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RIGHTS PROTECTED, JUSTICE SERVED? EXAMINING NIGERIA'S LEGAL INTERVENTION TO ITS SURGING GENDER-BASED VIOLENCE

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Abstract

The World Health Organization reports that about one in three women globally experiences physical or sexual violence in her lifetime. In Nigeria, gender-based violence (GBV) against women remains pervasive, manifesting in domestic and intimate-partner violence, harmful traditional practices, sexual violence, and other forms of physical and psychological abuse. Although Nigeria has enacted laws intended to prevent GBV and protect survivors, legal protections do not always translate into effective access to justice. This study examines the challenges facing Nigeria's legal framework for protecting women against GBV. Its findings reveal that lacunae in enforcement, underreporting, and difficulties accessing legal services can prevent survivors from obtaining meaningful protection. The study concludes that protecting women against GBV requires more than the establishment of laws; it also demands that, in reality, these codified protections manifest into justice served. Therefore, this paper recommends strengthened institutional capacity, sustained public education on GBV, accessible among other salient recommendations. These reforms are necessary to ensure that the rights protected translate in reality to justice served.

Keywords: Gender-based violence, Legal framework, Access to justice, Institutional capacity, Survivors

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1. INTRODUCTION

Gender-based violence (GBV) has been reported to be the most pervasive yet least apparent human rights violation in the world.[1] GBV refers to any harmful act inflicted on an individual based on sex or gender, and it remains one of the most pervasive human rights challenges globally.[2] It encompasses a wide range of acts carried out through violence, coercion, threats, deception, cultural pressure, or economic control, including physical, sexual, emotional, psychological, and financial abuse, as well as harmful traditional practices such as female genital mutilation. Although GBV may affect men and women, women and girls remain disproportionately affected due to deeply rooted gender inequalities and patriarchal social structures that sustain their vulnerability.

The prevalence of gender-based violence in Nigeria reflects broader structural inequalities rooted in patriarchal norms.[3] Cultural and religious practices often reinforce male dominance by assigning men greater economic power and leadership roles, while women are confined to subordinate domestic responsibilities.[4] In such settings, women are frequently regarded as inferior, and violence becomes a tool for maintaining control and reinforcing gender hierarchy. Empirical evidence further demonstrates the alarming scale of the problem, with reports indicating that women in Nigeria face daily

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[1] Jamila Musa Ali, 'Gender-Based Violence in Nigeria: A Discourse on the Forms, Causes and Consequences,' (A Conference Proceedings of the 1st International Conference, Faculty of Social and Management Sciences, Sule Lamido University, Kafin Hausa from17th to 19th October 2023) 273-285.

[2] Grace Sunday Ayegba, 'Women's Rights and Gender-Based Violence: Legal Reforms Needed in Nigeria', *Law yard* (14th January, 2025) <https://www.lawyard.org/news/womens-rights-and-gender-based-violence-legal-reforms-needed-in-nigeria-by-sunday-grace> accessed 22nd December, 2025.

[3] Yinka Olomojobi, *Human Rights and Civil Liberties in Nigeria: Discussions, Analysis and Explanations* (Princeton and Associates Publishing, 2016) 303.

[4] Ibid.

threats of physical, sexual, and psychological abuse, often perpetrated by intimate partners or family members.[5] National surveys also reveal that a significant number of women experience physical or sexual violence or abuse at an early age, underscoring the widespread and systemic nature of gender-based violence in the country. Globally, the World Health Organization estimates that approximately one in three women have experienced some form of gender-based violence in their lifetime, underscoring the widespread and systemic nature of the issue.[6]

This crisis of a weak rule of law consequently raises critical questions regarding the adequacy of enforcement strategies, the effectiveness of existing institutions, and the need for legal and policy reforms. To this end, the discussion will be centered on the examination of the enforcement of the legal framework for the protection of women against gender-based violence in Nigeria, the identification of the gaps between law and practice and the proposal of measures to strengthen enforcement and ensure meaningful protection for women in Nigeria.

1.1. Weak Enforcement of Existing Laws

Weak enforcement in this context refers to the improper implementation and application of the laws enacted to combat gender-based violence by the relevant authorities. Weak enforcement manifests in many ways. Proper enforcement of the laws entails law enforcement agencies responding promptly to complaints of any alleged act of violence.[7] Failure of law enforcement agencies to

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[5] Mercy Manya Kazi, 'An Analysis of the Legal Framework for the Protection of Women Against Discriminatory Practices in Nigeria,' *East African Journal of Law, Policy and Globalization* [2024] 1(1), 82.

[6] World Health Organization, 'Violation Against Women,' *World Health Organization* https://www.who.int/health/topics/violence-against-women accessed 24th December, 025.

[7] Chioma Nwankwo, 'An Appraisal of Gender Justice and Legal Reforms in Nigeria: Assessing the Efficacy of Legislative Frameworks and Societal Impact,' *Journal of*

promptly respond to such complaints often leaves the problem unaddressed, and the victims left without justice. This is no doubt a challenge to the protection of women against violence. Similarly, the laws mandate law enforcement agencies to properly investigate cases of violence against women. Similarly, the law imposes an obligation on law enforcement agencies to conduct proper and thorough investigations into cases of violence against women. Weak enforcement of these legal provisions often results in inadequate investigations, which may, in turn, lead to insufficient evidence to support the prosecution of perpetrators.[8]

Weak enforcement of the laws sometimes is a result of corruption and bribery, as perpetrators of these violent acts against women bribe law enforcement officials to either dismiss the allegations against them or reduce the severity of the allegations, which results in an act of grave injustice against the victim.[9] In some instances, weak enforcement of the law results in the failure to arrest or prosecute offenders despite the existence of clear evidence of wrongdoing. Where offenders are not arrested, they cannot be brought before the courts to face charges for their crimes. Consequently, victims may be denied access to justice and the redress to which they are entitled for the harm suffered.[10]

Another significant way the weak enforcement and implementation of laws manifests is in the lack of compliance with protection orders issued by courts. Courts normally issue orders for the protection of victims against future acts of violence that may be perpetuated against

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Customary and Religious Law [2025] 2(1), 111.

[8] Grace Arowolo, 'Protecting Women from Violence Through Legislation in Nigeria: The Need to Enforce Anti-Discrimination Law,' *International Journal of Discrimination and the Law* [2020] 20(4), 245-288.

[9] Prince Agwu, "Re-Envisioning Antihuman Trafficking Response in Nigeria through an Anticorruption Lens" *Journal of Human Trafficking* [2025], 1-15.

[10] Mabel Izzi and Ophelia Umunna, 'Legal Response to Gender-Based Violence in Nigeria,' *International Journal of Business and Legal Research* [2020] 8(3), 2.

them. These orders are mostly ignored by law enforcement officials. The law equally mandates the training of police and other relevant authorities on matters about gender-based violence; poor implementation of the laws leads to inadequate training of police and judicial officers, thereby making them perpetually ignorant of their constitutional responsibilities.[11]

Selective enforcement of the law based on an offender's social status or influence is another manifestation of weak law enforcement. Such practices may contribute to low conviction rates, undermine public confidence in the justice system, and embolden offenders to repeat their crimes. Furthermore, persistent weaknesses in law enforcement may entrench a culture of negligence and insensitivity towards victims from relevant authorities. This is compounded by inadequate monitoring and oversight mechanisms, which undermine the effective implementation of laws addressing gender-based violence.[12]

2. LEGAL FRAMEWORK FOR THE PROTECTION OF WOMEN AGAINST GENDER-BASED VIOLENCE IN NIGERIA

The key laws for the specific protection of women against gender-based violence in Nigeria include the Constitution of the Federal Republic of Nigeria 1999 (as amended), the Violence Against Persons (Prohibition) Act 2015, the Child Rights Act 2003, the Matrimonial Causes Act, the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015, the Cybercrimes (Prohibition, Prevention,

[11] Foluke Oluyemisi Abimbola, Stanley Osazua Ehiane and Roman Tandlich, 'Women's Rights in Nigeria's Indigenous Systems: An Analysis of Non-discrimination and Equality Under International Human Rights Law,' *Journal of Law and Social Sciences* [2023] 1(2), 405.

[12] Jamila Musa Ali, 'Gender-Based Violence in Nigeria: A Discourse on the Forms, Causes and Consequences,' (A Conference Proceedings of the 1st International Conference, Faculty of Social and Management Sciences, Sule Lamido University, Kafin Hausa from17th to 19th October 2023) 273-285.

etc.) Act, and the Penal Code and Criminal Code. These laws provide protections for women against gender-based violence and provide for redress when such violence is inflicted upon them.

2.1 Constitution of the Federal Republic of Nigeria, 1999 (as amended)

The Constitution, being the grundnorm of all laws in Nigeria, that is, the fundamental essential norm underlying our legal system, laid the foundation for the protection of women against gender-based violence in Nigeria. This foundation is primarily provided in Chapter Four of the Constitution, which guarantees the fundamental human rights of all Nigerian citizens, irrespective of gender. Consequently, subsequent laws specifically protecting women in Nigeria against gender-based violence were successful despite the resistance that might have been encountered due to Nigeria's patriarchal culture,[13] largely because the Constitution did not limit or restrict the enjoyment and protection of all human rights to only one gender and to the exclusion of the other gender.[14]

Section 34 of the Constitution provides for the right to the dignity of the human person. Any act of violence against women is a contravention of this fundamental human right, and the victim can seek redress in a court of law. The provision protects women from all kinds of torture, inhuman, and degrading treatment such as domestic violence, sexual abuse, harmful widowhood practices, and female genital mutilation.[15]

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[13] Jaiyeola, Emmanuel Olorunfemi 'Patriarchy and colonization: The "Brooder House" for Gender Inequality in Nigeria.' *Journal of Research on Women and Gender* [2020] (10), 3-22.

[14] Constitution of the Federal Republic of Nigeria 1999; Chapter 4.

[15] Sylvester Ojenagbon, 'Gender-Based Violence and Women's Health,' *Daily Trust* (5th March, 2025) <https://www.dailytrust.com/gender-based-violence-and-womens-health> accessed 16th May, 2026.

Section 35 of the Constitution provides for the right to personal liberty. Personal liberty is a very important right because it ensures that women are protected and safeguarded from unlawful detention, forced confinement, trafficking, and other forms of physical abuse associated with gender-based violence. The combined application of Section 34 and Section 35 of the Constitution will ultimately guarantee the fundamental rights of women and protect them from violence and other related offences. The Constitution empowers victims to seek redress in court when these rights are violated; it also empowers other interested parties to seek redress on the victims' behalf through the Fundamental Human Rights Enforcement Procedure Rules.[16]

2.2. Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015

Human trafficking has been a major concern for the Nigerian government. Victims of human trafficking have been reported to be mostly women and girls.[17] Trafficking goes hand in hand with other violent activities, such as sexual exploitation and forced labor. To curtail the rapid spread of these activities, the Nigerian government passed the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act in 2003. The increasing and persistent incidents of trafficking and other forms of violent acts led the government to amend the Act, then repeal the old one and replace it with the new amendment, the "Trafficking in Persons (Prohibition) Enforcement and Administration Act" in 2015. This goes a long way in advancing

[16] Chioma Nwankwo, 'An Appraisal of Gender Justice and Legal Reforms in Nigeria: Assessing the Efficacy of Legislative Frameworks and Societal Impact,' *Journal of Customary and Religious Law* [2025] 2(1), 111.

[17] Tola Olujuwon, 'Combating Trafficking in Person: A Case Study of Nigeria' *European Journal of Scientific Research*, [2008] (24) (1), 23-32. Aderanti Adepoju, 'Review of Research and Data on Human Trafficking in Sub-Saharan Africa. *International Migration*, [2005] (43) (1-2), 75-98. Abosede O. Babatunde, 'Human trafficking and Transnational Organized Crime: Implications for Security in Nigeria. *Peace Research* [2014], 61-84.

the protection of women against gender-based violence in Nigeria.[18] The Act is considered a major legal framework for the protection of women against gender-based violence because it particularly protects women from sexual exploitation and forced labor.[19]

The most important role played by the Act in the protection of women against gender-based violence is the establishment of the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), which is saddled with the responsibility of investigating, prosecuting, and preventing trafficking offences in Nigeria. The agency also investigates all acts of violence and abuse against women that may arise because of human trafficking. This agency now provides protection and rehabilitation services for victims of human trafficking, including shelter, counselling, medical care, and reintegration support for abused women and girls.[20]

Apart from criminalizing human trafficking in all its forms, including trafficking for sexual exploitation, forced labor, slavery, and prostitution, the Act equally protects women and girls from sexual exploitation by imposing severe penalties on traffickers, recruiters, and exploiters. It also criminalizes forced prostitution and exploitation of women for commercial sexual activities. Lastly, it protects vulnerable women and girls from deceptive recruitment practices, forced migration, and exploitation under false promises of employment or marriage.[21]

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[18] Yinka Olomojobi, *Human Rights and Civil Liberties in Nigeria: Discussions, Analysis and Explanations* (Princeton and Associates Publishing, 2016) 303.

[19] Franca Ochigbo, 'Federal Government to Establish Emergency GBV Response Fund,' *The Nation* (30th November, 2025) <https://www.thenationonlineng.net/fg-to-establish-emergency-gbv-response-fund> accessed 17th May, 2026.

[20] Eneasato B. Onyekachi, and Anikwe J. Azubike. "The Menace of Human Trafficking across the Sahel Region and the Efforts of NAPTIP." *IDOSR Journal of Arts and Management* [2021] (6) (1), 15-29.

[21] Sherifdeen Amusa, 'Collective Efforts Would End Gender-Based Violence,' *The*

2.3. Cybercrimes (Prohibition, Prevention, etc.) Act

The persistent increase in the use of social media platforms by Nigerians has created new forms of gender-based violence, including cyberstalking, online harassment, revenge pornography, and cyberbullying targeted at women and girls. In response, the Nigerian government enacted the Cybercrimes (Prohibition, Prevention, etc.) Act in 2015 to criminalize offences such as cyberstalking, identity theft, online harassment, and the transmission of offensive or abusive materials through electronic means.[22]

The most important provision of the Cybercrimes Act that helps in the protection of women against gender-based violence is Section 24, which prohibits and imposes punishment for cyberstalking, online harassment, bullying, and the transmission of offensive, pornographic, indecent, or threatening messages through computer systems and social media platforms. These actions all amount to some form of violence and abuse when meted out against women. Section 24(2)(b) of the Act, in a similar vein, criminalizes sending false messages with the intent to cause annoyance, inconvenience, danger, insult, injury, hatred, or unnecessary anxiety to the recipient. This helps protect women from cyberbullying and malicious online attacks.[23]

The Act is the most relevant in the protection of women against abuse and violence that occurs online or through the medium of social media platforms. Most acts of violence nowadays take place online because

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Nation (12th November, 2025) <https://www.thenationonlineng.net/cpllective-efforts-would-end-gbv> accessed 18th May, 2026.

[22] Mercy Manya Kazi, 'An Analysis of the Legal Framework for the Protection of Women Against Discriminatory Practices in Nigeria,' *East African Journal of Law, Policy and Globalization* [2024] 1(1), 82.

[23] World Health Organization, 'Violation Against Women,' *World Health Organization* https://www.who.int/health/topics/violence-against-women accessed 24th December, 2025.

of the widespread use of social media platforms; this makes the Act relevant in addressing such incidents targeted against women online. The Act equally complements other laws protecting women against violence, such as the Violence Against Persons (Prohibition) Act 2015, in addressing modern forms of gender-based violence facilitated through technology and social media.[24]

3. CHALLENGES OF THE ENFORCEMENT OF THE LEGAL FRAMEWORK FOR THE PROTECTION OF WOMEN AGAINST GENDER-BASED VIOLENCE IN NIGERIA

There are many challenges confronting the enforcement of the legal framework for the protection of women against gender-based violence. These challenges include weak enforcement of existing laws, cultural and religious norms that normalize or justify gender-based violence, underreporting due to stigma, fear of Retaliation, and victim-blaming, inadequate funding and resources for relevant institutions, inefficient access to justice, especially in rural and underserved communities and lastly, slow judicial processes and delays in prosecution of GBV cases.

3.2 Cultural and Religious Norms That Normalize or Justify Gender-Based Violence

There are cultural and religious beliefs that subtly encourage some form of violence against women. There are equally other cultural and religious beliefs that do not unequivocally condemn violence against women. Perpetrators of these violent acts against women therefore justify their actions in the rooted beliefs, customs, traditions, and interpretations of religion that encourage, excuse, tolerate, or minimize acts of violence against women. This is no doubt a serious challenge to the enforcement of the legal framework for the protection of women

[24] Anyawu Christiantus Izuchukwu and Immaculata Kelechi, 'Gender-Based Violence and Challenge of Political Awareness in Nigeria,' *International Journal of Igbo Scholars Forum for Socio-Cultural Advancement* [2025] 18(2), 475.

against gender-based violence in Nigeria.[25]

Many communities have accepted wife-beating as a form of discipline. This is not only barbaric and contrary to all ideals of civilization, but it also goes against the fundamental human rights of women and constitutes an act of violence against them. It becomes a very serious challenge for the enforcement of the legal framework for the prohibition of violence against women. Another consequence of such cultural and religious beliefs is that they mount excessive pressure on victims to remain silent to protect family reputation. Where victims remain silent and refuse to lodge a complaint, the law will not take its course, and no action can be taken to remedy the situation.[26]

These cultural and religious beliefs also lead to the preference for traditional settlement over legal redress. Violence against women will be settled at traditional level setting and based on traditional beliefs instead of statutory law by the competent courts of law. This creates an alternative system of settling matters which directly conflicts with the standard ideals of remedying violent situations. The adherents of most religious beliefs that encourage wife-beating and other forms of violence against women engage in misinterpretations which they use to justify male dominance. Male dominance is often associated with violence against women, as it reinforces unequal power relations between men and women. This stands in contrast to the fundamental principles of a democratic state, which uphold gender equality, equal protection of the law, and respect for the rights and dignity of all individuals, regardless of gender.[27]

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[25] Grace Sunday Ayegba, 'Women's Rights and Gender-Based Violence: Legal Reforms Needed in Nigeria', *Lawyard* (14th January, 2025) <https://www.lawyard.org/news/womens-rights-and-gender-based-violence-legal-reforms-needed-in-nigeria-by-sunday-grace> accessed 22nd December, 2025.
[26] Yinka Olomojobi, *Human Rights and Civil Liberties in Nigeria: Discussions, Analysis and Explanations* (Princeton and Associates Publishing, 2016) 303.
[27] Mercy Manya Kazi, 'An Analysis of the Legal Framework for the Protection of

Another major challenge posed by these cultural and religious beliefs is the enforcement of child and forced marriages. Most of the victims of gender-based violence are also victims of child and forced marriages. The two problems go hand *in hand and* must be addressed altogether to bring an end to the phenomenon. Furthermore, these cultural and religious beliefs often contribute to victim-blaming, whereby women are held responsible for provoking the violence perpetrated against them. Provocation, however, should not serve as a justification for violence against women. Rather, responsibility for an act of violence must be determined in accordance with the applicable legal principles, and no cultural or religious belief should be invoked to excuse or legitimize such conduct. The cumulative effect of these factors manifests in several ways. First, communities may resist women's attempts to assert their legal rights. Second, divorced or separated women may face social stigma and discrimination. Third, entrenched patriarchal beliefs may restrict women's autonomy and decision-making power. Finally, these beliefs may discourage victims from reporting incidents of sexual and domestic violence for fear of blame, rejection, or further victimization. Collectively, these challenges undermine efforts to protect women and girls from gender-based violence and impede their access to justice.[28]

3.1.3. Underreporting

In most cases of violence against women, action can only be taken if such an incident is reported either by the victim or any other party. However, victims are afraid of reporting cases of violence to the appropriate authorities because of the fear of stigmatization, retaliation,

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Women Against Discriminatory Practices in Nigeria,' *East African Journal of Law, Policy and Globalization* [2024] 1(1), 82.

[28] World Health Organization, 'Violation Against Women,' *World Health Organization* https://www.who.int/health/topics/violence-against-women accessed 24th December, 2025.

or even victim-blaming. This leaves so many cases unreported, thereby making the relevant authorities unaware of them and, hence, no action can be taken to address the situation.[29] Underreporting poses a significant challenge to the protection of women against violence and gender-based violence, as it exacerbates victims' psychological trauma and emotional distress, further undermining their psychological and emotional well-being.[30]

First, it prevents many gender-based violence incidents from coming to the attention of law enforcement agencies and relevant authorities, as victims are reluctant to report, and without reporting such incidents, no appropriate action can be taken to remedy the situation and ensure justice is done to the victim. Victims should report all incidents of gender-based violence promptly so law enforcement agencies can take necessary action. Not reporting incidents also allows perpetrators of gender-based violence to escape accountability and emboldens them to persist in abusing victims. For the law to decisively deal with the perpetrators, victims have the responsibility to report cases promptly.[31]

Second, it discourages other victims from speaking out or seeking justice because they fear similar treatment or consequences. There are victims of gender-based violence who are refusing to report because they fear the consequences that befall others. This is a serious challenge to the enforcement of the legal framework against violence because victims' reports and complaints are usually the primary ways

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[29] Anyawu Christiantus Izuchukwu and Immaculata Kelechi, 'Gender-Based Violence and Challenge of Political Awareness in Nigeria,' *International Journal of Igbo Scholars Forum for Socio-Cultural Advancement* [2025] 18(2), 475.
[30] Enobong Mbang Akpambang, 'A Critical Appraisal of the Legal and Policy Framework for the Protection of Women's Rights in Nigeria,' *American International Journal of Contemporary Research* [2020] 10(1), 17-31.
[31] Vivian Basem Ojong and Paul Olugbenga Awoniyi, 'Towards Achieving Gender Equality in Nigeria: Addressing Barriers and Implementing Strategic Solutions,' *African Journal of Gender, Society and Development* [2025] 14(1), 149.

cases are initiated for necessary legal steps to be taken. This also limits the ability of the government and institutions to gather accurate data on the prevalence of gender-based violence. The major source of government data on domestic violence and gender-based violence is the reports of the victims; without these reports, the incidents will be grossly underestimated by the government.[32]

Third, it weakens the effectiveness of policies and programs aimed at preventing and addressing violence against women. This is because the success of these policies and programs also lies in the ability of victims to report cases to aid law enforcement agencies in addressing such cases. It also exposes victims to repeated abuse because silence often emboldens perpetrators, which is perhaps the most far-reaching consequence.[33]

3.2.3. Inadequate Funding and Resources for Relevant Institutions

All institutions carrying out public duties need adequate funding from the government to be able to discharge their duties effectively. There is, however, a shortage of funding, personnel, equipment, facilities, and operational tools for law enforcement agencies to prevent, investigate, and respond to gender-based violence matters. This greatly impedes their work and poses a challenge to the enforcement of the legal framework for the protection of women against gender-based violence in Nigeria.[34]

Inadequate funding poses serious challenges to the protection of

[32] Ismail Hussain Mshelia, 'Gender-Based Violence and Violence Against Women in Nigeria: A Sociological Analysis,' *International Journal of Research and Innovation in Social Science* [2021] 5(8), 674.

[33] Oladimeja Oladepo, Olwaseun Bidemi Yusuf and Oyedunnni Sola Arulogun, 'Factors Influencing Gander-Based Violence Among Men and Women in Selected State in Nigeria,' *African Journal of Reproductive Health* [2011] 15(4), 78.

[34] Mercy Manya Kazi, 'An Analysis of the Legal Framework for the Protection of Women Against Discriminatory Practices in Nigeria,' *East African Journal of Law, Policy and Globalization* [2024] 1(1), 82.

women against violence and gender-based violence in the following ways: First, the effective implementation and enforcement of laws and policies aimed at addressing gender-based violence require substantial financial resources. This is because the provision and maintenance of essential facilities, such as shelters, rehabilitation centers, and safe spaces for victims, can be capital-intensive. Consequently, inadequate government funding may hinder the establishment and operation of these facilities, thereby undermining the effective implementation of laws and policies designed to combat gender-based violence.[35]

Third, it weakens public awareness campaigns and educational programs aimed at preventing gender-based violence. These programs also require funding to be effectively carried out and to reach a wider audience. Inadequate funding also leads to poor investigation and prosecution of gender-based violence matters due to a lack of resources and equipment. Investigation and prosecution are two activities that are essential and require experts, professionals and facilities.[36]

Furthermore, inadequate funding restricts the provision of medical and psychological support services for survivors of violence. It also hinders the monitoring and enforcement of laws protecting women from violence and abuse. In the same vein, it limits support for non-governmental organizations and advocacy groups working to protect women's rights. Lastly, it contributes to delays and inefficiency in the justice system, thereby causing victims to lose confidence in the criminal justice system.[37]

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[35] Abeda Sultana, 'Patriarchy and Women Subordination: A Theoretical Analysis,' *Faculty of Arts Journal* [2011] 1(1), 299.
[36] Ibid.
[37] Dominic Chukwuemeka, Fredrick Awhen and Rabecca Ginikanwa, 'Gender Policy and Reform in Uganda and Nigeria: A Comparative Study of Legal Framework and Challenges to Implementation,' *Journal of Somali Studies* [2025] 12(12), 35.

3.3.3. Inadequate Access to Justice

Access to justice means the ability of individuals to seek and obtain legal remedies through formal or informal justice systems. Victims of gender-based violence often face difficulties in accessing justice. This problem is more prevalent in rural areas and is suffered mostly by the indigent and the underserved.[38]

Limited access to justice, especially in rural and underserved communities, poses serious challenges to the protection of women against violence and gender-based violence in the following ways: First, it also causes many victims of gender-based violence to refrain from reporting incidents due to the lack of police stations, courts, and other legal institutions in proximity to their communities, as reports are first filed at the Police Stations; therefore, victims in these communities face significant challenges in lodging a report. Prompt reporting enables law enforcement agencies to conduct timely investigations, gather relevant evidence, and facilitate effective prosecutions.[39]

Lastly, it increases the likelihood of perpetrators evading punishment, t hereby diminishing victims' chances of obtaining justice. Justice ensures that perpetrators are punished for their actions; a lack of access to justice will translate to perpetrators escaping punishment for their actions, which in turn erodes confidence in our criminal justice system. Similarly, it forces many victims to rely on informal or traditional dispute resolution systems that may even favor perpetrators over

[38] Davies Oguwe, 'Gender-Based Violence: Its Prevalence, Forms, Causes and Consequences,' *Science Open Preprints* (May 2022) <https://www.scienceopen.com/gender-based-violence-forms-causes-and-consequences> accessed 6th May, 2026.

[39] Grace Arowolo, 'Protecting Women from Violence Through Legislation in Nigeria: The Need to Enforce Anti-Discrimination Law,' *International Journal of Discrimination and the Law* [2020] 20(4), 245-288.

victims due to the highly entrenched patriarchal system practiced in Nigeria; therefore, victims do not stand a fair chance under the traditional dispute resolution systems, but in the statutory regulations through the instrumentality of courts and law enforcement agencies.[40]

3.4. Congestion and Backlog of Court Cases

In instances where victims can access justice, our court system is characterised by lengthy and inefficient court procedures that delay the fast and timely administration of justice. There are instances of unnecessary postponements or interruptions in the legal process of charging and trying offenders. This also forms one of the major challenges to the enforcement of the legal framework for the protection of women against gender-based violence in Nigeria.[41]

Congestion and backlog of court cases also impede the protection of women against violence in the following ways: First, it prolongs the suffering of victims who are forced to wait for long periods before justice is served. Second, it discourages victims from pursuing legal action. Third, it increases the risk of evidence becoming weak, lost, or contaminated over time, reducing chances of conviction. Fourth, it allows perpetrators to remain free for extended periods, sometimes enabling continued abuse and harassment of victims. Fifth, it undermines public confidence in the justice system and reduces trust in legal institutions.[42] Moreover, it increases financial and emotional

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[40] Ibid. Grace Sunday Ayegba, 'Women's Rights and Gender-Based Violence: Legal Reforms Needed in Nigeria', *Lawyard* (14th January, 2025) <https://www.lawyard.org/news/womens-rights-and-gender-based-violence-legal-reforms-needed-in-nigeria-by-sunday-grace> accessed 22nd December, 2025.

[41] Mercy Manya Kazi, 'An Analysis of the Legal Framework for the Protection of Women Against Discriminatory Practices in Nigeria,' *East African Journal of Law, Policy and Globalization* [2024] 1(1), 82.

[42] Jamila Musa Ali, 'Gender-Based Violence in Nigeria: A Discourse on the Forms, Causes and Consequences,' (A Conference Proceedings of the 1st International Conference, Faculty of Social and Management Sciences, Sule Lamido University,

costs for victims who must repeatedly attend court hearings, and it encourages induced intimidation and pressured out-of-court settlements. Similarly, it weakens deterrence and reinforces a culture of impunity.[43]

4. CONCLUSION AND RECOMMENDATIONS

4.1. Conclusion

GBV against women remains a persistent and deeply entrenched problem in Nigeria, manifesting in forms such as domestic violence, rape, sexual assault, harmful cultural practices, economic deprivation and femicide.[44] Patriarchal norms, economic dependence, stigma and fear of retaliation often compel women to endure abuse in silence, contributing to under-reporting and perpetuating cycles of violence.[45]

In response, Nigeria has established an avalanche of laws, including the Constitution of the Federal Republic of Nigeria 1999 (as amended), the Violence Against Persons (Prohibition) Act 2015, the Child Rights Act 2003, the Matrimonial Causes Act, the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2015, and the Cybercrimes (Prohibition, Prevention, etc.) Act. Nonetheless, the continued prevalence of GBV exposes the gap between legislative provisions and practical enforcement, exacerbated by inadequate institutional capacity, weak law enforcement, harmful sociocultural norms, limited access to justice and delays in prosecution. Therefore,

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Kafin Hausa from17th to 19th October 2023) 273-285.

[43] Ibid.

[44] Ojemeiri K. Airaoje, et al. "Gender-Based Violence as a Public Health Crisis: Consequences for Nigerian Women and Society." *Britain International of Humanities and Social Sciences (BIoHS) Journal* [2025] (7) (1), 75-92. Oluwadamilola A. Adejumo, et al. "Experience of Gender-Based Violence by Internally Displaced Women in Southern Nigeria: A cross-sectional study." *Journal of Interpersonal Violence* [2022] (37) (15-16), 12794-12819.

[45] Richard A. Aborisade, "Violence in a Patriarchal Nigerian Society" *Routledge International Handbook of Investigative Interviewing and Interrogation* [2024] (3), 72-92.

despite the protections guaranteed by law, access remains like a utopian dream, particularly for those women who are the most vulnerable to abuse.[46]

4.2. Recommendations

4.2.1 Strengthening the institutional capacity of the Law Enforcement Agencies

The government should strengthen the capacity of law enforcement agencies, particularly the Nigeria Police Force, through specialized training, regular refresher courses, effective monitoring and adequate remuneration to ensure professional and timely responses to gender-based violence (GBV). This should be complemented by increased budgetary allocations to relevant institutions to provide adequate personnel, equipment, shelters and other essential resources for the effective implementation and enforcement of existing laws.

4.2.2 Public Education and Accessible Simplified Reporting Mechanisms

Relevant government agencies, in collaboration with civil society organizations, should intensify public enlightenment campaigns to challenge harmful cultural and religious beliefs that normalize or justify GBV. These initiatives should promote respect for women's rights, encourage community participation and educate the public on available legal protections. Furthermore, free, confidential and accessible reporting channels, including anonymous reporting mechanisms, should be established to encourage victims and witnesses to report incidents without fear of stigma, retaliation or victim-blaming.

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[46] Isma'IL H. Mshelia, "Gender Based Violence and Violence against Women in Nigeria: A Sociological Analysis" *International Journal of Research and Innovation in Social Science (IJRISS)* [2021] (5) (8), 674-683., D. A. Ugowe, "Gender-based violence: Its Prevalence, Forms, Causes and Consequences" *Science Open Preprints* (2022).

4.2.3. Expanding Access to Justice and Expediting GBV Proceedings

The government should expand free legal aid services and community-based legal support to ensure that survivors, particularly those in rural and underserved communities, can access legal representation and appropriate remedies. In addition, the judiciary should incorporate GBV cases into fast-track procedures to minimize delays in adjudication and prosecution. These measures should be supported by survivor-centered procedures that protect victims' privacy and dignity while ensuring fair hearings, effective accountability and timely dispensation of justice.

Strengthening law enforcement agencies through adequate funding, diligent monitoring, and specialized training will safeguard effective enforcement of legal protections and timely professional responses to GBV. Public education will help in challenging harmful and inequitable beliefs and promote awareness of women's rights and available protections. Free, confidential and accessible reporting mechanisms will encourage survivors and witnesses to report abuse safely. Expanding legal aid, particularly in rural and underserved communities, will help survivor's access representation and remedies. Fast-track procedures and survivor-centered court processes will help reduce delays while protecting survivors' dignity and rights. These measures, if deliberately and diligently implemented, can help ensure that the rights of women against GBV result in justice served.