

2.16.4. Child marriage and forced marriage

COMMON ANALYSIS
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COI summary

[Main COI references: [Targeting](#), 3.13; [Country focus](#), 4]

Marriage before the age of 18 is prohibited by law in Nigeria. However, according to the Nigerian government's 2016 strategy, northern Nigeria has among the highest rates of child marriage in the world, particularly in the North-East and the North-West, with 48 % of girls marrying by the age of 15 and 78 % marrying by the age of 18.

The effects of early marriage are severe, often both for the girls or young women and for their children.

There is a strong link between education, poverty, and early marriage: girls with no primary education are often married by the age of 15 and girls with primary education marry on average by the age of 18. Child marriage may also be linked to the socio-economic situation of the family, as parents and fathers especially receive a bride price. Another reason for child marriage is to prevent 'indecent' associated with premarital sexual relations or teen pregnancy. The motives for child marriage and the prevalence of the practice vary according to region, ethnicity, and religion.

Forced marriages also occur in Nigeria, especially among the Muslim communities in the North, where the practice is prevalent due to cultural and religious practices linked to polygamy. In the North, forced marriage is common among urban and rural poor population, but not very common among the more educated. Forced marriage is not common in the South. According to relevant reports, there are several factors that play a major role with regard to forced marriages, which include culture, religion, area of origin, socio-economic status and ethnic group belonging.

Reported consequences of refusal to marry include neglect and ostracism, physical violence and rape.

The ability of women to avoid a forced marriage depends on their income and education.

Risk analysis

Forced and child marriage amount to persecution.

In the case of women or girls who refuse to enter in a marriage, the acts to which they could be exposed are also of such severe nature that they would amount to persecution (e.g. physical violence and rape). Where the risk is of discrimination and/or mistreatment by society and/or by the family (e.g. neglect, ostracism), the individual assessment of whether this could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Not all women and girls would face the level of risk required to establish well-founded fear of persecution in relation to forced marriage or child marriage. The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances, such as: prevalence of the practice in the area of origin, ethnic group, religion, age, level of education of the individual and the family, socio-economic status of the family, family traditions, etc.

Nexus to a reason for persecution

Available information indicates that persecution of this profile may be for reasons of religion and/ or membership of a particular social group. For example, refusal to enter into a marriage may result in persecution for reasons of membership of a particular social group in relation to a characteristic or belief that is so fundamental to identity or conscience that a person should not be forced to renounce it (the right to choose whom to marry) and the distinct identity of such women and girls in Nigeria. Neglect and ostracism could indicate that women or girls who are refusing to enter in a marriage are viewed as different by the surrounding society and as transgressing the social norm.
