

Nigeria

Since the end of military rule in 1999 Nigeria has enjoyed the longest stretch of uninterrupted civilian government in its history as a nation. While this period has seen some improvements in respect for civil and political rights, government actors including the police, military, and elected officials continued to commit serious and persistent abuses against Nigerian citizens. The lack of political will to improve the country's poor human rights situation and ensure accountability for abuses not only threatens to undermine the fragile gains made since the end of military rule but also poses daunting challenges to holding credible and violence-free elections in 2007.

As in previous years, grisly episodes of intercommunal violence were a regular occurrence in 2006. The government has done nothing to put a halt to one key factor that feeds some of this violence: unconstitutional policies that subject millions of Nigerians to discrimination and disadvantage because they are not deemed ethnic "indigenes" of the communities they live in. The police and military have not only failed to prevent intercommunal violence but have been implicated in countless acts of criminal violence themselves.

Processes meant to bring accountability continued to be crippled by corruption, inefficiency, political influence, and an underlying culture of impunity; those responsible for Nigeria's worst abuses have evaded meaningful sanction. Meanwhile thousands of prisoners accused of common crimes remained in punitively lengthy pre-trial detention, in some cases for more than a decade. However, in 2006 the authorities announced plans to free inmates who have been in prison for longer than the sentences they would face if convicted. Despite limited advances made in the federal government's "war on corruption," graft remains rampant, particularly at the state and local levels, and is largely responsible for the government's failure to meet its responsibility to provide for basic social and economic rights.

Intercommunal Violence

Since 1999 more than 10,000 Nigerians have died in violent clashes along intercommunal lines, and 2006 saw dozens of such incidents erupt around the country. In February more than 100 people were killed and thousands displaced in a wave of interconnected religious riots that began in the northeastern city of Maiduguri and spread to Bauchi and Anambra states. The underlying causes of Nigeria's chronic intercommunal strife—including ethnic and religious divisions and competition for scarce economic opportunities—often overlap with and exacerbate one another.

In some cases, unscrupulous political leaders have manipulated intercommunal tensions or have actively sponsored violence to advance their political positions. In August 2006, for example, clashes by rival political gangs in the Rivers state town of Bodo left more than 15 people dead and terrorized the community. The state's commissioner for finance and a leading member of the state legislature were briefly arrested in connection with that incident. There is widespread concern that the run-up to nationwide polls slated for April 2007 will be marred by similar incidents, which were a defining feature of elections held in 2003 and 2004.

Abuses by Security Forces

Nigeria's police and other security forces continued to be implicated in widespread acts of torture, ill-treatment, extrajudicial killing, arbitrary arrest, and property destruction. For example, in August 2006 the bodies of 12 criminal suspects who had been in police custody were found dumped beside a road in the town of Umuahia in Abia state. Later that month, Nigerian army personnel burned to the ground a poor community on the outskirts of Port Harcourt in reprisal for the murder of an army sergeant earlier that day.

Impunity from prosecution remains the biggest single obstacle to ending abuses such as these. President Olusegun Obasanjo's public acknowledgement in August 2005 that Nigerian police officers have committed murder and torture did not translate during 2006 into any significant effort to hold members of the security forces accountable for past or ongoing crimes, in which their involvement is alleged.

Child Labor and Child Trafficking

Child labor, such as exploitation of children as domestics and as laborers in quarries, as well as child trafficking within Nigeria and across borders, remained serious problems during 2006. In the last several years, hundreds of trafficked children from Nigeria as well as from Benin, Cameroon, Togo and other African countries have been rescued by Nigerian authorities. In July 2006 a multilateral accord against the trafficking of women and children was signed in Abuja by 26 West and Central African countries.

Violence and Poverty in the Niger Delta

The Niger Delta region is awash with arms, many of which are in the hands of criminal gangs and militant groups that claim to be fighting for greater local control of the region's oil wealth. Government security operations aimed at flushing out the militants resulted in numerous arbitrary arrests and other abuses.

Much of the insecurity that plagues the Delta is directly related to disastrous failures of governance at all levels. Despite massive budget increases due to rising oil prices, government at the federal, state, and local level has made little effort to combat the poverty and environmental degradation that lie at the heart of political discontent in the region. Far from seeking to defuse violence where it occurs, many regional political figures have been directly implicated in sponsoring it. The impunity attached to such violence is starkly illustrated by the case of the chairman of Etche local government in Rivers state, who has faced no formal sanction since allegedly shooting three of his constituents during a protest in 2006, killing one young man and seriously wounding another.

Human Rights Concerns in the Context of Sharia

Since 2000 Sharia (Islamic law) has been extended to give Sharia courts jurisdiction over criminal cases in 12 of Nigeria's 36 states. Sharia has provisions for sentences that amount to cruel, inhuman and degrading treatment, including death sentences, amputations and floggings. No executions or amputations have taken place since early 2002 and capital sentences have generally been thrown out on appeal, but Sharia courts continue to hand down death sentences.

Many trials in Sharia courts fail to conform to international standards and do not respect due process even as defined by Sharia legislation: defendants rarely have access to a lawyer, are not informed about their rights, and judges are often poorly trained. The manner in which Sharia is applied discriminates against women, particularly in adultery cases where standards of evidence differ based on the sex of the accused.

Freedom of Expression and Attacks on Civil Society

Nigerian civil society and the country's independent press are generally free to criticize the federal government and its policies, and a vibrant public debate exists around such issues. However, in 2006 security forces harassed and detained activists and journalists on several occasions for discussing issues of particular sensitivity. In July police in Abuja broke up a meeting of civil society groups convened to discuss the human rights record of the Obasanjo administration. As in other such cases, the police made use of the repressive Public Order Act, a widely denounced relic of military rule. In June two journalists were detained and charged with sedition in connection with a news report questioning the cost and age of a recently acquired presidential jet.

Many local media outlets enjoy considerably less freedom than their more prominent national counterparts. State-level newspapers and independent radio stations in many areas reported numerous incidents of harassment in 2006. Newspaper editors and journalists in Rivers state, for example, reported that staff have been repeatedly harassed by security forces and threatened with criminal prosecution in response to news items deemed overly critical of state government policies and actions.

In June the head of the federal government's National Human Rights Commission was summarily sacked in reprisal for his public criticism of various government actions, a move that threatens to destroy the legitimacy and value of the institution by muzzling it.

Key International Actors

President Obasanjo has enjoyed a generally positive image in the eyes of foreign governments. Nigeria has enhanced its regional and international significance through the leading role played by Obasanjo in various diplomatic initiatives including efforts to

broker peace in Darfur. This, combined with the country's economic significance as a major oil producer, perpetuates an unwillingness on the part of key governments— notably the United Kingdom and the United States—and intergovernmental organizations such as the African Union and the Commonwealth to exert meaningful pressure on Nigeria over its human rights record.

Multinational oil companies operating in the Niger Delta have become drawn into the region's conflicts in a way that has made the companies central parties to them. There are real constraints on the companies' ability to extricate themselves from this situation, but they have often failed to meet their basic responsibilities towards the communities around them. Companies have generally not responded effectively to human rights abuses committed by security forces assigned to protect their operations. They have also failed to curb environmentally harmful practices such as gas flaring, or to eliminate the occurrence of oil spills caused by aging and poorly maintained infrastructure.