



# LA ABOGADA

May/July, 2020

E-NEWSLETTER OF THE INTERNATIONAL FEDERATION OF WOMEN LAWYERS  
FÉDÉRATION INTERNATIONALE DES FEMMES JURISTES  
FEDERACIÓN INTERNACIONAL DE ABOGADAS (FIDA)



**Flattening The Curve....**  
Global Responses To COVID-19  
& Gender Parity

## From The Editor...

**D**ear Colleagues,

As the COVID-19 pandemic rages on universally, it is trite knowledge that slowing the spread of coronavirus infections within our various communities globally is as imperative as outrightly terminating the endemic per se. Every minute impact counts towards a decisive success.



Accordingly, in this edition, we're joining in global efforts at flattening the curve. With your RESPONSES TO COVID-19 & GENDER PARITY from diverse parts of the globe, we'll be contributing effectively -albeit obliquely, to ongoing endeavors at positively impacting and restoring our world, in our quest for the protection, preservation and promotion of the rights and interests of women of the world.

Once again, we invite you to take a breather from the anxieties of the moment and enjoy our erudite, enthusing inputs on *The Shadow Pandemic: Domestic Violence in the Aftermath of COVID-19*; *Women Leaders Flattening the Curve*; *Global Response to COVID-19 and its effects on Women And Children*; *COVID-19: A Scientific Gender Approach*; *Justice in times of the Corona Pandemic*; *Impact of COVID-19 Pandemic On Women and Children*; *Gender Equality: Women's Right During and after COVID-19*; *Zoom Weddings: the Need for Legal Reform in ...the wake of the COVID-19 Pandemic.... and many more.*

...And please revert with your feedbacks. We'd appreciate them greatly towards the enhancement of future editions.

Till we return -in the next quarter,

...hasta que regresemos -es...adios.

¡Hasta luego!  
Stay safe and be well.

Genially,

Funmi

**Princess (Mrs.) Olufunmi Oluyede**  
Editor-In-Chief, LA ABOGADA  
Chair, FIDA INT'L Editorial Board

Email: eic@fidaabogada.com  
Tel: +1.240.338.5140



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## A Message from the President



*D*ear FIDAns,

*"Prevention is better than cure" is an old saying and all around the world, governments and citizens are working hard to both prevent the spread and find a cure for COVID-19.*

*We as FIDAns, must use our special expertise to build bridges wherever needed. We must protect women and empower them to stand firm, abide by and insist on the Rule of Law during this challenging time.*

*Please contact [WHEipc@who.int](mailto:WHEipc@who.int) for all questions related to COVID-19 the Infection Prevention & Control (IPC) Meanwhile, here is wishing you and all your loved ones, courage & faith to stay safe.*

*Shadhana Gunaratnam  
FIDA International President*

## NOTICE

*is hereby given that a*

# FIDA INT'L GENERAL MEETING

will hold as follows:

**DATE:** Saturday, August 29, 2020

**TIME:**

9.00am - 11.00am (New York)  
2.00pm - 4.00pm (London/Lagos)  
3.00pm - 5.00pm (Geneva)

**VENUE:**



<https://us02web.zoom.us/j/86024161973?pwd=UnJxaTNwQ0k3MnByc2oxcEFYU1U3Zz09>

Meeting ID: 860 2416 1973 | Passcode: 393212

**Telephone:**

Dial by your location  
+1 646 558 8656 US (New York)

Or find your local number via: <https://us02web.zoom.us/j/86024161973?pwd=UnJxaTNwQ0k3MnByc2oxcEFYU1U3Zz09>

**Meeting ID:** 860 2416 1973 | **Passcode:** 393212

*Agenda: to be advised*



## Announcements

-From our Noticeboard

### SAVE THE DATE!

**FIDA GENERAL MEETING ...SATURDAY, AUGUST 29, 2020,**  
2.00pm - 4.00pm (London) | 3.00pm - 5.00pm (Swiss) | 9.00am - 11.00am (NY)  
&  
**FIDA INT'L WEBINAR ...SATURDAY, SEPTEMBER 26th, 2020**  
Details shortly

### FIDACON 2020

At a meeting of the FIDA INT'L Executive Committee held on Saturday, the 15th of August 2020, it was decided that the 2020 International Convention will be a VIRTUAL CONFERENCE due to the exigencies of the COVID-19 Pandemic. The Convention is now scheduled for **Monday, 30th November 2020 through Wednesday, December 2nd, 2020** via teleconference -on the general theme: **'FROM BARRIERS TO BRIDGES.'**

### DOLLAR-A-DAY INITIATIVE

Every FIDAN is asked to put aside \$1.00 each day -from Mother's Day 2020 to Thanksgiving 2020 (200 Days). The \$1.00 a day is in honour of and thanksgiving to all mothers for their contributions the world over. The goal is for each of us to raise \$200.00 in support of FIDA International. Do start saving. For details, please contact FIDA INT'L Treasurer, Charisse Brown.

### MEMBERSHIP HAS ITS PRIVILEGES -MEMBERSHIP AND BRANCH DUES

FIDA members who are not Life Members are encouraged to pay annual dues to facilitate the great work of FIDA International. Membership Dues are just \$40 annually. Payments may be made via PayPal on the FIDA website [www.fidafederation.org](http://www.fidafederation.org) or by Wire Transfer. Please [contact FIDA INT'L Treasurer at treasurer@fidafederation.org for transfers.](mailto:treasurer@fidafederation.org)

### FIDA USA! -IN NASCENCY

Arrangements towards the establishment of FIDA USA, the American Chapter of FIDA INT'L are currently in top gear. All are cordially invited to join us as founding Members, Life Members, Patrons and Student Members as we launch this vibrant, new chapter. For details, please contact us via **Email** at: [olufunmi@TRLPLAW.COM](mailto:olufunmi@TRLPLAW.COM) or [agnesgaertner91@gmail.com](mailto:agnesgaertner91@gmail.com) and/or via **Tel#**: +1.240.338.5140 (WhatsApp Only)



# The Shadow Pandemic: Domestic Violence In The Aftermath Of COVID-19

By: Oscar-winning Actress Kate Winslet



**Kate Winslet**  
Actress

Wednesday, May 27, 2020, New York, USA— UN Women, the United Nations entity dedicated to gender equality and the empowerment of women, launched the Shadow Pandemic public awareness campaign, focusing on the global increase in domestic violence amid the COVID-19 health crisis.

The Shadow Pandemic public service announcement is a sixty-second film narrated by Academy Award-winning actor Kate Winslet, who has championed many humanitarian causes. The video highlights the alarming upsurge in domestic violence during COVID-19 and delivers a vital message urging people to act to support women if they know or suspect someone is experiencing violence.

While some countries are beginning to reopen, billions of people are estimated to still be sheltering at home. When households are placed under the increased strains that come from security, health and money worries, and cramped and confined living conditions, levels of domestic violence spike. Government authorities, women's rights activists and civil society partners across the world are reporting significantly increased calls for help to domestic violence helplines and heightened demand for emergency shelter.

The Shadow Pandemic film begins with seemingly innocuous and familiar domestic scenes in 14 different homes

around the world. When coupled with an evocative music track and voiceover, it soon reveals a starkly different picture. It concludes with three clear calls to action for individuals to help address the pandemic of violence against women. In addition to the PSA, the campaign includes social media assets giving key advice from shelters, helplines, domestic violence organizations and police departments across the UN's Member States.

A prominent activist for positive female body image, Kate Winslet is an advocate for at-risk and disadvantaged youths, children, parents and families. She is co-founder of NGO The Golden Hat Foundation, and has spent many years working to improve the lives of autistic people. She said, "Nobody should feel fear in their homes. Violence at times of crisis, or any other time, is unacceptable and I stand with UN Women and all its partners to call for international action on the longstanding terrorizing of women and children within domestic circumstances."

According to Phumzile Mlambo-Ngcuka, Executive Director of UN Women "Even before the pandemic, violence against women was one of the most widespread violations of human rights. Since lockdown restrictions, domestic violence has multiplied, spreading across the world in a shadow pandemic. This is a critical time for action, from prioritizing essential services like shelter and support for women survivors, to providing the economic support and stimulus packages needed for broader recovery. Through this campaign UN Women's activists, and advocates like Kate Winslet, will help spread the word so this issue comes fully to light."

Emergency calls for domestic violence cases in Argentina have increased by 25 per cent since the lockdown began. Helplines in Singapore and Cyprus have registered an increase in calls of more than 30 per cent. In the USA, the National Domestic Violence Hotline reported a rising number of victims who reached out via text or

phone. Evidence shows that, even before the pandemic, 1 in 3 women has experienced physical and/or sexual violence from an intimate partner in their lifetime.

Pandemics like COVID-19 can exacerbate not only violence within the home, but other forms of violence against women and girls. Violence against female healthcare workers as well as migrant or domestic workers increases. Xenophobia-related violence, harassment and other forms of violence in public spaces and online is more prevalent and the risk of sexual exploitation and abuse becomes more likely. Some groups of women, including human rights defenders, women in politics, journalists, bloggers, women belonging to ethnic minorities, indigenous women, lesbian, bisexual and transgender women, and women with disabilities are particularly targeted by ICT-facilitated violence. In New South Wales, Australia, 40 per cent of front-line workers in a survey reported increased requests for help with violence that was escalating in intensity and complexity.

Investments to prevent and respond to violence against women have long been at crisis point. With already limited capacities and investment to address violence against women, this increase in violence is

*Continued on PAGE 3*



The Shadow Pandemic: Domestic Violence In The Aftermath Of Covid-19 (Cont'd)

happening at a time of further reduced

**Pandemics like COVID-19 can exacerbate not only violence within the home, but other forms of violence against women and girls. Violence against female healthcare workers as well as migrant or domestic workers increases.**

capacity of service providers (health, police, social care, charities) to cope with the demand. Women are locked in with their abusers and are isolated from the people and resources that can best help them.

To develop the film, UN Women received pro-bono support from global image library Getty Images and marketing agency MRM as well as production company Craft, part of Interpublic Group and members of the Unstereotype Alliance, convened by UN Women. Violence against women and girls is fueled by discrimination and harmful gender stereotypes that the Unstereotype Alliance works to eradicate from all advertising and media content.

This is a critical time for women and girls, and urgent action is needed. UN Women hopes that this campaign will make a

lifescaping difference to women and girls across the world, during this crisis of historic proportions and for the long-term.



The Shadow Pandemic: Violence Against Women and Girls and COVID-19

Globally,



women and girls aged 15-49 have been subjected to sexual and/or physical violence perpetrated by an intimate partner in the previous 12 months.

The number is likely to INCREASE as security, health, and money worries heighten tensions and strains are accentuated by cramped and confined living conditions.

Emerging data shows that since the outbreak of COVID-19, violence against women and girls (VAWG), and particularly domestic violence, has INTENSIFIED.

In **France**, reports of domestic violence have increased by **30%** since the lockdown on March 17.

In **Cyprus** and **Singapore** helplines have registered an increase in calls of **30%** and **33%**, respectively.

Increased cases of domestic violence and demand for emergency shelter have also been reported in **Canada, Germany, Spain, the United Kingdom and the United States.**

In **Argentina** emergency calls for domestic violence cases have increased by **25%** since the lockdown on March 20.



As stay-at-home orders expand to contain the spread of the virus, women with violent partners increasingly find themselves isolated from the people and resources that can help them.

**87,000** women were intentionally killed in 2017. The majority of these killings were committed by an intimate partner or family member of the victim.

Violence against women and girls is pervasive but at the same time widely under-reported. Less than **40%** of women who experience violence report these crimes or seek help of any sort.

The global cost of violence against women had previously been estimated at approximately **US\$1.5 trillion**. That figure can only be rising as violence increases now, and continues in the aftermath of the pandemic.

The surge in COVID-19 cases is straining even the most advanced and best-resourced health systems to the breaking point, including those at the front line in violence response.



Domestic violence shelters are reaching capacity, or unable to take new victims due to lockdown and social distancing measures. In other cases, they are being re-purposed to serve as health centers.

National responses to COVID-19 must include:



**Services to address violence against women and girls**, including increased resources to support shelters, hotlines and online counselling. These essential services should be expanded and adapted to the crisis context to ensure survivors' access to support.



**A strong message from law enforcement that impunity will not be tolerated.** Police and Justice actors must ensure that incidents of VAWG are given high priority and care must be taken to address the manifestations of violence emerging in the context of COVID 19.



**Psychosocial support** for women and girls affected by the outbreak, gender-based violence survivors, frontline health workers and other frontline social support staff must be prioritized.





# Global Response to COVID-19 and it's Effects on Women and Children

-V. Olagbegi-Oloba

## Introduction

Many efforts are ongoing the world over towards combating/mitigating the lingering effects of COVID-19 on women and children. This article is aimed at giving an insight into some of the efforts of notable international entities with global outreach in combating the pandemic and the effects of the pandemic on women and children.

UN Policy Brief on the Impact of COVID-19 on Women<sup>1</sup> According to the UN Secretary-General's policy brief on the impact of COVID-19 on women<sup>1</sup>, the year 2020, marking the twenty-fifth anniversary of the Beijing Platform for Action, was intended to be groundbreaking for gender equality. Instead, with the spread of the COVID-19 pandemic, even the limited gains made in the past decades are at risk of being rolled back. The pandemic is deepening pre-existing inequalities, exposing vulnerabilities in social, political and economic systems which are in turn amplifying the impacts of the pandemic. Across every sphere, from health to the economy, security to social protection, the impacts of COVID-19 are exacerbated for women and girls simply by virtue of their sex. The policy brief by the UN Secretary-General explores how women and girls' lives are changing in the face of COVID-19, and outlines suggested priority measures to accompany both the immediate response and longer-term recovery efforts<sup>2</sup>.

According to the policy brief,

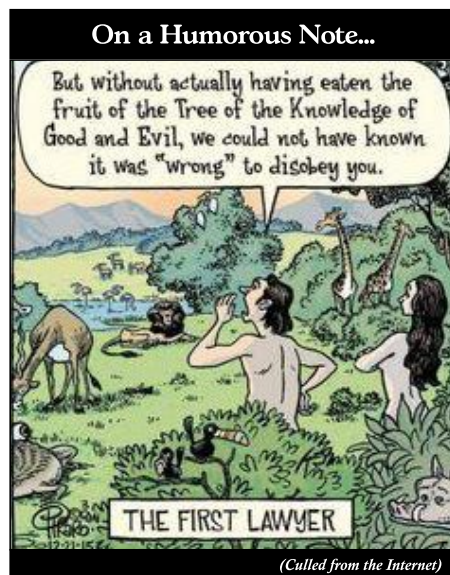
- Compounded economic impacts are felt especially by women and girls who are generally earning less, saving less, and holding insecure jobs or living close to poverty.
- While early reports reveal more men are dying as a result of COVID-19, the health of women generally is adversely impacted through the reallocation of resources and priorities, including sexual and reproductive health services.



\*Victoria Olagbegi-Oloba

- Unpaid care work has increased, with children out-of-school, heightened care needs of older persons and overwhelmed health services.
- As the COVID-19 pandemic deepens economic and social stress coupled with restricted movement and social isolation measures, gender-based violence is increasing exponentially. Many women are being forced to 'lockdown' at home with their abusers at the same time that services to support survivors are being disrupted or made inaccessible.

All of these impacts are further amplified in contexts of fragility, conflict, and



(Culled from the Internet)

emergencies where social cohesion is already undermined, and institutional capacity and services are limited.

The policy brief focuses on each of the issues highlighted above, exploring how women and girls' lives are changing in the face of COVID19, and outlining suggested priority measures to accompany both the immediate response and longer-term recovery efforts. It restates the fact that COVID-19 is not only a challenge for global health systems, but also a test of our human spirit. That recovery must lead to a more equal world which is more resilient to future crises. It is crucial that all national responses place women and girls - their inclusion, representation, rights, social and economic outcomes, equality and protection - at their centre if they are to have the necessary impacts [...]. To achieve this, the policy brief emphasizes three cross-cutting priorities: ensure women's equal representation in all COVID-19 response planning and decision-making, drive transformative change for equality by addressing the care economy, paid and unpaid, and target women and girls in all efforts to address the socio-economic impact of COVID-19.

**The policy brief extensively concludes that a pandemic amplifies and heightens all existing inequalities.**

The policy brief extensively concludes that a pandemic amplifies and heightens all existing inequalities. The policy brief encourages every government and policy makers to address the gender impact of the pandemic, and ensure that their efforts to combat the pandemic do not continue to promote inequality at all levels. It is

**Global Response to COVID-19 and its Effects on Women and Children (Cont'd)**

therefore submitted that the policy brief, if well implemented globally, will mitigate the negative effects of the pandemic on children and women.

**Impact and response by UNICEF<sup>3</sup>**

Since the start of the outbreak in December 2019, the virus has spread to over 182 countries and territories. As of 21 March 2020, there have been over 266,000 confirmed cases of corona virus disease, with over 11,100 deaths reported, including among children.<sup>1</sup> UNICEF is revising its appeal to meet the increased needs of communities, and of health systems and structures – to both protect against the disease and address COVID-19’s collateral impacts. UNICEF is also putting in place strong strategic plans aimed at combating and mitigating the global effects of the pandemic on girls and women.

**PLAN International:**

PLAN International is an international Nonprofit Organization that works across Africa, the Americas, Europe and Asia on issues affecting girls, children and women amongst others<sup>4</sup>.

On global response to COVID-19 and its effects on women and children, PLAN International believes that the best way to prevent and slow down transmission is to be well informed about the virus, the disease it causes and how it spreads. To the organization, outbreaks affect girls and boys, women and men differently. While children’s health appears less impacted by COVID-19 than older adults, children’s education will be interrupted, protective structures disrupted and their families and communities placed under stress by health and economic burdens. Children are also at risk of psychological distress at times of crisis as well as increased risk of violence, abuse exploitation and neglect. According to the organization, out of the total population of students enrolled in education globally, UNESCO estimates that over 89% are currently out of school because of COVID-19 closures. This represents 1.54 billion children and youth enrolled in school or university, including nearly 743 million girls. Over 111 million of these girls are living in the world’s least developed countries where getting an education is already a struggle.

As COVID-19 forces 743 million girls out of school in 185 countries, the organization is concerned that rising drop-out rates will disproportionately affect adolescent girls. This will only exacerbate gender gaps in education and lead to increased risk of sexual exploitation, early and unintended pregnancy, and child, early and forced marriage. Governments must take steps to mitigate the effects of school closures on girls, boys and their families. Education authorities and schools must ensure education continues in the event of school closures. Schools that remain open should be supported to prevent and control the spread of COVID-19, with attention paid to protecting students and staff from discrimination and stigma associated with infection. The organization reveals that disease outbreaks and the measures taken to control them can increase children’s risk of violence, abuse, exploitation or neglect. Essential ongoing support and case management for vulnerable and at-risk children

**As COVID-19 forces 743 million girls out of school in 185 countries, the organization is concerned that rising drop-out rates will disproportionately affect adolescent girls.**

may be blocked by social distancing measures. The organization therefore advises that national and local responses must assess and address these risks, including in quarantine situations and in communities facing restrictions on movement.

On effects of COVID-19 on gender-based violence, the organization posits that quarantine measures imposed as a response to the COVID-19 pandemic are putting girls and women at heightened risk

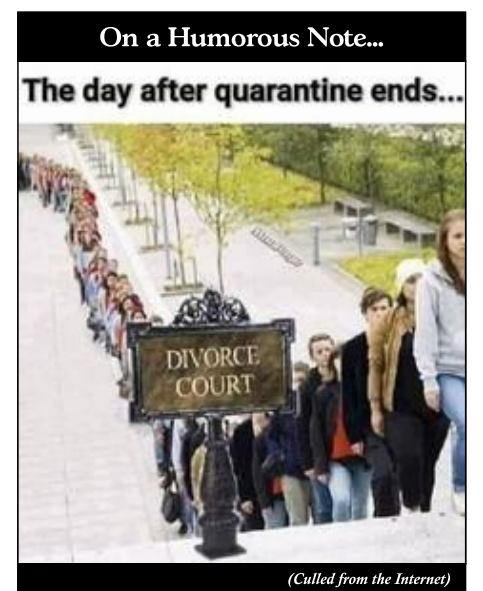
of violence in the home and cutting them off from essential protection services and social networks. Economic stress on families due to the outbreak can put children, and in particular girls, at greater risk of exploitation, child labor and gender-based violence. Quarantine measures should be accompanied by support for affected households. Global lockdowns also lock down girls’ autonomy, reinforcing the attitudes and practices that regard girls as second class and hold them back.

Rigorous protection and safeguarding of all children, and of girls and women from gender-based violence must be emphasized and prioritized in all policies, information, guidance at all stages of the response.

**Conclusion**

These ongoing global efforts are highly commendable. All stakeholders are enjoined to intensify their efforts to combat the global effects of the pandemic especially on women and children. The world is nothing without the safety of all; especially the most vulnerable members of every society. ●

*\*FIDAN Victoria Banke Olagbegi-Oloba, is a Lecturer at the Faculty of Law, Adekunle Ajasin University, Akungba. She serves as Vice Chair, American Bar Association SIL Women’s Interest Network and as International Bar Association (IBA) Diversity and Inclusion Officer and member, Academic and Professional Development Committee. She can be reached via email at bankeoloba@gmail.com*





# COVID 19: A Scientific Gender Approach

- Giovanna Chiara



**\*Giovanna Chiara**  
Regional Vice-President, Italy

It is known that since women had access to professions and, particularly to medicine, attention has begun to be paid to physiological female characteristics with respect to male ones: so, the so-called "gender medicine" has developed since the 1990s, particularly thanks to cardiologist Bernardine Patricia Healy, the first woman to become Director of the National Institute of Health (NIH).

Scientific research and studies tell us that gender medicine is a necessary interdisciplinary dimension, which concerns each person in order to reach adequate diagnosis and treatment. It is a matter of considering not just biological sexual differences between man and woman, but also "gender" differences, that's to say the psychic, social and cultural characteristics, for example in relation to various ethnic groups, since childhood.

In 2000, WHO (World Health Organization) included gender medicine in the "Equity Act" document. In 2007 it has set among its objectives the one of creating national strategies based also on gender differences and of supporting and promoting gender research and training in all national and international studies aimed at the development of new drugs and therapies.

When the coronavirus pandemic broke out in the world, some EU

countries including Italy, as well as non-EU countries, established, from the outset, an integrated surveillance system for the collection of virus infection and lethality data broken down by sex and gender as an index of the sex/gender mechanisms in relation to the pandemic: not as an additional option to research, but as a fundamental aspect of the research itself.

A higher proportion of COVID-19 deaths in men than in women was found.

The lethality rate for men is approximately double that of women (17.1% and 9.3% respectively in Italy). Similar differences are reported in many other European countries (including Greece, Holland, Denmark, Belgium and Spain) and non-European ones (such as China and the Philippines). In some countries, such as Thailand and the Dominican Republic, the male/female lethality ratio is even higher, i.e. higher from 3 to 1 (3.8 and 3.2 respectively).

Global Health 5050 (GH5050) - an international organization that promotes gender equality in healthcare - analyzing similar information from countries that provide data disaggregated by gender and gender, came up with similar results.

It is true that a very important statistical data in Italy is the one of cases of infection among health workers: 69% of infected workers are women. Other countries such as the United States, Spain and Germany also report similar data (73%, 72% and 75% respectively). But this is due to the highest percentage of women in this professional category (especially nurses); thus it doesn't disprove the general

statistical data on the distribution of infection between men and women.

Another alarming data, highlighted by the research of the Italian National Health Institute, but concerning all world countries, is the development of episodes of domestic violence that many women are suffering because of the continuous sharing of spaces with abusive men. Men and women tend to react differently to isolation requirements to contain the spread of the pandemic, with consequent and repeated specific and different situations of physical and psychological distress.

It is shared among scientists and researchers that in order to truly

**The lethality rate for men is approximately double that of women (17.1% and 9.3% respectively in Italy).**

understand the burden of the disease on each person, not only for the coronavirus, but for any other pathology, there is a need for updated and disaggregated data by gender that can indicate the different biological and/or social mechanisms of impact on men and women, from childhood: this could help to identify preventive strategies and specific therapeutic targets.

These disaggregated data could also be used to study potential treatments and vaccines and should allow the adoption of specific and effective "gender" social "policies": preventive and long-term policies.

This is the first of the lessons we should draw from the COVID experience.

But there is also another one. As well known, the pandemic crisis that humanity is now experiencing is not only an international public health crisis, currently contained in policies (which are not univocal at national and international level), which impose isolation and arrest of a large part of production, but is unanimously expected which will evolve into a heavy, unprecedented, economic, financial and social crisis. The crisis will necessarily loom differently on men and women and will fall on future generations who inhabit our planet, become so fragile. So this should be an opportunity to share national and international policies if we really want to: let's not miss this chance! ●

*\*Giovanna Chiara serves as FIDA Regional Vice President, Italy. She can be reached via e-mail: giovanna.chiara@avvocati.tv*



(Culled from the Internet)

# Justice in times of the Corona Pandemic

- Mrs. K. Santhakumari, Advocate, FIDA, India



\*Mrs. K. Santhakumari

The Corona virus lockdown has brought the wheels of Indian Justice System almost to a grinding halt. Courts across the Country are closed with only the most important cases being heard. On 23rd March, 2020, Supreme Court of India made a history by announcing its decision to begin conducting of cases through video hearing.

The entire Country was compelled by the Government to suspend work, movement, business and services. But justice under the Constitution itself, however, cannot be suspended.

Several situations today warrant the intervention of the judiciary. For instance, the enforcement of constitutional rights to life, health and food requires urgent resolution. Any constitutional challenge requires unfettered access to lawyers and courts. But if the courts are closed by following administrative directions of the State, then such operation of the constitution lies in limbo.

I, as the President of Federation of Women Lawyers, felt sad when a few of our Advocates committed suicide for want of Income. It is not that every advocate is earning in lakhs and lakhs. There are raw juniors and persons who earn like a daily wage worker by getting an order of bail or anticipatory bail. These lawyers need financial support for their sustenance. When I read a letter from a terminally ill lawyer expressing his incapacity to even meet medical necessities, my eyes became wet.

Other than the advocate community, people who depend on the judiciary are the remand prisoners and convicts in prisons. When the higher judiciary is hearing urgent matters, the lower courts are entertaining remand cases. Though video based online proceedings have been proposed as an alternative, it is doubtful that everyone has equal access to fast internet and functioning equipment. Indian Courts, particularly the lower courts lack internet facilities and techno-savvy functionaries.

Significant orders by the Supreme court in the time of the Corona virus Pandemic includes one on prison overcrowding and the early release of prisoners to reduce the risk of virus transmission in jails. The apex court directed the States and Union Territories to set up panels to identify which of the Indian judicial system's roughly 4,66,000 prisoners could qualify for early release or parole.

But there are news reports on demonstrations by the prisoners, as social distancing is not maintained and masks are not supplied. There is fear among prisoners that corona infected prisoners are not quarantined and that the jails will become epicentres of Corona virus. Only a few States have released some undertrials. Though Supreme

Court order says that even the prisoners who have committed offences for which the minimum punishment is seven years can be paroled or released, the order was not obeyed.

Article 142 of the Constitution of India gives inherent powers to Supreme Court to pass any such decree or order as is necessary for doing complete justice. Article 141 states that the decision of the Supreme Court would be binding upon other courts in India. Hence, Supreme Court passed the following order; "it is hereby ordered that a period of limitation in all such proceedings, irrespective of the limitation prescribed under the general law or Special Laws whether condonable or not shall stand extended w.e.f 15th March, 2020 till further orders to be passed by this court-in present proceedings".

Moreover, the States are still active in their traditional Policing. During this pandemic even activists and whistle blowers are arrested. Some of the participants in the

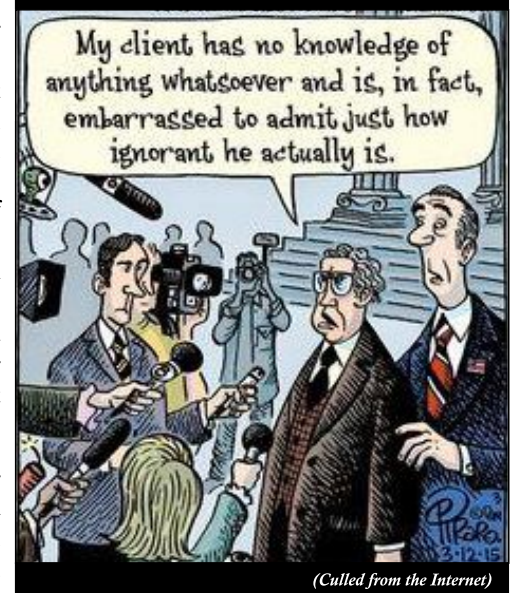
struggle against the Citizenship Amendment Act were arrested. But there is no Protection of law to these individuals as guaranteed by Article 22 of the Constitution (Right to Legal Assistance) because of the non functioning of courts and lawyers. Unless we classify Legal Practitioners as essential, Fundamental Rights cannot be substantially enforced.

One more serious issue faced by Indian women is not considered, as there is no solution for the agony of Domestic Violence. The National Commission for Women (NCW) reported an increase in incidents of Domestic Violence. The NCW has seen a more than twofold rise in gender based violence during the lockdown in India: total number of complaints rose from 116 in the first week of March to 257 in the final week. Between 23 March and 16 April NCW registered 587 domestic violence complaints, a 45% increase from the previous 25 days. The absence of institutional response has taken away the civil remedy of obtaining 'Protection Orders' against the abusers under the Protection of Women from Domestic Violence Act 2005.

There has also been a threefold rise in police apathy towards women complaints, with the police busy with enforcement of lockdown orders. The Children helpline received more than 92,000 calls between 21-31 March 2020, the start of India's lockdown, asking for

*Continued on PAGE 11*

## On a Humorous Note...



*(Culled from the Internet)*



# PICTORIAL:

# Covid-19: Women on the Frontlines

Credits: UN Women | Mediciens Sans Frontieres



**Switzerland**

MSF nurse Kathrine Zimmerman (far right), who was seconded to the intensive care unit of the University hospital of Geneva, assists a group of nurses and doctors turn a patient with COVID19 on her stomach to clear the lungs so she can breathe better.



**Spain**

Two MSF staff disinfect beds in a nursing home for elderly residents in the Nuestra Señora de las Mercedes Residence in El Royo. MSF is accompanying volunteers from the fire brigades to disinfect spaces, establish staff and resident flow, and transfer patients from nursing homes and residences for the elderly throughout the Castilla y León region.



**Belgium**

Julie (left), a former MSF field nurse and now volunteering with MSF, and Houria, an MSF health promoter, get dressed in protective equipment before entering into the patient area of the COVID19 treatment facility for vulnerable people in the Tour & Taxis area of Brussels. May 2020.



**Jordan**

NAHID ALI ALBUHAIR Syrian refugee from Rif-Dimashq continues teaching virtually in the Za'atari refugee camp





**South Africa**

An MSF health worker prepares to swab a patient for a coronavirus test during a mass COVID-19 screening and testing event held in Johannesburg.



**China - YAN SHENGLIAN**

behind the checkpoint in her rural village of Xiaruoyao, in China's northwestern Qinghai Province -checking their body temperature and recording vehicle information.



**Jordan**

AMAL AL MAHAYRAH and HADEEL DABAIBEH UN Women Field Assistants in providing daily urgent, life-saving services for vulnerable Jordanian women and Syrian refugees



**Central Asia**

DINA SMAILOVA holds a bouquet with the sign "Don't keep silent" from the sales donated in support of survivors in Kazakhstan-with money



**Nepal**

DR. RUNA JHA, CHIEF PATHOLOGIST and Director of the only laboratory authorized to conduct COVID 19 testing, leading round-the-clock testing efforts



**Brazil**

MSF DOCTOR ANA LETÍCIA NERY coordinates MSF's COVID-19 response activities in São Paulo. MSF teams are working with homeless people, providing medical consultations for screening and detection of people with suspected cases of COVID-19, and referring patients in more serious conditions to hospitals.





**California, USA**

**RYANCIA HENRY (Hotel Housekeeping Director)**  
Maintaining hope for her Caribbean Community in Antigua and Barbuda



**Ukraine**

**IRYNA KORLIKOVA** improving healthcare and strengthening community ties in



**Bangladesh**

**MOBINA KHATUN** a Rohingya woman volunteer with UN Women in Cox's Bazar -raising awareness and stopping the spread



**Kenya**

**MARGARET KAUKAU** sewing fabric face masks to protect against COVID-19 spread



**Cameroon**

A woman stops outside the COVID-19 pre-screening tent MSF teams have set up at the entrance of Bamenda's St Mary Soledad hospital in the country's North West region.



**Brazil**

An MSF medical doctor evaluates a woman during a mobile clinic to screen homeless people in shelters in downtown São Paulo for the new coronavirus and to provide health promotion advice.





**Uganda**

Women peace mediators now key actors on the front lines of COVID-19 prevention in refugee settlements - receive hygiene items to help stop the spread of COVID-19.



**Thailand**

PARINYA SIRIRATTANAPANYA food delivery service provider.

**Justice in times of the Corona Pandemic (Cont'd)**

protection from abuse and violence .The extended confinement has also trapped the child victims with their abusers at home.

In addition to this, no family court is practically functioning anywhere in India. Women and elderly who had filed petitions before these courts for their sustenance are left with no access to receive the monthly maintenance amounts. On the one hand, payments are not made by the respondents owing to the closure of the courts and on the other hand women and elderly are unable to get back the maintenance amount already paid by some respondents by way of deposits in the court. Many women have filed for their guardianship rights against their partners but left without any orders even to visit the child. The second marriages arranged after the mutual consent petition for divorces were ordered are to be postponed for want of order copies.

In contrast to India's response , the UK first notified legal practitioners as key workers and then notified how different categories of courts shall function. In the US, the Department of Homeland Security categorizes 'workers supporting the operations of the judicial system' as essential.

**There has also been a threefold rise in police apathy towards women complaints ... The Children helpline received more than 92,000 calls between 21-31 March 2020**

In India ,the Judiciary and the Executive should have put in place means to serve the cause of justice .A comprehensive response should have outlined the minimum judicial infrastructural requirements, the nature, type and manner of prioritising cases: enforcement of physical distancing guidelines: and the list of key personnel permitted to ply to and from courts, prisons ,police stations, residences ,etc. This lacunae must be' remedied'. Justice must not become

a causality to the Pandemic. ●

\* Mrs. K. Santhakumari, an advocate from India, is an Executive of FIDA INT'L



(Culled from the Internet)



# Impact of Covid-19 Pandemic on Women and Children

- Oluwatomi Ajayi, LLM



\*Oluwatomi Ajayi

## Introduction

Coronavirus is an infectious disease caused by the COVID-19 virus and it is taking a heavy toll simultaneously on many countries across the world. It is so glaring that the negative impact of COVID-19 is visible all over the world because more than 3million have been infected. Many thousands of lives have been lost while others are still fighting for their lives. Yet there is no approved drug or vaccines in sight. On the 11th day of March 2020, the WHO declared COVID-19 a pandemic and a public health emergency of international concern. This public health crisis has impacted negatively on the world economy as the wave of infections keeps soaring high. Although disease outbreaks affect everyone, millions of women and children are more deeply affected as depicted by the following challenges:

### 1. Health

Health is wealth and only a healthy society can drive an economy. In times of health crisis, women and girls feel the impact more because they care for the elderly ones or the sick family members. Their health is being compromised. That is why community transmission is likely to be spread even by girls who go out to fetch water or run other errands for the family. Children in addition are at risk of psychological distress, violence, abuse, exploitation and neglect. Girls who are housemaids endure abuse from their employers because their movement is restricted. In rural communities, there is no early response intervention at local health centres for women to know their health status in respect of diseases that are public health-related.

### 2. Education

The education sector is adversely affected by the ravaging pandemic. All schools, libraries, skill acquisition centres have been shut down and academic activities have been disrupted.

Although closures are motivated by sincere public health concerns, arrangements are being made for students in primary, secondary schools and universities have resorted to virtual learning to bridge the gap. However, since parents are not working, there is lack of money to buy data for online classes. Girls education is already being set back by Covid-19 crisis while girls in poor homes are worst hi. In some Northern states of Nigeria, there has been an ongoing evacuation of children from their base to their parents or to their states of origin. Sadly, state governors in the North have begun deporting students of the almajiri educational system as the region battles COVID-19. An almajiri is a person who leaves his home in search of Islamic knowledge. Beyond that, there is anxiety and fear that children will likely go into crimes or other forms of social vices in a bid to make ends meet.

### 3. Hunger

Street children who rely on the streets for food and shelter are having a rough time during the COVID-19 imposed curfew. Hotels and eating places where they normally get food have closed down leaving them susceptible to outbreaks in slums. This has been a major problem in most African countries. Some go to bed for a day or two without eating. Some children have been abandoned because their mothers do not have alternate source of income while some are daily wage earners. The livelihoods of these set of women are suffering because they have lost their jobs. For example, it was reported that a mother in Kasauni, Kenya was forced to boil stones for her children after enduring days of hunger. Before the restriction of movement, she used to wash laundry locally, but she couldn't get patronage any longer. There was also a sad report about an hungry father who drugged his three children with sleeping tablets so they can sleep off in hunger.

### 4. Economy

The pandemic has created global recession which has impacted negatively on the survival of small and medium scale business where women dominate as majority workers. Women represent 70% of the global workforce yet they take on the financial burden of the family. According to Nahla Valji, the UN's Senior Gender Advisor in the Executive Office of the Secretary General, the current public health emergency has created a disproportionate economic impact on women who often work in the service industries which has been hit hard by COVID-19. The service industry is an informal sector that is characterized as insecure and low-pay employment. There is decline in their business activities and wages

have fallen, Additionally, majority of health workers are women and that puts them under considerable stress because they are equally parents and caregivers to family members. In some countries they lack personal protective equipment and consequently do not enjoy access to basic facilities. Gender equality is therefore at high risk.

### 5. Domestic Violence

There is increasing gender-based violence as women are gradually becoming crime victims and facing existential threats to their safety and freedoms as domestic violence victims triggered as a result of being constantly confined with their abusers. This violence can also be emotional or financial. Many of these women are trapped at home because of the stay-at-home order. Furthermore, this pandemic has further threatened women's access to reproductive healthcare which borders on human rights. Women who are released from prisons do not have a home to go to and are stigmatized while quarantined women lack adequate hygiene supplies.

The overall summary is that COVID-19 pandemic affects everyone everywhere and different groups of people and while the mortality rates from COVID-19 may be higher for men, it is also having devastating social and economic consequences for women and girls, therefore deepening existing inequalities. Women are however enjoined to take full advantage of the available COVID-19 gender responses, policies and frameworks outlined as follows:

- a) The ILO Policy on Gender Equality and

*Continued on PAGE 13*



(Culled from the Internet)

## Impact of Covid-19 Pandemic on Women and Children (Cont'd)

Mainstreaming which supports a two-pronged approach of gender mainstreaming; analyzing and addressing in all ILO initiatives the specific needs of both women and men; and targeted interventions to enable women and men to participate in, and benefit equally from development efforts.

b) Fuller Project for International Reporting It highlighted the impact of COVID-19 on domestic workers and single mothers and further that in US, statistics obtained by the Fuller Project from several states show that the share of people who filled new unemployment claims were women who now comprise a significant majority of unemployment claimants.

c) UN Women is working with partners to make sure the gender-differential impact of COVID-19 is taken into account in the response strategies at country, regional and global levels by supporting gender analysis; focusing on programmes that build women's economic resilience for this period and future shocks; Working closely with WHO and other UN Agencies to strengthen coordinated response to the outbreak; and leverage existing networks of women-led organizations to advance women's voice and decision-making in COVID-19 response because women are paid less.

To this end, UN Women has ultimately issued a set of recommendations placing women's needs and leadership at the heart of effective response to Covid-19. The highlights are as follows;

- Embed gender dimensions and gender experts within response plans and budget resources to build gender expertise into response teams;
- Provide priority support to women on the frontlines of the response;
- Ensure equal voice for women in decision making in the response;
- Ensure that public health messages properly target women including the most marginalized such as the elderly women, disability, people living with HIV, refugees and those in IDP camps, migrants;
- Protect essential health services for women and girls including sexual and reproductive health services; and
- Prioritize services for prevention and response to gender-based violence in communities affected by COVID-19.

The COVID-19 Outbreak and Gender - Key Advocacy Points from Asia and the Pacific. This gender policy recognized that women are facing challenges of exacerbated burdens of unpaid care work; meeting the needs of women healthcare workers and frontline responders; increasing Gender-based violence; impacts on women's economic needs; Interrupted access to sexual and reproductive health; exclusion from leadership roles and women in marginalized groups. The Policy has recommended as follows:

- Ensure Human Rights are central to the response;

- Ensure that women are able to get information and public health guidance
- Strengthen the leadership and meaningful participation of women and girls in their communities. Women leadership and contributions must be at the heart of Coronavirus resilience and recovery
- Empowerment strategies and explore cash transfer programming. Palliatives in form of food packages and cash
- Psychosocial support for women that are affected by domestic violence
- Other mitigation measures

The UN Policy Brief- The Impact of COVID 19 on Women

The policy brief recognizes that COVID-19 is clearly the focus of all since women are the backbone of recovery in communities. The situation is worse in developing countries. The policy therefore identified economic impacts, health impacts, unpaid care, gender based violence and impacts in humanitarian and fragile settings on human rights. According to the Secretary-General of the UN, Antonio Gueterres, our commitment should be to "Put Women and Girls at the centre of efforts to recover from COVID-19."

**...mortality rates from COVID-19 may be higher for men, it is also having devastating social and economic consequences for women and girls, therefore deepening existing inequalities.**

Statement on the 3rd meeting of the International Health Regulations, Emergency Committee regarding the Outbreak of COVID-19 The meeting focused on maintaining essential health services throughout a likely extended COVID-19 response. This should include services related to reproductive health, care during pregnancy and childbirth as well as taking general care of vulnerable populations. Support countries are also advised to assess and manage the consequences of public health measures implemented to control the COVID-19 pandemic, including gender-based violence and child neglect. WHO has in addition, released recommendations on the care and feeding of infants to mothers who have been confirmed or suspected to be COVID-19 carriers. The essence is to improve the immediate and lifelong survival, health and development of their newborns and infants.

7. UNFPA- this UN sexual and reproductive health agency is working with governments to prioritize the particular needs of women and girls in line with the goals to end unmet needs for family planning. It further aims to end

preventable maternal deaths and gender-based violence and harmful practices by 2030 while ensuring that the pregnant woman should still attend her antenatal clinic and on no basis should women and girls be overlooked in global COVID-19 response. See the UNFPA Global Response Plan 7 and Guidance Documents.

### Conclusion

In as much as UN has provided targeted interventions to help women and children in this ravaging COVID-19 crisis, there is a collective call on the world to put women and girls at the centre of economies so they can drive better and more sustainable developed outcomes in order to achieve the objectives of the SDGs. Women's networks and civil society or organisations should also be identified as a vital support group to activate existing conventions and laws regarding the protection of women and children even in this pandemic time. ●

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*\*Oluwatomi Ajayi, is a renowned Legal Researcher, Author and Human Rights Advocate. She can be reached via email at: palaceproject50@yahoo.co.uk*



(Culled from the Internet)



# Women Leaders - Flattening The Curve

**F**emale heads of states of Taiwan, Germany, New Zealand, Denmark, Taiwan, Iceland, Finland, Norway and Belgium are reported to have remarkably flattened the coronavirus curve in the early days of the pandemic. Leading the trajectory in the fight against COVID-19, they reported a dwindling number of cases by instituting preventive measures -backed with compassionate and transparent scientific information and proposals from their public health administrators. This is their story...

## Taiwan's President Tsai Ing-wen



President Tsai Ing-wen

President Tsai Ing-wen was the first world leader to commence action -introducing 124 aggressive containment, quarantine and monitoring measures, with no lockdowns. These included incentivizing citizens to follow social distancing guidelines; screening all passengers from Wuhan; rolling out island-wide testing; banning travel from many parts of China, stopping cruise ships from docking at the island's ports, and introducing strict punishments for anyone found breaching home quarantine orders.

## German Chancellor Angela Merkel

Chancellor Angela Merkel's early lockdown measures, social distancing and movement restrictions (which have been in place since mid-March) proved most productive with Germany faring better than its European counterparts.

With the curve slightly flattening, the German Chancellor is slowly easing restrictions.



Chancellor Angel Merkel

## New Zealand Prime Minister Jacinda Ardern



Prime Minister Jacinda Arden

'Valuing the people, not just the economy' PM Jacinda Ardern also responded fast to the threat -deciding measures and degree of threat levels even before the country reported its first death.

On March 19, she banned foreigners from entering the country when there were 28 confirmed cases and made quarantine of returning citizens compulsory. On March 23, New Zealand went into a lockdown with 102 confirmed cases and no deaths. The country conducted widespread testing,

contact tracing, and isolation.

Ardern has been conducting press conferences and live Q&A videos, answering the citizens' questions and urging them to be patient and calm. As of the end of July, the country has not had any community transmission of the virus for the past three months. The death rate remains at 22, one of the lowest in the world.

## Iceland's Prime Minister Katrín Jakobsdóttir



Prime Minister Katrín Jakobsdóttir

Prime Minister Katrín Jakobsdóttir offered free testing to all its citizens which enabled the country to identify asymptomatic cases,

At the beginning of the pandemic, Iceland had the highest per capita rates of confirmed cases, which is because it had tested more people per capita than anywhere in the world. According to data from 'Our World in Data', the country has conducted over 100 tests per thousand people, which is far more than in any other country. As of the end of July, the country has reported 1,861 cases and 10 deaths.

Iceland did not resort to a lockdown like



**Women Leaders - Flattening The Curve (Cont'd)**

other countries. Though some businesses are closed, the school system is only partially closed. More than 7,800 people have been quarantined and more than half of the people who were diagnosed were quarantined even before their diagnosis -leading to early prevention.

**Finland's Prime Minister Sanna Marin**



*Prime Minister Sanna Marin*

Finland's young Prime Minister Sanna Marin spearheaded a social media campaign to help spread fact-based information on COVID-19.

The government brought in social media influencers and categorized them as critical operators along with other essential workers. The national emergency supply agency transforms government messages into efficient social media messages which these influencers in turn disseminate amongst the people.

The country stayed in a lockdown until June, and has recorded only 7,400 coronavirus cases with 329 deaths.

**Norway's Prime Minister Erna Solberg**

Prime Minister Erna Solberg invoked emergency measures on March 12 and has since recorded a considerable decreasing number of hospitalizations.

Solberg's administration collaborated with Telenor, Norway's largest mobile operator, to help track the spread of the coronavirus;

quarantine measures were placed on people with travel history and a lockdown



*Prime Minister Erna Solberg*

on a wide range of public and private institutions including schools and restaurants -with measures to aid business owners as well as allow for increased paid absence for parents caring for children at home -in the offing.

With very low local transmission rates, the Prime Minister relaxed emergency measures after Easter. Norway has since reported 9,172 cases and 255 deaths.

**Denmark's Prime Minister Mette Frederiksen**



*Prime Minister Mette Frederiksen*

Prime Minister Mette Frederiksen was the second European leader to impose a shutdown from March 11. On March 15, she announced an economic package that covered 75 percent of employee salaries in businesses and 90 percent for those paid by the hour.

With the rate of infection and deaths falling, Denmark has lifted restrictions.

Denmark has made remarkable success in curbing person-to-person spread - reducing the number of people that one positive case could infect from 2.6 people before the lockdown to 0.6 in April.

It has been widely praised for its swift action in restricting movement before infections were able to spread. According to an Imperial College London study, Denmark avoided a three-fold death by ushering in strict and timely, preventive measures. ●





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# Zoom Weddings: The need for Legal Reform in the Marriage Act in the Wake of the COVID-19 Pandemic in Nigeria

- Favour A. Borokini

## 1. INTRODUCTION

In order to prevent the spread of the novel corona virus (COVID-19), many governments have issued lockdown orders necessitating the suspension of many non-essential services. One of the consequences of this has been an increased usage of online video conferencing applications, the most popular of these being the Zoom app, as a way to connect with friends, family and employees among others. With one of the non-essential services being weddings necessarily, it comes as no surprise that many couples have taken advantage of these applications to have wedding ceremonies in the comfort of their homes blessed by ordained ministers of their denominations and witnessed by family and well-wishers online. But what does the law say about the validity of such weddings and perhaps more importantly, what would be the aftermath after the end of the pandemic?

## 2. THE VALIDITY OF CHURCH WEDDINGS IN NIGERIA

Generally, church weddings are not recognised as a valid form of marriage under the Nigerian law. In *OBIEKWE v OBIEKWE*, Palmer J. had this to say about church marriages, "...So far as the law of Nigeria is concerned, there is only one form of monogamous marriage, and that is marriage under the Ordinance." However, Section 6 of the Marriage Act 2004 provides that certain places of public worship may be licensed by the Minister of the Interior as places where marriages may be solemnised. Section 21 of the Act goes on to provide that the marriage must be conducted "with open doors between the hours of eight o'clock in the forenoon and six o'clock in the afternoon, and in the presence of two or more witnesses besides the officiating minister". Additionally Section 23 of the extant law states that, "A minister shall not celebrate any marriage except in a building which has been duly licensed by the Minister, or in such place as the license issued under section 13 of this Act, may direct." Further provisions under Section 22 of the Act are that a Minister must refuse to celebrate a marriage if aware of any just impediments or until the parties seeking to be married produce the registrar's certificate or a special license for the marriage ceremony itself.



\*Favour A. Borokini

From the foregoing, it is clear that if the stipulations of the Marriage Act 2004 are to be relied upon, marriages conducted online fail to fulfil the "open doors" requirements under the Act as Zoom weddings and indeed, Zoom meetings are generally not open to the public. A question might however be posed regarding weddings celebrated on Instagram Live as Instagram Live activities are open to the public without restrictions. A cursory look at the content of Section 22 of the Marriage Act 2004 however dispels all such questions as emphasis is laid particularly on "buildings". Clearly, specific buildings only, and not ordained ministers belonging to licensed places of worship satisfy the requirement for celebration of marriages in public places of worship.

However, a controversy exists regarding the content of Section 33(2) of the Marriage Act 2004 which provides that a marriage shall be null and void if both parties "knowingly and wilfully" acquiesce in its celebration in a place other than a licensed place of worship or the office of the registrar of marriages. The phrase, "knowingly and wilfully" has been interpreted by the court to suggest a sort of defiance on the part of the parties regardless of the proper procedure as stated in the Act. In *OBIEKWE v OBIEKWE*, Palmer J. had this to say about the meaning of the phrase: "... [K]nowingly by itself might be ambiguous, but wilfully must, I think, mean

a deliberate act. The attitude of mind, must I think, be 'I know there ought to be a certificate; I know there is not a certificate: nevertheless I shall go through the ceremony.'" Flowing from this, the court in *AKUWUDIKE V AKUWUDIKE* decided that if the intention of the parties to the marriage was to have a statutory marriage celebrated at the church, lack of compliance with the formal requirements of the Act under Section 33(2) would not be sufficient to render the marriage invalid. Most interestingly, in the unreported case of *Aiyegbusi v Aiyegbusi*, where a marriage was celebrated in an unlicensed place of worship, the court held that this would ordinarily have been enough to render the marriage a nullity but for the provision of Section 33(2) of the Act which required knowing and wilful intention to flout the provisions of the Act.

It could therefore be inferred from these cases that a marriage noncompliant with Section 33(2) of the Marriage Act 2004 may be declared valid if the court itself takes cognisance of the intention and state of mind of the parties to celebrate a marriage under statute. However, this approach has the obvious defect of how intention is to be established by the Court.

*Continued on PAGE 18*

## On a Humorous Note...



*(Culled from the Internet)*



## Zoom Weddings: The need for Legal Reform in the Marriage Act in the Wake of the COVID-19 Pandemic in Nigeria (Cont'd)

### 3. IMPLICATIONS OF ONLINE MARRIAGE FOR WOMEN'S RIGHTS IN NIGERIA

While it is clear from the foregoing that the Nigerian courts have on occasion decided to declare such marriages celebrated by churches valid based on knowledge and wilfulness, it is still advisable for parties to apprise themselves of the contents of the Marriage Act before embarking on what could be the most important legal contract of their lives.

Indeed in the unreported case of BELLO v BELLO, Kayode Eso J. (as he then was) decided that a marriage which was celebrated in an unlicensed place of worship was void based on the provisions of Section 33(2) of the Marriage Act 2004. However, it is this writer's humble opinion that his Lordship did not avert his mind to the requirements of knowledge and wilfulness as provided by that section.

Also, the use of video teleconferencing services for the conducting of weddings has prior to now not being recognised as a valid means or location for the celebration of marriages. Taking a cue from marriages celebrated in registries by marriage registrars which themselves cannot be celebrated via these teleconferencing applications, it is safe to conclude that online marriages are a novel and perhaps unanticipated form of marriage, unknown to the Marriage Act 2004 as well as the Matrimonial Causes Act 2004. Alternatively, it is possible - though unlikely - that the COVID-19 pandemic could be interpreted as a mitigating factor in deciding the validity of these cases.

**Alternatively, the Minister of Interior acting under Section 13 of the Marriage Act could grant a special license to registered intending parties to be married in a location of their choice, being an online teleconferencing application for the duration of the pandemic as provided under Section 23 of the Marriage Act.**

The effect of this uncertainty, caused by a lacuna in the law addressing periods of instability such as pandemics or the intervention of online marriages, could definitely work hardship on women, who are more often poised to bear the brunt of unmitigated consequences resulting from matrimonial causes if Nigerian courts refuse to recognise the validity of these marriages as well as any children they might have in the course of the union.

The inability to know for certain the position of the law could have grave consequences in terms of social as well as economic liability for women. A form of marriage which is unknown to law has no benefits accruable to vulnerable parties, most often women, under said law. Such marriages are incapable of bestowing on women a priority in successionship and inheritance matters and are little more than religious customary marriages.

### 4. RECOMMENDATIONS AND CONCLUSIONS

One way to mitigate the potential issues caused by the lacuna in the law is to borrow a leaf from other jurisdictions such as the United Arab Emirates, which have set up virtual platforms for couples intending to marry to be joined after the consent and identities of parties as well as witnesses has been verified by an officially approved cleric of choice. Adopting this method would ensure that couples who have received the registrar's certificate to marry under Section 11 of the Marriage Act, known as the Form C for marriage in either a licensed place of worship or the registrar's office are able to do so before the certificate expires as provided under Section 12 of the Act. Such platforms could also be configured to address the needs of new intending couples.

Alternatively, the Minister of Interior acting under Section 13 of the Marriage Act could grant a special license to registered intending parties to be married in a location of their choice, being an online teleconferencing application for the duration of the pandemic as provided under Section 23 of the Marriage Act.

Another option which could be explored are proxy marriages. Proxy marriages are marriages celebrated in the absence of one of the parties who is substituted by a proxy agreed upon by the parties. They are often used by members of the armed forces in the United States in active service. However, they are unknown to Nigerian law due to the

stipulation that parties intending to be married must be physically present at the same time for the wedding to be celebrated. A major disadvantage of proxy weddings involves how easily they are manipulated for trafficking purposes and arranged marriages. It could also be difficult to verify the consent of an absent party during a virtual ceremony.

Going forward, it is important to look beyond the COVID-19 pandemic and focus on existing and prospective digital realities. As technology and the internet become more and more integrated in our lives, it is imperative for legal systems to adapt to these realities. Virtual marriage registries would make preliminary marriage enquiries and payments easily accessible and verifiable. The administration of these registries by human registrars would make it easy for weddings in the digital age to be conducted efficiently and smartly.

In conclusion, the Marriage Act 2004 leaves much unsaid about the validity of online marriages in Nigeria. It is important that the law is amended to address these uncertainties in order to mitigate preventable suffering. ●

*\*Favour A. Borokini is a Research Assistant with the Court of Appeal, Nigeria. She can be reached via Email: favourboroks@outlook.com*



# COVID-Related Emergency Grant Programmes

## 1. COVID-19 Crisis Fund for Feminist Activists

The Urgent Action Fund is providing grants for feminist activists working on the frontlines of the COVID-19 pandemic response. The Fund prioritizes activities related to such things as wellness, community care, remote work and digital gatherings, online advocacy campaigns, COVID-19 awareness campaigns, and supporting vulnerable populations. <https://urgentactionfund.org/urgent-action-fund-covid-19-updates/>

## 2. COVID-19 LGBTIQ Global Emergency Fund

OutRight Action International has launched a fund that offers emergency financial assistance to LGBTIQ organizations that are addressing the impact of COVID-19 on the global LGBTIQ community. <https://outrightinternational.org/applications-are-open-covid19-lgbtqi-emergency-response-fund>

## 3. Elton John AIDS Foundation's COVID-19 Emergency Fund

Recognizing that people living with AIDS are extremely vulnerable due to the COVID-19 pandemic, the Elton John AIDS Foundation has launched a fund to provide grants to fund solutions to addressing the specific challenges faced by those living with AIDS during this time. Projects should focus on mitigating the threat of COVID-19 to HIV/AIDS-positive individuals and/or increasing access to HIV healthcare programs. <https://london.ejaf.org/covid19/>

## 4. LGBTQ Funding Resources

LGBT Funders has compiled a substantial list of rapid response resources for organizations and individuals seeking to address the unique impact of COVID-19 on the global LGBTQ community. <https://lgbtfunders.org/covid-19-response/>

## 5. Above and Beyond Solidarity Fund

Thousand Currents (formerly IDEX) has launched a fund to support organizations providing support to communities to mitigate the impact of the COVID-19 pandemic. The grants will go to organizations working on such issues as access to information, rural healthcare, supporting those who have lost their jobs, infrastructure in informal settlements to promote social distancing, and broader safety concerns, including gender-based violence and police brutality. <https://thousandcurrents.org/above-beyond-solidarity-fund/>

## 6. Open Technology Fund

The Open Technology Fund provides grants to organizations working to ensure internet freedom and access to information globally. Due to the COVID-19 pandemic, OTF is increasing the pool of funding available to organizations specifically working on

access to information relating to the pandemic. Projects and grant applications working on Covid-19 interventions are being prioritized. <https://www.opentech.fund/news/increasing-rapid-response-support-covid-19/>

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## 7. Peace First

Peace First has begun offering rapid response grants to address COVID-19. The grants will go to young individuals and activists launching projects to mitigate the effects of COVID-19 around the world. <https://www.peacefirst.org/covid-19>

## 8. National Geographic Covid-19 Emergency

Fund for Journalists  
This fund from National Geographic will provide funding for journalists all over the world working to cover COVID-19 and its impact in their communities. Grants prioritize projects that aim to deliver news and information to underserved communities. <https://www.nationalgeographic.org/funding-opportunities/grants/what-we-fund/covid-19-emergency-fund/>

## 9. Format

Format is providing \$500 grants to freelance photographers who have been economically impacted by the coronavirus pandemic. <https://www.format.com/photographer-fund>

## 10. Writers Emergency Fund

Pen America is providing grants of \$500 to \$1,000 to writers who demonstrate an acute financial need due to the pandemic. <https://pen.org/writers-emergency-fund/>

## 11. Women Photograph Emergency Fund

This fund provides support to independent women and non-binary photojournalists coping with loss of business income due to the pandemic. <https://www.womenphotograph.com/emergency-fund>

## 12. The International Women's Media Foundation

The IWMF is taking relief fund cases from women-

identifying journalists who have been economically impacted by the pandemic. They currently accept cases in English, Spanish, French, and Chinese for up to \$2,000.

<https://iwmf.submittable.com/submit/163341/journalism-relief-fund>

## 13. Artist + Activist Fund

The Soze Foundation has begun a fund to support artists and activists whose work has been directly impacted by the coronavirus. It is currently only accepting applicants based in the US but is exploring ways to provide grants to activists and artists globally. <https://www.wearsoze.com/relief-fund>

## 14. CFJ Knight International Journalism Award

The International Center for Journalists is offering awards for journalists from around the world covering the COVID-19 pandemic. Nominees should be journalists who have pioneered coverage or media innovations of the pandemic that have had a great impact. <https://ijnet.org/en/opportunity/nominations-open-2020-icj-knight-international-journalism-awards-worldwide>

## 15. Substack

Substack is donating \$100,000 in grants to independent writers on Substack who are experiencing economic hardship due to the pandemic. <https://on.substack.com/p/substack-independent-writer-grant>

## 16. Coronavirus Fast Response Fund

The Black Sea Trust for Regional Cooperation is offering grants to CSOs working in Armenia, Azerbaijan, Georgia, Moldova, and Ukraine on projects to mitigate the effect of the pandemic. Projects should focus on rapid assistance for vulnerable groups, preserving good governance and accountability, countering fake news, and more broadly adjusting to the new reality that coronavirus has created. <http://www.gmfus.org/coronavirus-fast-response-fund>

## 17. CDP Covid-19 Response Fund

The Center for Disaster Philanthropy is providing grants to non-profit organizations working to combat the impacts of the coronavirus pandemic among vulnerable populations. <https://disasterphilanthropy.org/cdp-fund/cdp-covid-19-response-fund/>

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The 37th Triennial Convention  
*of the* International Federation of Women Lawyers

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**DATE:**  
30th November, 2020  
*to*  
December 2nd, 2020

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May/July 2020 Edition

## CREDITS

### Special Acknowledgments:

- **Shadhana Gunaratnam**, President, Switzerland
- **Jethlyn Burrows (Mrs.)**, Immediate Past President, The Bahamas
- **Stella Ugboma**, OON, Past President, Nigeria
- **Princess Olufunmi Oluyede**, Chair, Editorial Board/Editor-in-Chief, USA

### Contributors:

**Giovanna Chiara**, FIDA Regional Vice President, Italy  
**Victoria B. Olagbegi-Oloba**, IBA APDC  
**K. Santhakumari**, FIDA India  
**Tomi Ajayi**, Lagos  
**Agnieszka Gaertner**, FIDA USA  
**Favour A. Borokini**, CA, Nigeria  
**Charisse A. Brown**, FIDA Treasurer, Bahamas

### Creative Director:

**Herald Designs**, Lagos, Nigeria  
<https://heralddesigns.com.ng/>

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Contributions are gratefully accepted on a rolling basis  
-via email to: [eic@fidaabogada.com](mailto:eic@fidaabogada.com)