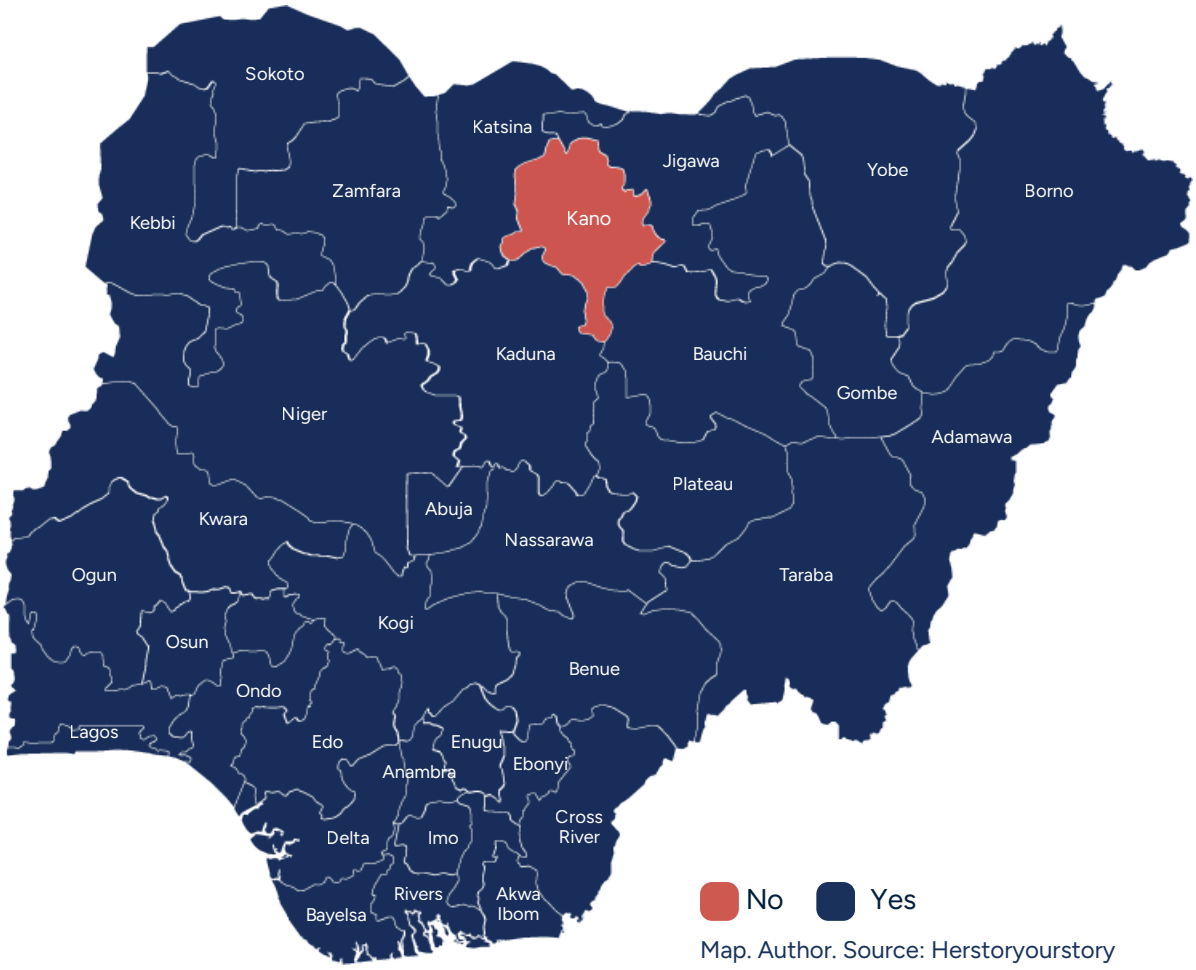
88 Section 4, Violence Against Persons Prohibition Act, 2015

90 Section 45(2), Violence Against Persons Prohibition Act, 2015

91 Malala Fund. 2024. "Malala Fund urges the Nigerian government to protect the VAPP Act." https://reliefweb.int/report/nigeria/malala-fund-urges-nigerian-government-protect-vapp-act

adequate support to victims.[92] His position has been criticised on the basis that the Act requires an amendment not a repeal. Recommendations include the establishment of special courts for sexual and gender-based violence cases, the creation of specialised departments within the police to speed up responses, capacity building programmes for law enforcement, and the expansion of support services.[93]

Kano is the Only Nigerian State Yet to Domesticate the VAPP Act



Map. Author. Source: Herstoryourstory

92 Kehinde-Peter, Oluwaseyi. 2024. "Senate should reconsider repealing VAPP Act." Punch News. https://www.google.com/amp/s/punchng.com/senate-should-reconsider-repealing-vapp-act/%3famp

93 Ibid

Labour Act, 2004

From a broader point of view, the Labour Act focuses on labour and employment matters. It is by virtue of this that it carries significant connotations for the interactions of women and children within the labour environment. This is as both population categories are commonly at the fore of contentious labour standards and suffer a variety of power imbalances. Consequently, in apparent consideration of the risk of abuse in certain workplaces, the Labour Act prohibits the involvement of women in certain workplaces, the Labour Act prohibits the involvement of women in night work subject to exceptional circumstances.[94] The law here exempts women in management capacities who are not engaged in manual labour and female nurses in industrial and agricultural undertakings.[95] It prohibits the participation of women in underground work, specifically mines, except it is for the purposes of academic training, management duties, or in health and welfare capacities, none involving manual labour.[96] The Act sets aside protections for pregnant employees including the right to leave from work upon production of a medical certificate showing that her confinement will take place within six weeks, six weeks away from work following her confinement, half an hour each day to nurse her child, and not less than fifty percent of the wage she would have earned it she had not been absent (provided she had been employed continuously by the employer for not less than six months).[97]

On the other hand, children are generally prohibited from working except employed by a family member for light work of a horticultural, agricultural or domestic nature which has been approved by the minister.[98] Children below the age of fifteen are also barred from working in an industrial undertaking, though those below the age of fourteen may only work where they are hired on a daily wage and it is possible to return to their

94 Section 55, Labour Act, Laws of the Federation of Nigeria (LFN), 2004

95 Ibid

96 Section 56, Labour Act, Laws of the Federation of Nigeria (LFN), 2004

97 Section 54, Labour Act, Laws of the Federation of Nigeria (LFN), 2004

98 Section 59, Labour Act, Laws of the Federation of Nigeria (LFN), 2004

parents or guardian's abode each day.[99] It outlines other conditions within which a child may or may not legally work with age being a key condition for determining the roles that children may play. While the Labour Act and the Child's Rights Act observably complement each other, with the latter deferring to the provisions of the former on child labour, both convey different perceptions of who is a child. The Labour Act describes persons below the age of eighteen as "young persons" while a child is defined as someone who is below the age of twelve years.[100] The Child's Rights Act unequivocally qualifies all persons below the age of eighteen as children. The CRA attempts to harmonise both by appropriating the contents of the Labour Act on young persons and applying them to persons described as children within its own meaning.[101]

Trafficking in Persons (Prohibition) and Enforcement and Administration Act, 2015

This Act establishes the National Agency for the Prohibition of Trafficking in Persons, an agency responsible for the investigation and prevention of trafficking cases. It criminalises the procurement of persons below the age of eighteen for sexual exploitation, prostitution and forced labour within and outside Nigeria.[102] Similarly, the Act prohibits the employment of a child below twelve years of age for domestic labour and stipulates penalties for instances where the employment is hazardous to the child's physical, social and psychological wellbeing[103] It avoids the use of a gendered definition of who may be prostituted or sexually exploited and highlights measures that may be applied in providing to trafficked persons.[104] They include compensation or restitution out of the forfeitures made by the trafficker, transit shelters for women and children, in

99 Ibid

100 Section 91, Labour Act, Laws of the Federation of Nigeria (LFN), 2004

101 Section 29, Child's Rights Act, 2003

102 Sections 15 - 18, Trafficking in Persons (Prohibition) and Enforcement and Administration Act, 2015

103 Section 23, Trafficking in Persons (Prohibition) and Enforcement and Administration Act, 2015

104 Sections 64 - 67, Trafficking in Persons (Prohibition) and Enforcement and Administration Act, 2015

particular, and a 'Victims of Trafficking Trust Fund' for the provision of support services for trafficked persons.[105]

Table Showing an Overview of Local Legislations, Implementation Status and Policy Opportunities

Legal instrument	Key Issues - Overview	Status of implementation, Gaps and Challenges	Opportunities
The Child's Rights Act, 2003	The Child's Rights Act affirms the entitlement of a child to special protections by reason of his status as a minor. It further outlines child management mechanisms including adoption, guardianship, and juvenile justice administration. Its key ideological thrust is the best interest of the child on all occasions.	Domesticated in all states of the Federation. However, some Northern states have excluded the age threshold leaving child marriage obtainable in their jurisdictions. States have also failed to establish key institutions such as family courts and identifiable child protection agencies.	The shortcomings of the CRA have been due in large part to challenges with implementation. Thus, awareness of rights must be improved, with state-led enforcement architecture established. CSOs can fill awareness gaps using outreaches to community and educational centres.
The Criminal Code Act	The Criminal Code Act is applicable in the southern parts of the country. While it is predominantly focused on crimes of different natures, it contains provisions on sexual offences against children.	Being a federal legislation, the criminal code has been domesticated by states into their own local laws, with various and sometimes more progressive modifications (the removal of the two-month statute bar in Lagos State being an example). The Act has faced criticism for its	In the context of amendments to both criminal legislations, priority must be placed on harm-based analyses of the provisions of both statutes. Outside token increases to penal sentences, an extensive overhaul is required to integrate victim-centredness. In

105 Ibid.

		anachronistic view of rape as an offence capable of being committed solely against women. Circumstances under which abortion may lawfully be obtained are also imprecise, consequently exposing women to unsafe procedures. The effectiveness of the criminal and penal laws is in question as in 2020 alone, 11,200 women were reported to have been sexually abused. [106] Reports by the National Human Rights also suggest upward trends in the incidence of sexual assault cases.[107]	addition to this, evolving threats to the safety of women and children in digital environments must be criminalised in any modifications.
Penal Code Act	The Penal Code Act is the Northern parallel to the CCA above. It similarly prohibits rape and sexual offences involving persons below specific age limits.	The Penal Code offers a clearer condition for the procurement of abortion. It prohibits sexual intercourse between a man and a spouse below the age of fourteen, thus	

106 Deborah, T. 2021. "11,200 Nigerian women, children raped in 2020 – UN." Punch News. https://punchng.com/11200-nigerian-women-children-raped-in-2020-un/

107 TV360 Nigeria. "NHRC records 205,364 human rights complaints in Feb 2025, rise in rape incidents." https://m.youtube.com/watch?v=IgvJtquVaco&t=2s&pp=2AECkAIB0gcJCTMBo7VqN5tD

		affirming the legality of child marriage in Nigeria's north. Notwithstanding, enforcement limitations are profound under its permissive definitions.	
Violence Against Persons Prohibition Act 2015	The Act was designed to combat violence in private and public spheres with penalties for violators. It chiefly expands the definition and meaning of violence to include economic and psychological forms. Additionally, its adoption of a far-reaching, gender-neutral definition of rape has been widely acclaimed. Its provisions cover harmful widowhood practices,[108] social exclusion from family and friends,[109] the making of false statements,[110] among others.	The VAPP Act has been domesticated in thirty-five states and the FCT. Its provisions, such as on child protection officers, appear to be executed in collaboration with international agencies such as UNICEF. Examples of this is the Child Protection Area of Responsibility domiciled in the Northeast[111] and the EU-funded Sexual Assault Referral Centres.	Beyond cosmetic enactments, states must establish actual structures to tackle cases of violence. The place of technological tools cannot be understated in that it offers access and anonymization. Areas confronting insecurity and low technology access must be compensated for by training national and state emergency management staff in victim-centred management focused on stabilisation, care and documentation.

106 Deborah, T. 2021. "11,200 Nigerian women, children raped in 2020 – UN." Punch News. https://punchng.com/11200-nigerian-women-children-raped-in-2020-un/

107 TV360 Nigeria. "NHRC records 205,364 human rights complaints in Feb 2025, rise in rape incidents." https://m.youtube.com/watch?v=IgvJtquVaco&t=2s&pp=2AECkAIB0gcJCTMBo7VqN5tD

108 Section 15, Violence Against Persons Prohibition Act 2015

109 Section 13, Violence Against Persons Prohibition Act 2015

110 Section 8, Violence Against Persons Prohibition Act 2015

111 Relief Web. "Child Protection." https://response.reliefweb.int/nigeria/child-protection

Labour Act, 2004	Though it is not specific to either demography, the Labour Act contains provisions touching on the participation of women and children in the labour market. It sets standards for the employment of women and children, especially the nature of work they may lawfully be allowed to undertake and the ages at which children may do so.	The Act has been criticised for its definition of persons below eighteen as young persons and those below twelve as children. It weakens protections that would otherwise have been accessible to children, leaving appropriate labour practices to complex legal interpretation. Moreover, the law suffers from poor enforcement of entitlements such as maternity leave, particularly in the dominant informal sector where most women work.[112] It is also wanting of strong enforcement or reporting mechanisms for the prevention of child labour.	The Labour Act must be amended to strengthen oversight over employment practices, most of all by employers within the informal sector. Visible reporting channels also have to be created to enable complaints.
Trafficking in Persons (Prohibition) and Enforcement and Administratio -n Act, 2015	The Act was enacted to prevent trafficking, prostitution and sale of persons within and outside Nigeria.	As of 2024, the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), the implementation agency, had offices in thirty-three states except Delta, Kogi, and Niger.[113] It faces challenges of coordination with state-level ministries	Opportunities for improvement exist in terms of deeper interagency partnerships. To improve its detection and response mechanisms, the agency must extend such partnerships to communities,

112 Inyang, P.O. 2025. "More time, but not yet justice: Nigeria's maternity reform still falls short." Business Day.https://businessday.ng/opinion/article/more-time-but-not-yet-justice-nigerias-maternity-leave-reform-still-falls-short/

113 National Agency for the Prohibition of Trafficking in Persons. "Where are NAPTIP's Physical Offices Located?" https://www.instagram.com/p/C84Av5zuSbY/?img_index=1&igsh=MWFidnNtbDZldWE3cA==

		and agencies.[114] The sexual offender and service providers register is not readily accessible[115] and data on the Victims of Trafficking Trust Fund is scarce.	particularly regions with histories of armed conflicts and displacement. Budgetary commitments must equally be expanded to facilitate investigation, prosecution of offenders, and restoration of victims of trafficking.

Comparison of Local Legislation with International Frameworks for the Protection of Women and Children's Rights

United Nations Convention on the Rights of the Child, 1990

The UN Convention on the Rights of the Child formed an early basis for the enactment of the Child's Rights Act. Classed as the most widely ratified treaty in history,[116] the CRC converges with the Child's Rights Act on a variety of provisions. First among these is the definition of a child as a person below the age of eighteen years.[117] It also propounds the "best interests" doctrine as the basis for any decisions reached on behalf of children by public and private stakeholders.[118] The convention codifies the

114 National Agency for the Prohibition of Trafficking in Persons. 2025. "NAPTIP Uncovers A Large-Scale Alleged Child Trafficking Syndicate In Benue Linked To A High-Profile Founder Of An NGO: Arrests The 60-Year-Old Orphanage Owner And Three Others." https://naptip.gov.ng/naptip-uncovers-a-large-scale-alleged-child-trafficking-syndicate-in-benue-linked-to-a-high-profile-founder-of-an-ngo-arrests-the-60-year-old-orphanage-owner-and-three-others/

115 National Agency for the Prohibition of Trafficking in Persons. "Sexual Offender Records." https://nsod.naptip.gov.ng/?_gl=1*1wwdo7w*_ga*NjM1NjY0OTcxLjE3Njk0MzI1NTU.*_ga_8QQ9DSF1ZK*czE3Njk0MzI1NTQkbzEkZzEkdDE3Njk0MzQ4NTYkajYwJGwwJGgw

116 United Nations Children's Fund. "Convention on the Rights of the Child." United Nations Children's Fund. 2007. "The Child's Rights Act." OVC Support. https://ovcsupport.org/wp-content/uploads/Documents/Child_Rights_Act_Nigeria_UNICEF_information_sheet_1.pdf.

117 Article 1, Convention on the Rights of the Child, 1990.

118 Article 3, Convention on the Rights of the Child, 1990.

expectation that the fundamental freedoms normally accessible to persons by virtue of their humanity be equally accessible to children notwithstanding their age. These include the rights to expression,[119] religion,[120] association[121] and privacy[122] all of which are similarly ensconced in the Nigerian constitution. In terms of the child's relationship with the judicial system, the CRC establishes a baseline for the treatment of children. It provides that the child is entitled to the conduct of proceedings in such a manner that his dignity and self-worth are maintained.[123]

It equally outlines expectations of routine entitlements of parties such as the rights to fair hearing, appeal, knowledge of the charges against him or her, in addition to the presumption of innocence and protection from self-incrimination.[124] These standards are emplaced both in the hard text of the constitution and subordinate laws on criminal justice administration. But more particularly, the CRA reinforces the child's rights to counsel, privacy, and participation in the proceedings.[125] The major divergence in this regard which was also foreseen by the CRC[126] is the individual model employed by the CRA in conducting proceedings. The Act situates the Family Court at both High Court and Magistrate levels as the courts with jurisdiction on civil and criminal matters relating to children.[127]

Thus, while the CRA reflects the key principles of the convention, it would appear that the record-breaking international instrument was itself hesitant to interfere in social constructions of the status of the child by state parties. For one, the same Article 1 that defines a child as a person below eighteen allows signatories to cite the age of majority

119 Article 13, Convention on the Rights of the Child, 1990

120 Article 14, Convention on the Rights of the Child, 1990

121 Article 15, Convention on the Rights of the Child, 1990

122 Article 16, Convention on the Rights of the Child, 1990

123 Article 40(1), Convention on the Rights of the Child, 1990

124 Article 40(2), Convention on the Rights of the Child, 1990

125 Sections 155 - 158, Child's Rights Act, 2003

126 Article 41, Convention on the Rights of the Child, 1990

127 Section 151, Child's Rights Act, 2003

at an earlier age. This provision creates potential justification for the decisions of subnationals to determine their own thresholds. The delicate balancing act attempted by the convention is similarly evident in its recognition of the dynamic responsibilities of parents, the extended family and the community towards the child in various cultural environments.[128] This same conflict manifests itself in the plethora of local legislations on children's rights.

African Charter on the Rights and Welfare of the Child, 1990

The African Charter on the Rights and Welfare of the Child is the regional instrument on children's rights. Many of its provisions converge squarely with the UN CRC and the Nigerian Child's Rights Act. Particularly, it defines a child as a person below eighteen years[129] without subjecting it to state laws as contained in the Child Rights Convention. It also articulates the decision-making yardstick as the best interests of the child and emphasises rights such as life,[130] freedom of expression,[131] thought,[132] privacy,[133] and education.[134] The charter similarly dovetails with the convention,[135] the Act and the Labour Act on the prohibition of employment of the child in intensive labour capable of injuring his spiritual, physical or emotional health.[136]

The same applies to juvenile justice, with similar rights extended to children in the CRWC as the convention and local legislation. An important component of the charter is the provision against the exposure of the child to harmful sociocultural practices. It references customs such as child marriage, child betrothal, and norms to which the

128 Article 5, Convention on the Rights of the Child, 1990

129 Article 2, African Charter on the Rights and Welfare of the Child 1990

130 Article 5, African Charter on the Rights and Welfare of the Child 1990

131 Article 7, African Charter on the Rights and Welfare of the Child 1990

132 Article 9, African Charter on the Rights and Welfare of the Child 1990

133 Article 10, African Charter on the Rights and Welfare of the Child 1990

134 Article 11, African Charter on the Rights and Welfare of the Child 1990

135 Article 32, Child Rights Convention 1990

136 Article 15, African Charter on the Rights and Welfare of the Child 1990

child is exposed on the basis of sex.[137] It can be inferred that the discriminatory practices envisioned here include female genital mutilation and gender-based disinheritance obtainable in parts of the country. The provision is not unique to the charter as the CRC contains a mandate to the states to eradicate such practices.[138] The Child Rights Act prohibits the subjection of the child to torture, inhuman or degrading treatment.[139]

Convention on the Elimination of all Forms of Discrimination against Women, 1979

The Convention on the Elimination of all Forms of Discrimination against Women emanated from the work of a UN specialist committee converged in 1946.[140] Eventually agreed by the United Nations General Assembly in 1979,[141] Nigeria ratified the convention in 1985.[142] It has yet to fully domesticate it more than four decades later. The failure has been attributed to prevalent social, religious and cultural attitudes which have inspired perception of CEDAW as "anti-religion."[143] The convention broadly demands the institutionalisation of the protection of women's rights such that equality of sexes is attained by state parties. It compels the elimination of discrimination through the codification of prohibitive laws and the application of sanctions.[144] Its bold commitments are fundamentally underpinned by a view to ensure equality of

137 Article 21, African Charter on the Rights and Welfare of the Child 1990

138 Article 24, Child Rights Convention 1990

139 Section 11, Child Rights Act, 2003

140 UNICEF. 2025. "Convention on the Elimination of all Forms of Discrimination against Women in Brief." https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://www.unicef.org/pacificislands/media/5146/file&ved=2ahUKEwjB_5mKvKeSAxW9X0EAHXrIAQEQFnoECCUQAQ&usg=AOvVaw19L2GILdLfOz2w0VeqSaBy

141 Ibid

142 Abimbola, F.O., Ehiane, S.O., Tandlich, R. 2023. "Women's Rights in Nigeria's Indigenous Systems: An Analysis of Non-Discrimination and Equality under International Human Rights Law." https://doi.org/10.3390/socsci12070405

143 Institute of Development Studies. "Empowerment of Women and Girls: Social, Economic and Political Context in Nigeria." http://archive.ids.ac.uk/inter_eldis/unpaid-care-work/country-profiles/nigeria/social-economic-and-political-context-nigeria.html#:~:text=Ratification%20of%20international%20instruments,other%20countries%20(ODI%202012).

144 Article 2, Convention on the Elimination of all Forms of Discrimination against Women, 1979

consideration in accessing employment,[145] health,[146] education,[147] mutual childcare responsibilities,[148] unqualified access to economic opportunities,[149] freedom to choose a spouse,[150] among others. While the obstacles to localising the convention remain, a patchwork of subnational legislations which attempt compromise by embodying some of the principles contained in the convention exist. These include the Lagos State Protection Against Domestic Violence Law, 2007, a legislative framework that prohibiting the perpetration of sexual, economic and psychological abuses in domestic relationships;[151] the recently-amended[152] Rivers State Dehumanising and Harmful Practices Abolition Law 2003, prohibiting the practice of harmful customs against women and widows;[153] the Edo State Female Circumcision and Genital Mutilation (Prohibition) Law 1999 which bans FGM/C and institutes sanctions against all parties to the procedure;[154] and gender policies at national and state levels.[155]

International Covenant on Civil and Political Rights, 1966

The International Covenant on Civil and Political Rights was first adopted by the United Nations General Assembly in 1966.[156] It entered into force in 1976 and was ratified by Nigeria in 1993.[157] ICCPR encompasses a broad collection of rights universally

145 Article 11, Convention on the Elimination of all Forms of Discrimination against Women, 1979

146 Article 12, Convention on the Elimination of all Forms of Discrimination against Women, 1979

147 Article 10, Convention on the Elimination of all Forms of Discrimination against Women, 1979

148 Article 5(b), Convention on the Elimination of all Forms of Discrimination against Women, 1979

149 Article 13, Convention on the Elimination of all Forms of Discrimination against Women, 1979

150 Article 16, Convention on the Elimination of all Forms of Discrimination against Women, 1979

151 Lagos State Prohibition Against Domestic Violence Law 2007

152 Godwin, A. 2019. "Rivers State Amends, Passes Law to Protect Women, Widows." The Guardian. https://guardian.ng/news/rivers-assembly-amends-passes-law-to-protect-widows-women/

153 Rivers State Dehumanising and Harmful Practices Abolition Law 2003

154 Imoukhuede, N.A. "Female Genital Mutilation (FGM): A Crime in Edo State." Edo State Judiciary. https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://edojudiciary.gov.ng/wp-content/uploads/2016/10/Femal-Genital-Multilation-Fgm-A-Crime-In-Edo-State-By-Hon-Justice-N-A.pdf&ved=2ahUKEwj0-_S736eSAxUKZ0EAHZgXLAsQFnoECB4QAQ&usg=AOvVaw1BNLOVhWStzVU0A9uY9XVv

155 Committee on the Elimination of all Forms of Discrimination Against Women. 2016. "Consideration of reports submitted by state parties under article 18." United Nations. https://digitallibrary.un.org/record/823749?v=pdf

157 Article 14, International Covenant on Civil and Political Rights 1966

applicable to persons but also including specific proclamations of the rights of women. It declares the irrelevance of sex in the ability of an individual to give free and full consent to marriage[158] and the entitlement of parties to equal statuses in matrimony.[159] It prohibits the imposition of the death penalty on pregnant women and on persons below eighteen years of age.[160] With regards to the latter group, it sets a threshold for accruable rights, providing generally for non-discriminatory protections befitting of their minority status.[161] Juvenile offenders are required to be detained separately from adults and presented before the courts without delay.[162] Upon determination of matters concerning this class of offenders, the details of the decisions reached are not to be made public.[163] Much like CEDAW, the covenant has at its core the obligation of state parties to guarantee equality of access to the civil and political rights embedded within it.[164] Its contents, particularly on fundamental rights of all persons, are heavily mirrored in the Nigerian constitution.[165] Notable parallel provisions are the Section 42 right to non-discrimination and the Section 36(4) exception to public hearings.

International Covenant on Economic, Social and Cultural Rights, 1966

Like the ICCPR, the ICESCR is a broad collection of rights with minimal focus on women and children. It does, however, provide for the institution of special protective measures for women before, during and after pregnancy.[166] On top of this, consent of both spouses to marriage is a prerequisite for marriage.[167] It requires state parties to protect

156 Council of Europe. "The International Covenant on Civil and Political Rights." https://www.coe.int/en/web/compass/the-international-covenant-on-civil-and-political-rights

157 United Nations Treaty Collection. "International Covenant on Civil and Political Rights." https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4

158 Article 23(3), International Covenant on Civil and Political Rights, 1966

159 Article 23(4), International Covenant on Civil and Political Rights 1966

160 Article 6, International Covenant on Civil and Political Rights 1966

161 Article 24(1), International Covenant on Civil and Political Rights 1966

162 Article 10(2)(b), International Covenant on Civil and Political Rights 1966

163 Article 14, International Covenant on Civil and Political Rights 1966

164 Article 3, International Covenant on Civil and Political Rights 1966

165 Chapter IV, Constitution of the Federal Republic of Nigeria, 1999.

166 Article 10(2), International Covenant on Economic, Social and Cultural Rights, 1966

167 Article 10(1), International Covenant on Economic, Social and Cultural Rights, 1966

children against social and economic exploitation, with minimum ages at which they may legally be permitted to engage in labour.[168] The involvement of children and young persons in labour hinges on their safety from physical and moral harms,[169] with education being a foremost right of every individual.[170] Even as the ICESCR is not an instrument that is primarily focused on women and children, the adjoining freedoms it contains are similarly entrenched in the constitution and subject matter legislation on women and children.

Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003

Alternatively known as the Maputo Protocol after the location at which it was adopted, the charter is a comprehensive instrument containing a suite of rights for women.[171] Its adoption followed the lingering prevalence of violations against women's rights despite the existence of the African Charter on Human and Peoples Rights instituted much earlier. The protocol was therefore tailored to address more specific challenges confronting women including forced and early marriages, female genital mutilation, harmful traditional practices, among others[172] It compels state parties to eliminate discrimination in all forms against women through the development of legislative and enforcement mechanisms.[173] It recognizes the right of women to dignity,[174] life and freedom from inhuman or degrading treatment.[175]

168 Article 10(3), International Covenant on Economic, Social and Cultural Rights, 1966

169 Ibid

170 Article 13, International Covenant on Economic, Social and Cultural Rights, 1966

171 Amnesty International. 2004. "Protocol on the Rights of Women in Africa: Strengthening the Promotion and Protection of Women's Human Rights in Africa." https://www.google.com/url?sa=i&source=web&rct=j&url=https://www.amnesty.org/en/wp-content/uploads/2021/09/ior630052004en.pdf&ved=2ahUKEwihs_PjgKmSAxVgWUEAHZjsPKoQ1fkOegQICBAK&opi=89978449&cd&psig=AOvVaw1LRKG5HhSSefPbVkr0_aiJ&ust=1769510056245000

172 Scholtz, A. 2022. "The African Union and Women's Rights Since Its Inception." Afronomics Law. https://www.afronomicslaw.org/category/analysis/african-union-and-womens-rights-its-inception#:~:text=The%20African%20Union's%20(AU)%20Constitutive%20Act%20of,Right%20to%20sexual%20and%20reproductive%20health%20rights

173 Article 2, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003

174 Article 3, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003

175 Article 4, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003

With the persistent nature of harmful traditional practices in mind, state parties are required to through the use of sanctions eliminate the perpetration of such acts against women.[176] They are also to provide health, legal, judicial and psychological services to aid women who have been victims.[177] Child marriage is proscribed with eighteen as the threshold for women to be deemed eligible to enter into a marriage.[178] The Maputo Protocol further considers medical abortion a right in instances where conception was due to rape, incest, sexual assault or where the pregnancy endangers the mother or the foetus.[179] In addition, widows are declared to be free from inhuman or humiliating treatment and shall be accorded the liberty to remarry and freely pursue their own spousal choices.[180] It guarantees the right of a woman to an equitable share of her partner's property upon his demise and her liberty to continue residence at the house even upon remarriage.[181] This right accrues if the house is hers or she inherited it.[82 Women and men are similarly entitled to equitable inheritance in their parents' property.[183] Although Nigeria domesticated the protocol in 2004, it has lagged in implementation, leaving clear gaps between the spirit of the provisions and present realities.[184] Even as laws such as the Violence Against Persons Prohibition Act, widow protection legislations across states, and statutes sanctioning domestic violence exist, the problem has remained one of real institutional capacity, enforcement and local resistance, as are further examined below.

176 Article 5, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003

177 Ibid

178 Article 6, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003

179 Article 14, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003

180 Article 20, Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003

181 Article 21(1), Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003

182 Ibid

183 Article 21(2), Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa 2003

184 Taoheed, M. 2025. "The Maputo Protocol and Why Nigeria Needs to Implement it " Dubawa. https://dubawa.org/the-maputo-protocol-and-why-nigeria-needs-to-implement-it/#:~:text=%E2%80%9CDespite%20the%20country's%20commitment%20on,sexual%20harassment%20in%20workplace%20settings.



In Nigeria, 20 million women and girls are estimated to have undergone FGM.

The rationale is rooted in cultural perceptions of cutting as a technique for preserving women’s honour and chastity.

Current Status of Rights Protection

> In Nigeria, 20 million women and girls are estimated to have undergone FGM. The rationale is rooted in cultural perceptions of cutting as a technique for preserving women's honour and chastity.

Nigeria has no shortage of laws in its campaign against women and children rights violations. It has accomplished important milestones in targeting endemic issues of child mortality, female genital mutilation and the localisation of the child's rights laws.[185] But the data still points to a grim reality for women and children across key areas:

Female Genital Mutilation/Cutting

Female Genital Mutilation (FGM) is defined by the World Health Organization (WHO) as procedures comprising the removal of the external female genitalia, including injury to the genital organs, for cultural or other reasons.[186] In Nigeria, 20 million women and girls are estimated to have undergone FGM.[2] The rationale is rooted in cultural perceptions of cutting as a technique for preserving women's honour and chastity. [188] This extends to the avoidance of stigma and the satisfaction of spousal expectations. There is equally an economic flavour in that circumcision may be used as a precondition for obtaining inheritance.[189]

185 UNICEF, The State of Nigeria's Children.

186 United Nations Population Fund. 2021. " Female Genital Mutilation in Nigeria." chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://nigeria.unfpa.org/sites/default/files/pub-pdf/nigeria_female_genital_mutilation_situation_analysis_24th.pdf

187 Ibid

188 Okeke, TC, Anyaehie, USB, and Ezenyeaku, CCK. 2012. "An Overview of Female Genital Mutilation in Nigeria." Annals of Medical and Health Sciences Research, 2, no. 1. https://10.4103/2141-9248.96942

189 Ibid

While research suggests a decline in overall rates among women aged 15 to 49, dropping to 14 percent in 2024, from 20 percent in 2018 and 25 percent in 2013, the practice is still common in parts of the country.[190] [191] [192] A state-by-state disaggregation of data under the National Population Commission's Nigeria Demographic and Health Survey (NDHS) 2021 places Katsina in Nigeria's Northwest at 50 percent, the highest level of FGM prevalence, followed closely by Ekiti at 48 percent, Ebonyi at 39 percent, Imo at 34 percent, Edo, Delta and Osun states at 28 percent each.[193] The outcome is consistent with other research which identifies Nigeria's south as the geographical hotspot for Female Genital Mutilation. Analysis of data collected between 2011 and 2021 showed that FGM prevalence in the Southwest was above 70 percent while the Northeast was the lowest at 34.5 percent.[194]

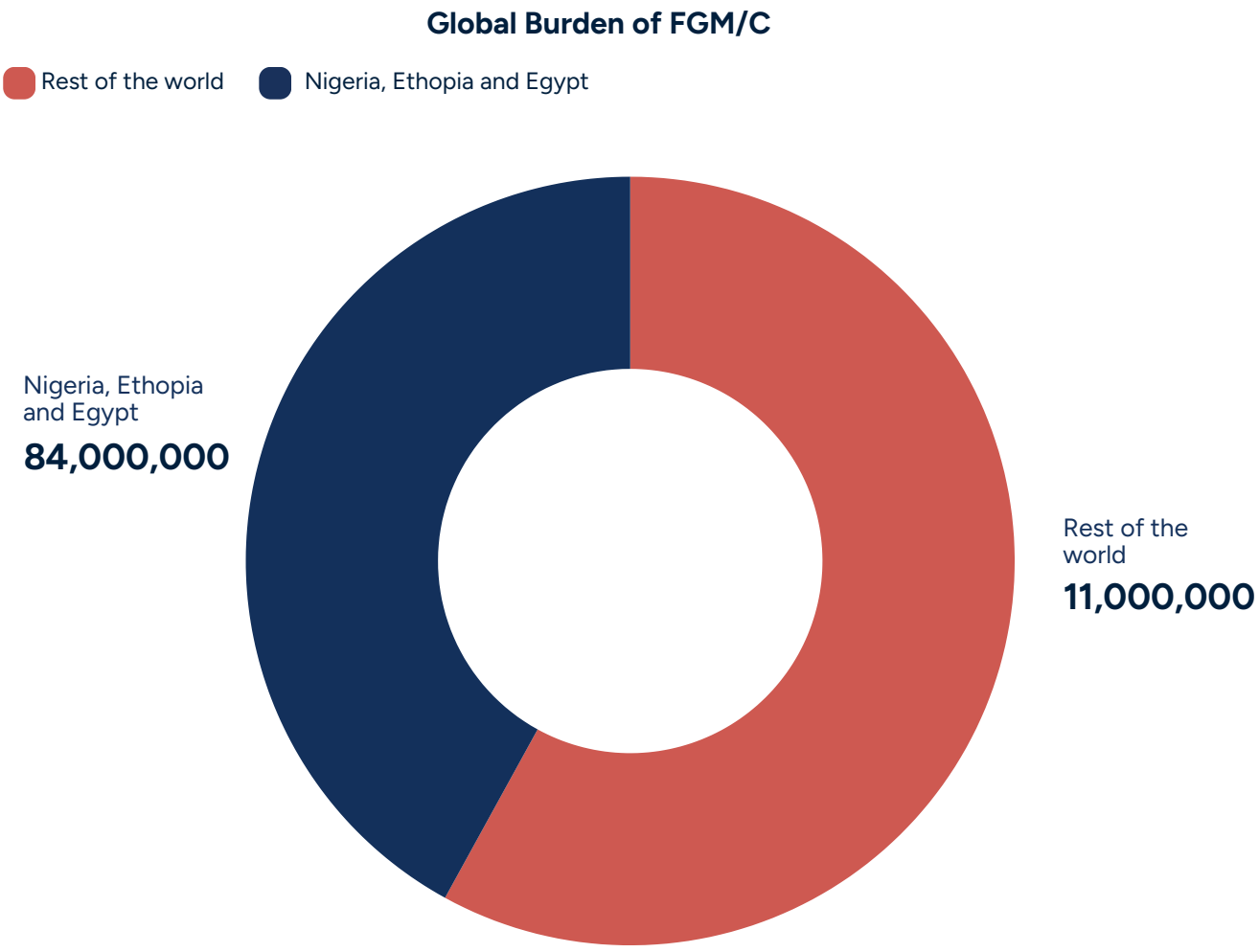
190 National Population Commission. 2024. "Demographic and Health Survey." https://dhsprogram.com/pubs/pdf/PR157/PR157.pdf

191 Onuoha-Ogwe, Ijeoma. 2022. "UNICEF warns FGM on the rise among young Nigerian girls." United Nations Children's Fund. https://www.unicef.org/nigeria/press-releases/unicef-warns-fgm-rise-among-young-nigerian-girls

192 Ibid

193 National Population Commission, Demographic and Health Survey Summary.

194 Sanni, Felix et al. 2024. "A retrospective analysis of the trends in the prevalence of female genital mutilation and associated factors among women of reproductive age in Nigeria 2011-2021." Journal of Family Medicine and Primary Care, 13, no. 8 (July). https://doi.org/10.4103/jfmpc.jfmpc_1742_23

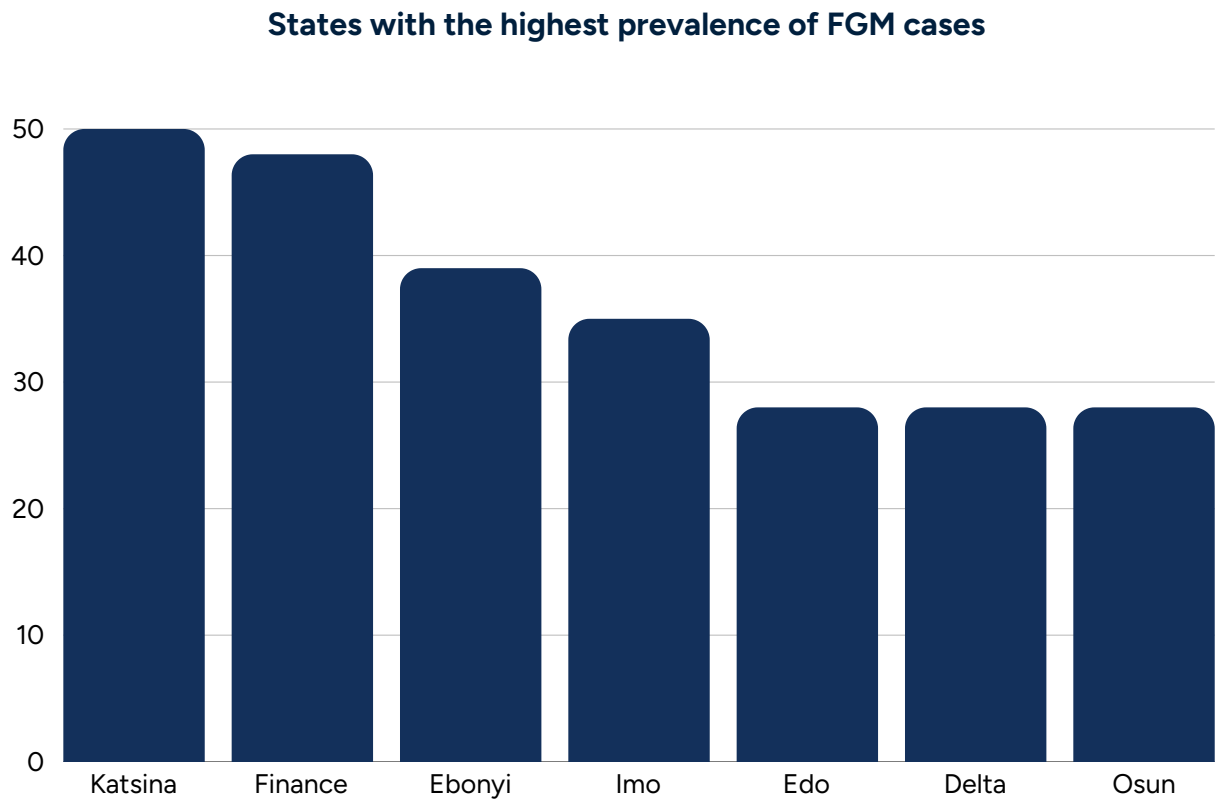


Correlation has been established between sensitization drives and reduction over the years. The incidence of FGM has also been identified as lower in more educated female populations. On top of these, religious and cultural differences also appear to factor into the level of prevalence of FGM per region,[195] even as the role of education and wealth appears to be more arguable.[196] The latter two play important roles in enabling awareness of FGM with the data finding a link between it and respondents' economic and educational statuses.[197]

195 Ibid

196 National Population Commission, Demographic and Health Survey Summary.

197 Ibid



Child Labour

The population of children aged between 5 to 17 years old is above 62.9 million, translating to roughly one-third of the overall population.[198] Under Nigerian law, children are permitted to be actively employed within certain limits. However, the data shows that persons classified as children under the more conservative thresholds of the Labour Act are commonly involved in child labour. Of 24.6 million children aged 5 to 17 who are in child labour, 61 percent or 15 million are in the 5 to 11 age bracket.[199] Nearly 21 percent are between ages 12 to 14 and 18.4 percent are between ages 15 to 17.[200] Children in the last category are also more likely to combine work with education with 45.3 percent working and in school.[201] Children aged between 5 to 14 also carry a

198 International Labour Organisation, National Bureau of Statistics. 2024. "Nigeria Child Labour Survey 2022." https://www.ilo.org/sites/default/files/2024-04/Nigeria_Child_Labour_Survey_2022_Report_WEB.pdf

199 Ibid

200 Ibid

201 Ibid

significant labour burden with more than 35 percent working and studying simultaneously.[202] The data also shows that child labour reflects negatively on attendance of children at school and exposed them to workplace injuries.[203] Similarly, relationships exist between access to education and the inability of children aged 6 to 14 years and involved in child labour to not attend school. Reasons include the unavailability of schools, distance, absence of staff, and unaffordability. For the girl-child, the rationale takes a different shape as 22 percent are barred from attendance by family.[204] Children in rural areas are more likely to eschew attendance in its entirety than those in urban locations.[205]

Furthermore, workplace sexual abuse has equally been found to be a dominant aspect of employment narratives, even when the victims are above 18. This is pertinent because of the higher vulnerability of children who are exposed too early to the labour pool. A survey of 493 participants revealed that 64 percent of them had experienced harassment at work, with victims comprising 85 percent females and 15 percent males, respectively.[206]

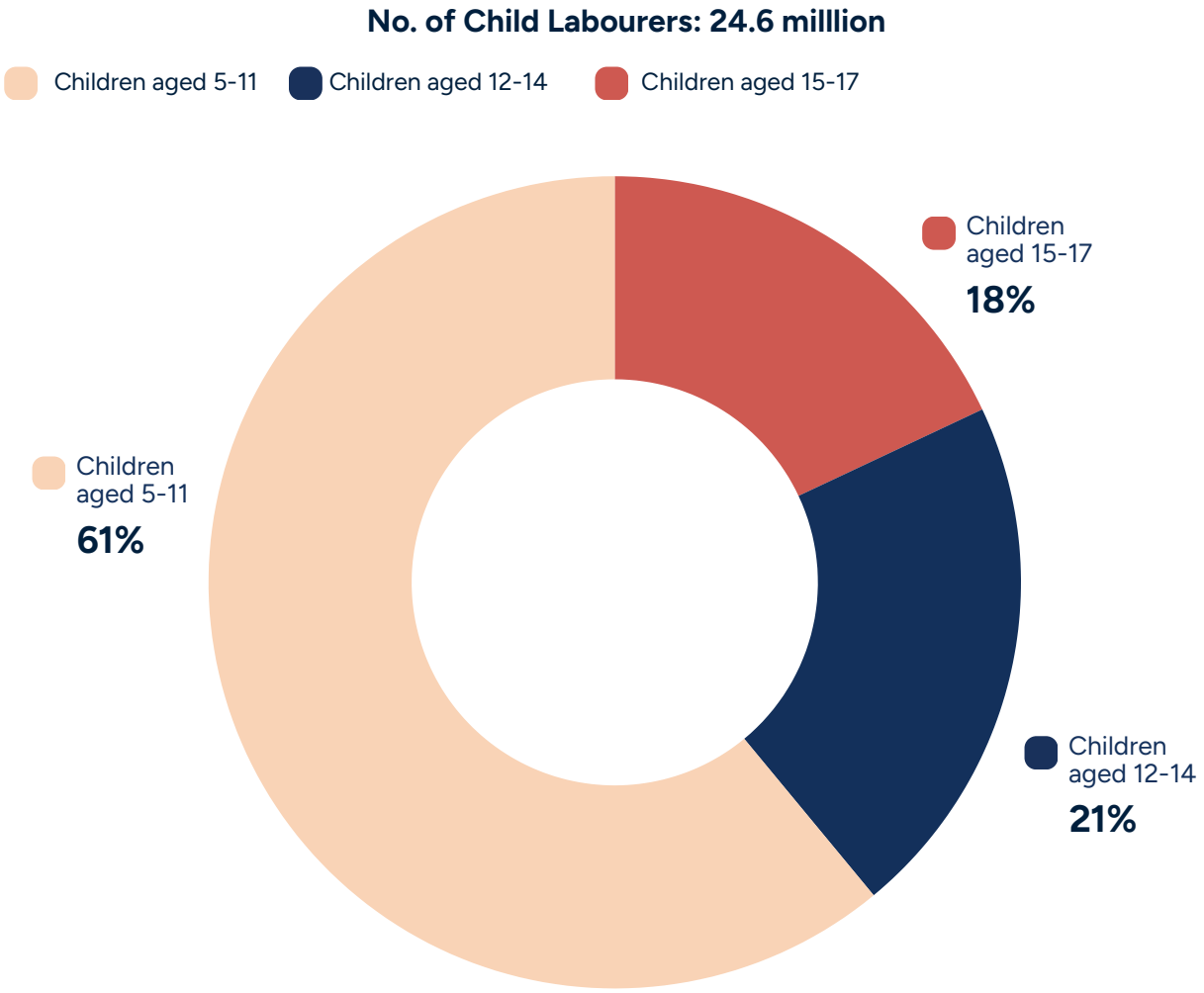
202 Ibid

203 Ibid

204 Ibid

205 Ibid

206 Ayodele, Mercy. 2021. "Workplace sexual harassment still prevalent in Nigeria." Business Day. https://businessday.ng/bd-weekender/article/workplace-sexual-harassment-still-prevalent-in-nigeria/



Child Marriage

More than two decades since the passage of its Child's Rights Act, Nigeria continues to grapple with high incidences of child marriage across regions. The challenge is rooted in religious as well as economic justifications. And while marriage is conceived as a means of livelihood among poor families, proof establishing upward mobility for poor families and the young women is scarce.[207] The unions typically rob female children of the opportunity to be part of the decision-making and truncates their long-term chances at education and financial autonomy.[208] The situation is more severe in conflict-ravaged states where vulnerable populations such as young girls are immediate victims.

207 Human Rights Watch. 2022. "Nigeria: Child Marriage Violates Girls' Rights." https://www.hrw.org/news/2022/01/17/nigeria-child-marriage-violates-girls-rights

208 Ibid

Scholars argue that conflict fuels the incidence of child marriage, particularly when vulnerable young women and girls are leveraged as war strategies, an event that occurs frequently in Nigeria's crisis zones.[209] At 24 million, Nigeria is home to one of the highest numbers of child brides globally.[210] More than 30 percent of its girls marry before eighteen and 12.3 percent are married before 15.[211] Regionally, child marriage frequently occurs in the North, where 52 percent of girls in the Northwest and 51.1 percent in Northeast of women aged between 20 to 24 were married before they turned eighteen.[212] On a state-by-state basis, Bauchi is cited as having the highest rate of child marriage.[213]

> Nigeria has the highest number of child brides on the continent at 23 million girls. For these women, marriage often represents an abrupt halt to any chances at self-actualisation. It propels an onset of early sexual activity, high-risk pregnancies, sexually transmitted infections and partner abuse.

Digital Exploitation and Gender-based Violence

With the advent of artificial intelligence and a bustling social media environment, threats against women and children have taken on a new form. A report by the Nigerian Communications Commission in 2021 revealed that 90% of Nigerian children aged 4-16 surveyed had encountered at least one online risk.

209 DiGiuSeppe, Matthew and Haer Roos. 2022. "The wedding bells of war: The influence of armed conflict on child marriages in West Africa." Journal of Peace Research. (October). https://doi.org/10.1177/00223433221080056

210 United Nations Children's Fund. 2024. "Nigeria Takes Bold Steps to End Child Marriage and Protect the Rights of Children." https://www.unicef.org/nigeria/press-releases/nigeria-takes-bold-steps-end-child-marriage-and-protect-rights-children

211 Girls Not Brides. "Nigeria." https://www.girlsnotbrides.org/learning-resources/child-marriage-atlas/atlas/nigeria/

212 Ibid

213 Ibid

Children aged 11-16 surveyed by the NCC identified unwanted sexual approaches and exposure to sexual content as major threats to their safety online. Of the online harms experienced by Nigerian internet users, 58 percent have typically targeted women, especially personalities in leadership offices.[216] A novel dimension of these vulnerabilities is the emergence of image-based sexual abuse (IBSA), a subset of online gender-based violence (OGBV). Defined as the non-consensual distribution or manipulation of person's images, intimate or otherwise, image-based sexual abuse has taken a new turn with advancements in artificial intelligence and its integration into social media such as X.[217] This has facilitated an atmosphere where compromising images of women can easily be generated, thereby engineering a climate of fear and anxiety. The intent has been described as the humiliation, control and intimidation of women online.[218] The consequences of OGBV are dire for victims who report undesirable mental health outcomes including suicidal ideation, paranoia, guilt, and depression.[219]

The trend mirrors a prevailing dynamic of harms against women. Twenty-one percent of Nigerian women aged 15 to 49 have been found to have experienced physical or sexual violence, 58 percent of whom never sought help and never disclosed it to anyone.[220] Husbands or intimate partners are described as the most common perpetrators of physical violence.[221] Twenty-three percent of women who have been married or had intimate partners also reported being victims of physical, sexual or emotional violence

214 STUDY: Young Children And Digital Technology: A Survey Across Nigeria https://ncc.gov.ng/market-data-reports/research-reports/study-young-children-and-digital-technology-survey-across

215 Ibid

216 Eromonsele, Fortune. 2025. "9 in 10 Nigerian children face online risks- Report." Premium Times. https://www.premiumtimesng.com/news/top-news/831181-9-in-10-nigerian-children-face-online-risks-report.html

217 Omeh, Vivian. 2025. "Why Nigerian Women can't Trust the Internet with Their Images." Safe Online. https://safeonlineafrica.com/why-nigerian-women-cant-trust-the-internet-with-their-images/

218 Ibid

219 Aborisade, Richard. 2021. "Image-Based Sexual Abuse in a Culturally Conservative Nigerian Society: Female Victims' Narratives of Psychosocial Costs." Sexuality Research and Social Policy, 19, no.1. (January) https://doi.org/10.1007/s13178-021-00536-3

220 Nigerian Population Commission, 2024 Demographic and Health Survey.

221 Ibid

by their current or most recent partners or husbands.[222] Divorced, separated or widowed women confront the greatest risk of intimate partner violence (IPV) at 41 percent.[223] The genesis of violent male attitudes in relationships has been traced to cultural norms that reinforce ideals of authoritative masculinity.[224] In the same vein, unequal standards are applied for either sex in conversations surrounding rape. This has influenced the position of critics that the country has a rape culture.[225]

222 Ibid

223 Ibid

224 Aborisade, Image-based Sexual Abuse.

225 Ibid



> Online gender-based violence is emerging alongside longstanding patterns of physical and sexual violence, extending the ways women experience abuse and intimidation.

Institutions, Systems, and Stakeholders

Given the severity of challenges facing women and children in Nigeria, the place of institutional frameworks cannot be dispensed with. However, major lapses exist. In managing cases of rape and abuse against women, for instance, victims are traditionally hesitant about seeking help from law enforcement. This is due on the one hand to the obscurity of response mechanisms and on the other to the attitude of officials in dealing with such cases. Studies have shown that the police exude the same social stereotypes surrounding sexual abuse when dealing with victims. These include slut-shaming, victim blaming, delays in investigation, among others.[226] Outside the police, other institutions such as National Human Rights Commission, the National Agency for the Prohibition of Trafficking in Persons, the Federal Ministry of Women Affairs and Social Development at the Federal level, and its equivalent or designated relevant agency at the state level, exist to tackle cases of violations of women and children's rights. For one, the National Human Rights Commission is a quasi-judicial body with powers of investigation, hearings and compensation for victims.[227] In recent years, it has reported being flooded with hundreds of thousands of rights petitions. A notable period was 2021 when it announced the receipt of 1.2 million petitions, the highest number of which had to do with sexual and gender-based violence, child rights, and women's rights.[228] However, these numbers do not suffice to demonstrate the work done by the Commission, specifically its capacity and speed of disposing matters. The model adopted for protecting victims is similarly unclear. Importantly, it is limited by its designation as a civil court which implies that it is incompetent to handle offences with greater gravity such as rape and defilement. Notwithstanding, the Commission has

226 Aborisade Richard. 2023. "On the 'darkness of dark figure' of sexual crimes: Survivors' rape reporting experiences with the Nigerian police." International Journal of Law, Crime and Justice, 73. (June). https://doi.org/10.1016/j.ijlcj.2023.100576

227 Nigeria National Human Rights Commission. Overview - National Human Rights Commission. https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://www.nigeriarights.gov.ng/about/overview.html&ved=2ahUKEwjNo4zkmoySAxUP0wIHHYL6GAMQFnoECCAQAQ&usg=AOvVaw3-j2jmluKWpWwVGuBVk5U2

228 Adenekan, Samson. 2021. "EXCLUSIVE: Child rights violations, sexual violence, others top 1.2 million petitions before human rights commission." Premium Times. https://www.premiumtimesng.com/news/headlines/454845-exclusive-child-rights-violations-sexual-violence-others-top-1-2-million-petitions-before-human-rights-commission.html?tztc=1

greater gravity such as rape and defilement. Notwithstanding, the Commission has established a dedicated Department for Women, Children and Vulnerable Groups for handling sensitive matters.[229]

The National Agency for the Prohibition of Trafficking in Persons is a specialised agency tasked with the investigation and prevention of trafficking cases. It has a legal responsibility to sensitively manage the welfare of trafficking victims and compensate them for the damage suffered.[230] Its enabling legislation prohibits the procurement of persons for prostitution and forced labour both within and outside Nigeria. Since inception, the agency has been credited with providing assistance to more than 5,000 victims of trafficking.[231] It has also steadily expanded its footprint to 15 state offices across the country and in 2021, successfully sheltered and rehabilitated close to 1,500 victims, the bulk of whom were female.[232] The agency leverages interagency and international cooperation in delivering on its roles. Still, it is inhibited by a slow pace of expansion, budgetary constraints and routinely slow judicial procedures.[233]

Aside from these institutions, Sexual Assault Referral Centres (SARCS) exist across 24 states and the Federal Capital Territory. The centres offer victims free medical and counselling support services. Funded by the European Union under its Rule of Law and Anti-Corruption Programme, SARCS have since the establishment of Lagos's Mirabel Centre in 2013 been instrumental to helping 19,000 victims by 2020, of whom 70 percent were below the age of 18.[234] The project's scale and potential has, however,

229 African Committee of Experts on the Rights and Welfare of the Child. "National Human Rights Commission - Nigeria." https://www.acerwc.africa/en/nhris/mapping/835/109/national-human-rights-commission-nigeria#:~:text=Amongst%20its%20administrative%20structures%2C%20the%20Commission%20has,of%20its%20focal%20areas%20is%20Child%20Rights

230 Trafficking in Persons (Prohibition), Enforcement and Administration Act, 2015

231 Dimka, David and Solomon, Adekunle. 2025. "An evaluation of the national agency for the prohibition of Trafficking in persons (NAPTIP) and its impact on eradicating Human trafficking in Nigeria." African Journal of Social Issues, 8, no. 1. (September). https://doi.org/10.4314/ajosi.v8i1.53

232 Ibid

233 Ibid

234 European Union. "The SGBV Challenge in Nigeria: Increasing Access to Justice through SARCS." https://international-partnerships.ec.europa.eu/news-and-events/events/sgbv-challenge-nigeria-increasing-access-justice-through-sexual-assault-referral-centres-2021-06-08_en?prefLang=da

been limited by the inability of federal and state governments to fund expansion.[235] The dynamic therefore leaves the country with objectively commendable pieces of legislation but scant implementation frameworks.

The European Union has not been alone in its efforts. Multiple civil society organisations work to facilitate better outcomes for women in debates around their health and welfare. These have different levels of reach and thematic focuses. For example, the Women Advocates Research and Documentation Centre offers pro bono legal services to women who have been victims of GBV and other abuses. The Women's Consortium of Nigeria, on the other hand, is focused on tackling human trafficking of young people, children and women, in addition to GBV. Other organisations like Women, Infants and Children Care Initiative have a generalist focus with emphasis on addressing issues through engagement with the grassroots. Networks that help amplify the individual work of organisations include Girls Not Brides, which encompasses a collection of more than 1,400 civil societies in more than a hundred countries across the globe; the Women's Peace and Humanitarian Fund, a United Nations body that places women at the centre of conflict resolution efforts; and the National Coalition for Civil Society to End Child Marriage in Nigeria which comprises a coalition of others CSOs across the country to end child marriage. To strengthen the evidence base on work in the women and child's rights sector, the Women Health and Action Research Centre has committed its thirty years of existence and multidisciplinary researchers to developing policy material on women's sexual and reproductive health.

The work of these various groups is equally backed by different international government and non-governmental organisations, including the European Union discussed earlier, the Bill & Melinda Gates Foundation, MacArthur Foundation, as well as state-level collaboration with federal and state governments ministries. With the extensive specialties of CSOs and the visibility of their networks, a bounty of opportunities exist for collaboration. These of course include generating data for robust

235 Global Sentinel. 2023. "EU, FG canvass funding for institutions fighting SGBV." https://globalsentinelng.com/eu-fg-canvass-funding-for-institutions-fighting-sgbv/#:~:text=She%20said%2C%20%E2%80%9CWe%20still%20have,%2C%20citizens%2C%20and%20the%20media.

health research, facilitating mutual access to stakeholders in separate geographical domains, exchanging insights through workshops and seminars for activists, and developing technical capacity.

The media deserves examination too. Its role in representing issues involving women and children is very nuanced as it can either perpetuate or alter social narratives. While this ability is hardly in contest, the business underpinnings of stories concerning women and children cast a pall. It has been argued that prioritization of sensationalism or feeding off trends in public opinion reduces the potential for lasting and sustainable change.[236] Moreover, story selection in newsrooms has been cited as likely to favour business and political coverages over concerns on women and children's health.[237] This is besides the male dominance in the top levels of media houses and the resulting bias for stories other than those relating to women. Added to this is the effect of male across industries which makes it more likely that the expert sources consulted would be male.[238] Furthermore, cultural and religious factors may play a similar role in the willingness of women to openly discuss maternal health with journalists compared to men.[239]

236 Onyejelem, Timothy et al. 2025. "Media Representation of Child Abuse and its Policy Implication in Nigeria." Polit Journal: Scientific Journal of Politics, 5, no. 2. (May). https://doi.org/10.33258/polit.v5i2.1271

237 Adeniran, Raheemat. 2020. "Gender Issues in Nigerian Newspapers Coverage of Maternal and Child Healthcare Issues." Communication Cultures in Africa, 2, no. 1. (June). https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://communicationculturesinafrica.com/articles/24/files/submission/proof/24-1-97-1-10-20200707.pdf&ved=2ahUKEwiRxZDHtoySAxUbBNsEHc1zLz0QFnoECHUQAQ&usg=AOvVaw2sKpurQtrrLf0oHWSRzUdq

238 Ibid

239 Ibid



Nigeria's digital rights protection challenge lies in how effectively existing laws and institutions can respond to harms that continue to evolve in form, complexity and impact

Rights Protection in a Digital Environment

The changing nature of violence against women and children, particularly its increasing manifestation and amplification within digital spaces, highlights the urgent need to ensure that rights protection extends beyond physical environments to the online sphere.

As digital technologies become increasingly embedded in everyday life, women and children are exposed to forms of harm that can occur entirely online or intersect with offline violence, including harassment, exploitation, abuse, intimidation, privacy violations and the non-consensual dissemination of personal or sensitive information.

Similarly, institutions responsible for protecting rights increasingly rely on digital information, electronic records and technology-enabled coordination to investigate cases, deliver services and monitor risks, making the digital space an increasingly complex protection landscape.

Currently, Nigeria has established a range of legislative and institutional frameworks that provide a basis for addressing digital rights violations. The 1999 Constitution provides the overarching legal foundation for the protection of fundamental rights, while Cybercrimes (Prohibition, Prevention, etc.) Act, 2015 establishes specific offences relating to conduct in the digital environment. Notably, Section 24 (1) criminalises cyberstalking, including the intentional transmission of grossly offensive, pornographic, indecent, obscene or menacing messages, as well as false information intended to cause annoyance, injury, hatred or obstruction.[240]

Other relevant frameworks include Sections 1 and 6 of the National Information Technology Development Agency (NITDA) Act, 2007, which provide for institutional

240 https://digitalrightslawyers.org/wp-content/uploads/2021/01/UNRAVELING-THE-CONCEPT-OF-DIGITAL-RIGHTS-GROUP-5-POWERPOINT.pdf

oversight of information technology development, and the Nigeria Data Protection Regulation (NDPR), 2023, which established a framework for the protection and responsible processing of personal data.[1] Collectively, these legal and institutional instruments provide an important foundation for protecting rights in Nigeria's digital environment.

The implementation and enforcement of these provisions involve multiple institutions with distinct mandates. The Attorney-General of the Federation has responsibility for overseeing implementation, while the National Security Adviser plays a coordinating role on national security matters. The Nigeria Police Force, Economic and Financial Crimes Commission (EFCC) and Nigerian Communications Commission (NCC) also have relevant enforcement and regulatory responsibilities within their respective mandates.

However, concerns remain about the extent to which existing frameworks adequately capture the specific and evolving nature of digital harms experienced by women and children.[242] Broad or general provisions may provide an important legal foundation, but may not sufficiently address the distinct vulnerabilities, patterns of harm and protection needs of different groups, particularly where gender and age intersect with digital risks.

This raises a broader question for Nigeria's rights protection ecosystem: whether existing laws, institutions and response mechanisms are sufficiently equipped not only to recognise digital violations, but also to prevent them, respond effectively to survivors, generate reliable evidence and hold perpetrators accountable. Strengthening rights protection in the digital environment therefore requires attention not only to the existence of legislation, but also to its specificity, implementation, institutional capacity and ability to respond to an evolving landscape of digital harm.

241 Ibid

242 https://nigeria.un.org/en/306078-voices-unbroken-ending-digital-violence-against-women-and-girls-mohamed-m-fall

Implications for Rights Protection Institutions

The concerns surrounding the adequacy and responsiveness of existing legal frameworks have significant implications for the institutions responsible for protecting women and children. The challenge is not necessarily the absence of institutional mandates; rather, it is whether institutions have the capabilities, systems and coordination mechanisms required to exercise those mandates effectively in an increasingly digital environment.

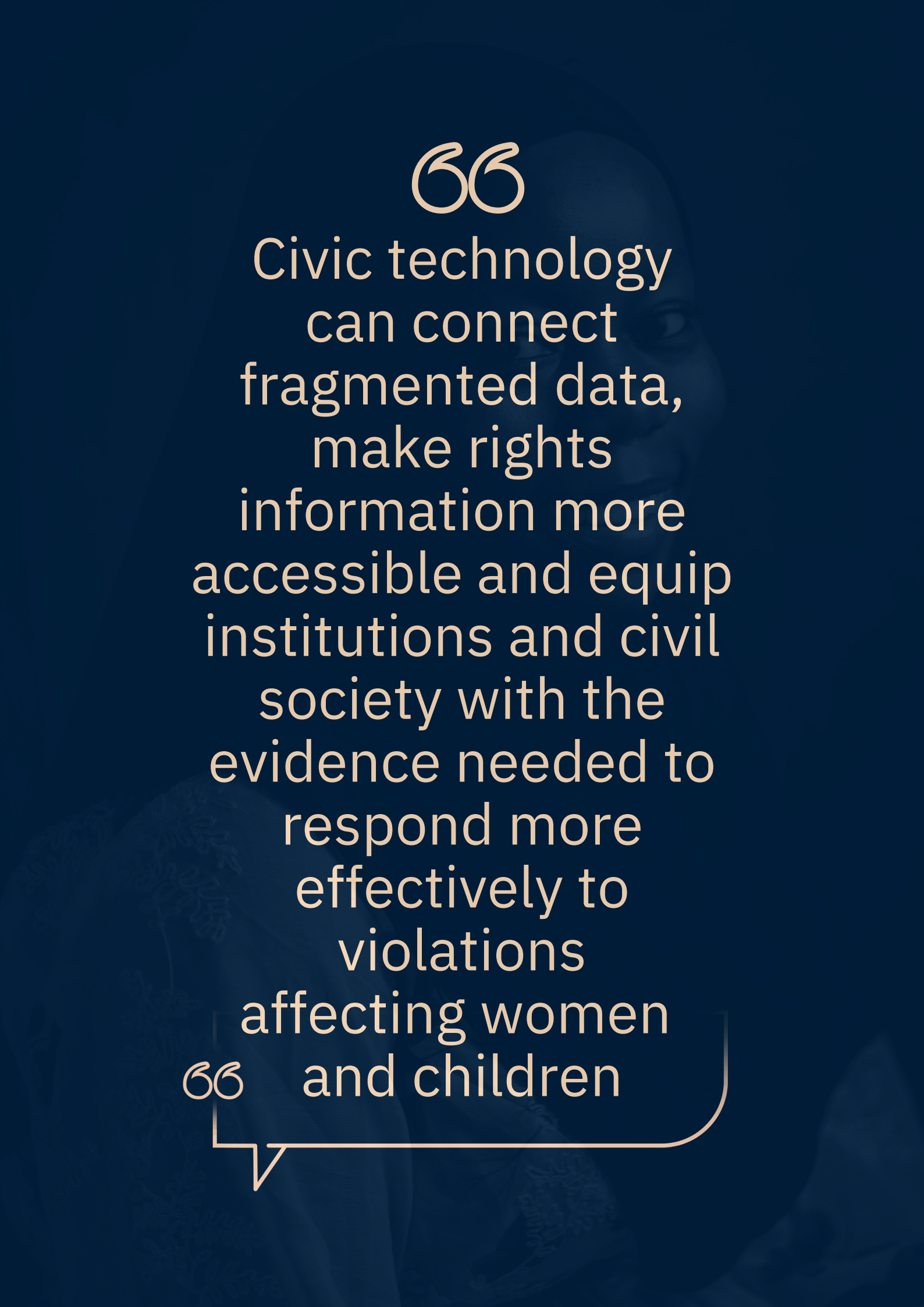
As digital forms of harm become more complex, rights protection institutions must increasingly extend their existing investigative, evidentiary, safeguarding and coordination functions into digital spaces.

Implication	What it means institutionally
Digital evidence	Institutions must be able to identify, preserve, assess and use digital evidence appropriately.
Data governance	Institutions need systems for collecting, storing, sharing and protecting sensitive information.
Coordination	Institutions need clearer roles, referral pathways and responsible information-sharing mechanisms.
Digital safeguarding	Institutions must ensure their own digital systems do not create additional risks for women and children.
Anticipatory governance	Institutions need to identify emerging patterns of harm rather than responding only after violations occur.

Towards Stronger Evidence, Governance and Collaboration

The evolving digital environment reinforces a broader conclusion emerging throughout this report: effective rights protection depends not only on sound legal frameworks but also on institutions that are capable of generating evidence, coordinating across sectors and adapting to changing social realities.

As digital transformation continues to reshape the operating environment, opportunities exist to strengthen legal and institutional effectiveness through improved evidence systems, responsible data governance, collaborative approaches and meaningful civic engagement. These are not technology-driven objectives in themselves. Rather, they represent practical means of enabling institutions to fulfil their existing mandates more effectively within an increasingly complex protection landscape.



> Civic technology can connect fragmented data, make rights information more accessible and equip institutions and civil society with the evidence needed to respond more effectively to violations affecting women and children

Opportunities for Civic Technology, Data-Driven Advocacy, and Community Engagement

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As evident from this analysis, Nigeria has developed an extensive body of legislation complemented with an active civil society ecosystem committed to its women and children's rights ecosystem. Despite this, the identified inconsistencies in existing legal frameworks and the persistent gap between these frameworks and the lived realities of many people in this demographic is an indication that there is so much work to be done. The question that logically follows is this: in what ways can civic technology, data-driven advocacy and community engagement fill the existing gaps established by this analysis? Or perhaps more specifically, what opportunities exist for leveraging civic technology and data-driven approaches to advance women and children's rights in Nigeria?

1. Integrated Data Systems for Rights Monitoring

The first of these opportunities involves tackling the problem of fragmentation confronting the data on women and children's rights violations in the country. Currently, the National Human Rights Commission, the National Agency for the Prohibition of Trafficking in Persons, Sexual Assault Referral Centres, state-level ministries of women affairs, and countless civil society organisations each maintain separate databases. While the strength of some of these databases may be limited, a more obvious problem is the limited interoperability between them which makes it difficult to develop a comprehensive picture of the scale and nature of violations, identify geographical and demographic patterns, or assess the effectiveness of interventions.

An integrated data platform that connects these disparate systems while maintaining appropriate privacy protections is key to filling the current gap in women and children's rights ecosystem in the country because it would allow real-time monitoring of trends in child marriage, female genital mutilation, child labour, and gender-based violence across states (and, more aspirationaly, local government areas and wards). These would enable civil society organisations to identify emerging hotspots and mobilise rapid responses. It would also provide government agencies with the evidence needed to allocate resources effectively and measure the impact of policy interventions.

2. Civic Technology for Legal Enforcement and Tracking

While Nigeria has made significant progress in adopting the Child's Rights Act across all states, implementation remains inconsistent. As shown earlier, eleven states have yet to gazette their laws, potentially limiting their enforceability. More than just, in many states where the Act is fully operational, citizens often lack awareness of their rights or knowledge of how to seek redress for violations. This limited understanding is particularly fuelled by the complexity and inconsistencies in multiple legislations on women and child's rights that this analysis has highlighted. This is where civic technology can play a transformative role.

Civil society organizations can develop mobile applications and web platforms to provide accessible information about rights under the Child's Rights Act, the Violence Against Persons Prohibition Act, and other relevant legislation. These tools could help parents identify violations such as child labour or child marriage, guide them through reporting procedures, and connect them with legal aid providers and support services. These platforms will also make it easier for civil society organizations to engage in a systematic documentation of violations and track cases through the judicial system, generating evidence for advocacy campaigns targeting specific implementation gaps.

The creation of these apps/websites is the first component in the multilayered opportunities that civic technology provides within this context. The second component of how it can be used involves tackling the large volume of digital harms against women and children online. While current civil society organizations have made efforts to raise advocacy against this, there's an opportunity to take this advocacy to the next level through digital technology in several ways. First, these platforms can be used as social listening tools that track right violations online and immediately take action. A good example of this is UNDP's eMonitor+ platform, which offers real-time monitoring and analysis of online gender-based violence, generating actionable data to inform policy responses and strengthen institutional accountability.[243] Similarly, online digital literacy programmes, particularly those targeting adolescent girls, can build resilience against online exploitation.

3. Community-Based Data Collection and Advocacy

While technology offers powerful tools for aggregating and analyzing data, the most critical information often resides at the community level. Community health workers, teachers, traditional and religious leaders, and local civil society organisations possess intimate knowledge of child marriage practices, female genital mutilation, child labour, and domestic violence that rarely makes it into official statistics. A new model that combines Artificial Intelligence with the native intelligence of these stakeholders will improve the country's women and children's rights ecosystem.

Through this model, trained community members can document incidents, capture testimony, and upload evidence through secure applications that feed into central databases. This approach would not only improve data quality and coverage but also build local capacity for advocacy and strengthen community ownership of protective efforts. This model can draw on lessons from Goloka, an initiative of Abuja-based policy think-tank, Dataphyte.

243 UNDP, https://www.undp.org/arab-states/emonitor#:~:text=Our%20impact%20up%20until%20now

Inclusive Futures Initiative

Inclusive Futures Initiative (IFI) strengthens the rights of women, children and young people across Africa by generating evidence, shaping narratives and fostering ecosystem collaboration that informs policy, practice and collective action.

Through initiatives such as the Women and Children's Rights Observatory (WoCRO), IFI contributes to stronger evidence ecosystems, improved access to information and greater coordination among stakeholders working to advance women's and children's rights.

Our work is guided by four core values: evidence-driven practice, people-centred approaches, rights-focused innovation and shared learning.

These principles shape how we engage communities, develop solutions and work with partners to advance inclusive and sustainable change for women, children and young people.

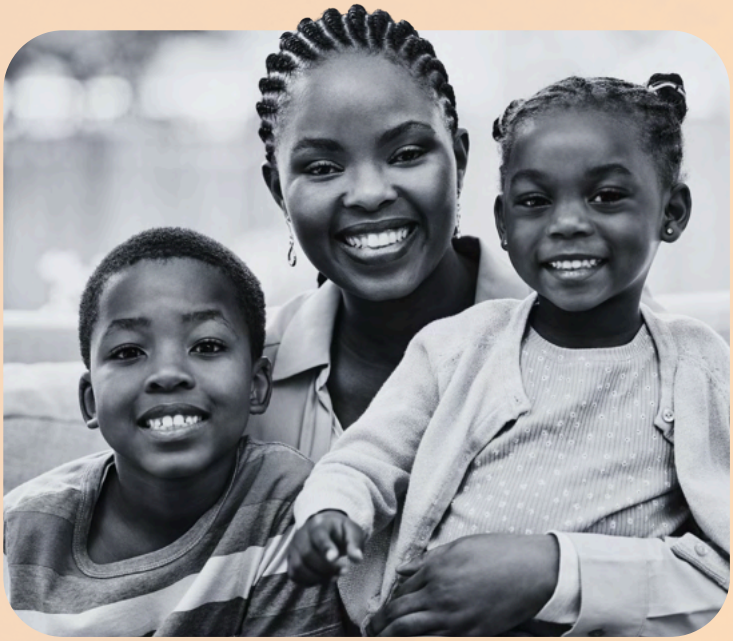
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Turning evidence into collective action for women, children and young people.



EVIDENCE-DRIVEN

Our work is grounded in rigorous analysis and credible data. Evidence should not remain confined to technical spaces; it must inform understanding, shape narratives, and guide action across the ecosystem.



PEOPLE-CENTRED

The lived realities of women and children sit at the heart of our work. Their experiences are not anecdotal but a vital form of knowledge that strengthens evidence, informs narratives, and guides decisions.



RIGHTS-FOCUSED INNOVATION

Innovation, including the use of technology, should advance rights and improve real-world outcomes. Tools and ideas must be applied responsibly, ensuring they strengthen participation, accountability, and protection rather than creating new risks or exclusions.

SHARED LEARNING

Progress on women's and children's rights depends on collective insight. We prioritise openness, collaboration, and the exchange of knowledge so that learning accumulates and informs stronger action across the ecosystem.



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