



**ONLINE VIOLENCE  
AGAINST WOMEN IN NIGERIA  
DURING COVID 19**

# Credits

## Principal Author:

Judith Takon

## Editorial Support:

Adeboye Adegoke, Senior Program Manager, Paradigm Initiative.

Bulanda T. Nkhowani, Program Officer - Southern Africa, Paradigm Initiative.

## Design and Layout:

Kenneth Oyeniyi, Communications Assistant, Paradigm Initiative.

## Cover Image:

Muhammadtaha Ibrahim Ma'aji from Pexels

## Other Images:

Alex Green from Pexels

Ono Kosuki from Pexels

## Find us online:



     @ParadigmHQ

media@paradigmhq.org

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HQ: 374 Borno Way, Yaba, Lagos - Nigeria.



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## INTRODUCTION

The outbreak of the Coronavirus (COVID-19) has had far-reaching effects on Nigeria and the Nigerian economy. The pandemic has affected almost every area of daily life, resulting in loss of jobs, downturn in the economy, school closures, government-imposed lockdowns and movement restrictions that have lasted months, etc. Globally, digital technologies have helped to mitigate some of the consequences of the pandemic. As cities and countries have been asking the population to stay at home, more people have turned to their computers and smartphones as a lifeline and tool to substitute their in-person activities to online interactions [1]. Similarly, digital technologies have had an immeasurable impact on the lives of many Nigerians during this period.

Unfortunately, as the world moves towards becoming more digitally connected, it becomes more obvious that access to, affordability and usability of these technologies are not equitable. Women and girls are least likely to have access to technology. This was already a dire disadvantage, and now the lack of connectivity has become even more alarming, as the COVID-19 pandemic has disrupted so many aspects of daily life online [2].

The vast inequality in access and usage of digital technology is shown to be ascribable

to economic, social and especially cultural obstacles.

But these are not the only obstacles women have faced during the lockdown. Gender Based Violence (GBV) is reported to have significantly increased since the lockdown began on 30 March 2020 in the three most affected areas (Lagos State, Federal Capital Territory (FCT) and Ogun State)<sup>3</sup>.

For women and girls who are subject to domestic violence, it is not merely a case of increased proximity to perpetrators, but also the decreased access to support networks and critical support services, both of which would otherwise serve to mitigate the magnitude and effects of the violence [4]. Increased violence against women witnessed during this period has spilled onto the online space. As more people turn to the internet for various activities, women and girls are at a higher risk of online harm.

Threats of online violence lead to exclusion of women from the online sphere, thus, increasing the already wide digital gender divide.

This policy brief examines online violence against women during the COVID-19 pandemic in Nigeria and further examines the legislative landscape for the protection of women in Nigeria.

[1] ITU: Economic Impact Of Covid-19 On Digital Infrastructure: Report of an Economic Experts Roundtable organized by ITU, July 2020, available at [https://www.itu.int/en/ITU-D/Conferences/GSR/2020/Documents/GSR-20\\_Impact-COVID-19-on-digital-economy\\_DiscussionPaper.pdf](https://www.itu.int/en/ITU-D/Conferences/GSR/2020/Documents/GSR-20_Impact-COVID-19-on-digital-economy_DiscussionPaper.pdf) [Accessed at 30 November, 2020]

[2] "We cannot allow COVID-19 to reinforce the digital gender divide", UN Women, 6 May 2020, available at <https://www.unwomen.org/en/news/stories/2020/5/op-ed-ed-phumzile-covid-19-and-the-digital-gender-divide> [Accessed at 30 November, 2020]

[3] "Gender-Based Violence in Nigeria During The Covid-19 Crisis: The Shadow Pandemic" UN Women, 4 May, 2020, available at [The Shadow Pandemic, Brief by UN Women](https://www.unwomen.org/en/news/stories/2020/5/op-ed-ed-phumzile-covid-19-and-the-digital-gender-divide) [Accessed at 30 November, 2020]

[4] *ibid*

# ONLINE GENDER BASED VIOLENCE AGAINST WOMEN



Digital technologies have transformed many aspects of the lives of billions of people around the world. The Internet is the decisive technology of the Information Age and with the explosion of wireless communication in the early twenty-first century; we can say that humankind is now almost entirely connected, albeit with great levels of inequality in bandwidth, efficiency and price [5]. There are now more than 3.5

billion mobile internet subscribers globally, representing 47% of the world's population [6]. Access to the Internet especially in developing countries like Nigeria means unlocking access to vast economic and social opportunities that abound online. According to the World Wide Web Foundation, men are up to 52% more likely to be online than women in developing countries [7]. Considering the benefits of the digital economy, the digital gender gap is a cause for concern especially as the digital world has been recognized as a means of pulling women in underdeveloped countries out of poverty. For women to take full advantage of the opportunities, barriers that impede access such as online violence against women must be eliminated. Unfortunately, as the world moves online, much of the violence women and girls experience offline has moved online.

The Association for Progressive Communications (APC) has defined online gender-based violence as "acts of violence that are committed, abetted or aggravated, in part or fully, by the use of information and communication technologies (ICTs), such as mobile phones, the Internet, social media platforms and email".

Online violence against women can take various forms, including sexual harassment online, cyberstalking, doxing [8], online trolling, targeted hate speech, identity theft etc. A survey done on 14,000 girls aged 15-25 in 22 countries, including Nigeria has shown that more than half (58%) have been harassed or abused online [9]. An unfortunate effect of online violence against women is self-censorship or total withdrawal from the use of ICTs.

[5] Manuel Castells, 'The Impact of the Internet on Society: A Global Perspective', MIT Technology review

[6] Factsheet: "Mobile Internet Connectivity 2019 Sub Saharan Africa", GSMA, available at <https://www.gsma.com/mobilefordevelopment/wp-content/uploads/2019/07/Mobile-Internet-Connectivity-SSA-Factsheet.pdf> [Accessed 30 November, 2020] z

[7] "The gender gap in internet Access: Using a Women-Centred Method", Web Foundation, 10 March 2020, available at <https://webfoundation.org/2020/03/the-gender-gap-in-internet-access-using-a-women-centred-method/> [Accessed 30 November, 2020]

[8] Doxxing involves maliciously revealing and/or broadcasting private or personal information about an individual or an organization online.

[9] Free To Be Online? Girls' and Young Women's experiences of online harassment, Report by Plan International, available at Full Report (English) [Accessed 30 November, 2020]



## COVID-19 AND ONLINE GENDER BASED VIOLENCE IN NIGERIA

Whilst the COVID-19 pandemic affected most people of the world, as with situations such as this, disadvantaged groups bore the biggest brunt of the situation. For some women and girls in Nigeria, the lockdown caused by the pandemic meant being confined to the same environment with their abuser. Research has shown that women face an increased risk of exposure to gender-based violence during crises. Although gender-based violence is known to be pervasive in all settings, emergencies disrupt existing protective structures and create multiple circumstances that can lead to various forms of violence, abuse, and exploitation [10]. Women's exposure to violence increases, as perpetrators might lash out due to the economic or psychological strain caused by a pandemic, while their chances of leaving or resisting abusive relationships diminish [11]. Statistics from the Federal and State Ministries of Women Affairs in Nigeria have shown that there has been a 149% [12] rise in reports of gender-based violence from March to April, 2020 in the 23 out of 36 states in

Nigeria in which data is available [13].

During the pandemic, internet usage by both men and women increased tremendously as Nigeria instituted lockdowns and movement restrictions, forcing a shift to reliance on ICTs. According to statistics by the Nigerian Communications Commission, active internet subscriptions in 2020 surged from 136million in March to 141million in May and to 151 million in September[14]. The massive increase could be manifestation of the increase in demand and usage of virtual education platforms, virtual communication platforms, virtual productivity/work platforms and online entertainment, including social media. While this is progress for digital inclusion in Nigeria, unfortunately, more women are now at risk of online violence. While recognizing that online violence is not specific to women, multiple researches have shown that women are unfortunately at a higher risk. Online gender-based violence exists within a context similar to what happens in real life. It is just as destructive as offline violence.[15].

While there is no data yet on the increase of online gender-based violence in Nigeria during the COVID- 19 pandemic, we can deduce from the existing data that an increase in online engagements by girls and women would see an increase in online violence against women.

[10] Policy Brief: Gender-Based Violence (GbV) And Covid-19: The Complexities of Responding To “The Shadow Pandemic”, May 2020 available at [https://www.care-international.org/files/files/GBV\\_and\\_COVID\\_Policy\\_Brief\\_FINAL.pdf](https://www.care-international.org/files/files/GBV_and_COVID_Policy_Brief_FINAL.pdf) [Accessed 30 November, 2020]

[11] ‘Lessons Never Learned: Crisis and gender-based violence’, John, N., Casey, S., Carino, G., & McGovern, T. (2020), available at <https://doi.org/10.1111/dewb.12261> [Accessed 1 December, 2020]

[12] 314 cases reported in March, 781 cases reported in April. 148.726% increase rounded up to 149%

[13] “GENDER-BASED VIOLENCE IN NIGERIA DURING THE COVID-19 CRISIS: THE SHADOW PANDEMIC”, Federal and State Ministries of Women Affairs, available at [https://nigeria.un.org/sites/default/files/202005/Gender%20Based%20Violence%20in%20Nigeria%20During%20COVID%2019%20Crisis\\_The%20Shadow%20Pandemic.pdf](https://nigeria.un.org/sites/default/files/202005/Gender%20Based%20Violence%20in%20Nigeria%20During%20COVID%2019%20Crisis_The%20Shadow%20Pandemic.pdf) [Accessed 30 November, 2020]

[14] Nigerian Communications Commission: Industry Statistics & Report on Internet Subscriber Data, available at <https://www.ncc.gov.ng/statistics-reports/industry-overview#view-graphs-tables-5> [Accessed 30 November, 2020]

[15] “Take five: Why we should take online violence against women and girls seriously during and beyond COVID-19”, UN Women, 21 July 2020, available <https://www.unwomen.org/en/news/stories/2020/7/take-five-cecilia-mwende-maundu-online-violence> [Accessed 30 November, 2020]



implement and monitor legislation addressing all forms of violence against women.”[16]. As such, the Nigerian state is obligated to take reasonable measures to prevent violence before it occurs, and effectively prosecute and punish perpetrators once it occurs as well as provide redress to victims. These are some of the current laws and international instruments that address gender-based violence, and may be interpreted to cover violence against women in Nigeria that is perpetuated online;

### **THE 1999 CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA**

The 1999 Constitution of the Federal Republic of Nigeria is the grundnorm in Nigeria and forms the basis of the rights and obligations of every citizen. Sections 33 to 44 of the Constitution guarantees fundamental human rights for every citizen in Nigeria including right to privacy[17], right to hold, impart and receive information/opinions, freedom of expression[18], right to life, personal dignity and freedom from discrimination. The Constitution also limits the guarantee of these rights to the extent that an action interferes with or causes certain harm to the State or to the rights of others [19]. The establishment of these provisions sets the standard for women's right to expression, right to privacy and the protection of women against interference with these rights.

### **CRIMINAL CODE/PENAL CODE**

The criminal code applicable to the Southern States and the Penal Code applicable to the Northern States criminalizes the act of publishing or threatening to publish sexual or embarrassing images for the purpose of extortion[20] [21]. The inclusion of the 'extortion' element to this provision might, however, exclude publishing/threats of publishing revenge porn without the intent to extort.

## **LEGISLATIVE LANDSCAPE IN NIGERIA ON ONLINE VIOLENCE AGAINST WOMEN**

Legislation provides a solid foundation for effective and coordinated, legal action against violence against women. The United Nations Women's Handbook for Legislation on Violence against Women notes that “States have clear obligations under international law to enact,

[16] Handbook for Legislation on Violence Against Women, UN, 2010, available <https://www.un.org/womenwatch/daw/vaw/handbook/Handbook%20for%20legislation%20on%20violence%20against%20women.pdf> [Accessed 2 November, 2020]

[17] Sec. 37 of the 1999 Constitution

[18] Sec. 39, *ibid*

[19] Sec. 45, *ibid*

[20] Sec 376, Criminal Code Act, Cap 77 LFN 1990

[21] Sec 376, Penal Code Act Cap 53 LFN.

## **CYBERCRIME ACT 2015**

The CyberCrime Act of 2015 was enacted to provide a legal and regulatory framework for the prohibition, prevention, detection, prosecution and punishment of cybercrimes in Nigeria. The act under Section 24 of the Act criminalizes cyberstalking, cyberbullying, blackmail/extortion and revenge porn. This provision has however been abused by law enforcement agents in Nigeria in curbing expression online, rather than being invoked to protect people against online harm.

## **VIOLENCE AGAINST PERSONS (PROHIBITION) ACT 2015 (VAPP ACT)**

The Violence Against Persons (Prohibition) Act was enacted to prohibit all forms of violence against persons in private and public life. The VAPP Act covers a wide range of offences offline that seem to cover similar offences online. Provisions of the VAPP Act criminalize coercing another person to act to the detriment of an individual's physical or psychological wellbeing [22], placing a person in fear of physical injury [23], causing emotional, verbal and psychological abuse on another [24], intimidation [25], indecent exposure [26] and stalking [27]. The law does cite harassment as inclusive of stalking, repeatedly making telephone calls to another person, repeatedly sending or delivering information through different means including email, text messages or other 'objects'. This leaves it open to interpretation, and we may infer that the provision covers cyberstalking. Apart from the prescribed punishments upon conviction, victims of these offences may also apply to the court for protection orders. This law has been adopted by only 14 of the 36 States in Nigeria.

## **CONVENTION ON ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN (CEDAW)**

In 1985, Nigeria ratified the Convention on Elimination of All forms of Discrimination Against Women (CEDAW). The Convention did not explicitly mention domestic violence against women, however, the United Nations Committee on the Elimination of All Forms of

Discrimination Against Women charged with monitoring the convention adopted general recommendation Number 19 which expanded the definition of discrimination to include gender-based violence, that is, violence that is directed against a woman because she is a woman or that affects women disproportionately [28]. The Convention has since been domesticated and certain governmental agencies have been tasked with achieving its objectives.

## **AFRICAN CHARTER ON HUMAN AND PEOPLE'S RIGHTS (ACHPR) & PROTOCOL TO THE AFRICAN CHARTER ON HUMAN AND PEOPLE'S RIGHTS ON THE RIGHTS OF WOMEN IN AFRICA**

The African Charter on Human and People's Rights and the Protocol on Women's Rights in Africa have both been signed and ratified by Nigeria. The African Charter on Human and People's Rights has been domesticated into the Nigerian Law under Chapter IV of the 1999 Constitution. Many of the Articles set forth, in both documents, seek to promote women's safety and development in Africa by covering issues such as violence against women. Article 5 of the Protocol to the African Charter expressly enjoins parties to prohibit and condemn all forms of harmful practices which negatively affect the human rights of women.

Other Resolutions and declarations on the subject of gender-based violence include: The Declaration on the Elimination of Violence against Women (DEVAW), Elimination of Domestic Violence Against Women, Intensification of Efforts to Eliminate all Forms of Violence Against Women, Elimination of all Forms of Violence Including Crimes Against Women and the In-depth Study of all Forms of Violence Against Women. These are non-binding and so impose no obligations on Nigeria to enforce them.

[22] Sec. 3, Violence Against Persons (Prohibition) Act 2015

[23] Sec 4, *ibid*

[24] Sec 14, *ibid*

[25] Sec 18, *ibid*

[26] Sec 26, *ibid*

[27] Sec 17, *ibid*

[28] General Recommendation No 19 of the Committee on the Elimination of All Forms of Discrimination Against Women UN Doc A/47/38 (1992) available at General recommendations made by the Committee on the ...[www.un.org](http://www.un.org) > [cedaw](#) > [recommendations](#) > [recomm](#)



existing legislations (especially legislations enacted for the purpose of protecting women and girls) to include violence online or enactment of legislation solely for the purpose of regulating online behavior. There is currently the Digital Rights and Freedom Bill that contains some provisions guaranteeing privacy online, freedom of expression, assembly and association online. Some of the objectives of the proposed law is to provide sufficient safeguards against abuse and provide opportunities for redress where infringement occurs and to equip the judiciary with the necessary legal framework to protect human rights online. If passed into law, the provisions contained would provide legislative safeguards to women online.

### **GRASSROOT REORIENTATION/ SENSITIZATION ON THE DANGERS OF ONLINE VIOLENCE AGAINST WOMEN**

Most instances of online violence in Nigeria go unreported, maybe as an effect of the inexistence of solid legislation on this topic and the general nonchalance towards such. Online violence might be easily overlooked in a country like Nigeria. This is mainly a cultural problem, the average Nigerian might assume it silly to be bothered about threats online, cyberbullying, and generally things that occur online and not offline. A reorientation or awareness rising of not just citizens, but law enforcement agents, policymakers and others on these issues would be a step in the right direction towards documenting and prosecuting to the extent of the law, instances of online violence. Government and/or Civil Society Organization-led awareness raising campaigns on the impact of online violence, citizen's digital rights and the available legal remedies when violations of these rights occur is one of the ways to reorient the average Nigerian on the subject matter.

### **ROLE OF CIVIL SOCIETY ORGANISATIONS**

Synergetic relationships between governments, civil society organisations and the private sector are increasingly seen as necessary towards improving general societal outcomes. A multi-sectoral approach to addressing online violence against women and girls is essential for the extensive mitigation of this rising phenomenon [29]. Civil society organizations can support

## **RECOMMENDATIONS**

### **ENACTING APPROPRIATE LEGISLATION ON ONLINE VIOLENCE**

The existence of clear and adequate laws condemning violence against women online, criminalizing the more extreme acts and providing relief/remedy would be a good start to encouraging women's' presence online. Currently, Nigeria has fragmented legislation on violence against women in general, and no legislation covering acts of violence against women online exists. Nigerian policymakers have the responsibility of protecting its citizens by establishing clear laws that directly reference violence online. This may look like amending

[29] "Towards A Gender-Just Internet: Combating Online Violence Against Women", Fungai Machirori, 29 Sep 2017 available at <https://www.africaportal.org/features/gender-just-internet-how-do-we-combat-online-violence/> [Accessed 30z



women's safety online by creating programs for capacity building, digital security and to raise awareness on the issue of online violence, especially on identifying prevalent violent acts online, establishing support systems for victims of online violence, possibly including legal support in certain scenarios.

### **ROLE OF INTERNET INTERMEDIARIES**

Internet Intermediaries also have a part to play in mitigating the risks of online violence against women. According to a report by the Broadband Commission Working Group, tech companies need to explicitly recognize cyber violence against women and girls as unlawful behavior, and demonstrate increased and expedited cooperation in providing relief to victims/survivors within the capacities that companies have [30], providing accessible and transparent reporting and complaints procedures for online and ICT-facilitated violence against women and girls including social media sites, GPS, phones, etc. In addition, investing in education campaigns on preventing ICT-facilitated violence against women and girls, promoting human rights and digital security for all and sharing online safety advice for women, youth and children are some of the strategies internet intermediaries can employ in combatting online violence against women [31].

### **EVIDENCE BASED RESEARCH/DATA TO INFORM INTERVENTIONS**

There is a need for more focused research on issues of women and online gender based violence, particularly in sub-Saharan Africa where online gender based violence is a relatively new concept and viewed as something that is frivolous and not worth reporting to law enforcement. This research would be to provide literature and evidence to support future advocacy initiatives, inform mitigation measures and give insights into the full scale of the problem.



## **CONCLUSION**

Prior to the advent and spread of the digital world, women faced inequalities and violence in both their private and public lives. Now the ability to harm women has spread from the physical world to the digital world. Online violence against women has wide-ranging effects on its victims. Victims might experience anxiety, panic attacks, loss of self-confidence/ lower self-esteem, stress disorders, sense of powerlessness etc. This impacts not only their existence online but their mental wellbeing offline.

It has been established that digital inclusion and access is a right, not a privilege, and that the digital world contains several benefits to women. This has been proven especially during the COVID 19 pandemic. As such, women deserve participation in the online world without fear that their rights would be violated and if they are, the law should be on their side, available to reference and provide remedies in the event of these violations.

[30] "Combatting Online Violence Against Women & Girls: A Worldwide Wake-up Call", Final report of the Broadband Commission Working Group on Gender, September 2015, available at [Combatting Online Violence Against Women & Girls - Unesco.unesco.org > sites > files > highlightdocumentenglish](https://www.unesco.org/sites/files/highlightdocumentenglish) [Accessed 30, November, 2020]

[31] "Online and ICT\* facilitated violence against women and girls during COVID-19", Brief by UN Women, available of UN Women Brief(PDF, 437KB) [Accessed 30 November, 2020]



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