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country summary

## Nigeria

Widespread government corruption, political and intercommunal violence, police torture and other abuses continue to deny ordinary Nigerians their basic human rights. During 2007 Nigerian government actors including the police, military, and elected officials committed serious and persistent abuses against Nigerian citizens with near-complete impunity. Hopes for improvement in the human rights situation were dashed when the April 2007 presidential and parliamentary elections were marred by fraud, violence, and intimidation so pervasive as to destroy all confidence in the results. The declared victors were Umaru Yar'Adua as president, and the ruling People's Democratic Party with a landslide parliamentary majority.

The violence and fraud surrounding elections reflected entrenched patterns of corruption and human rights abuse that have long pervaded Nigeria's political system. The country has earned well over US\$223 billion in oil revenues since the end of military rule in 1999, but millions of Nigerians still lack access to basic health and education services because so much of the money has been lost to corruption and mismanagement. A process of electoral reform embarked upon in 2007 shows signs of promise but cannot succeed unless underlying patterns of impunity and criminality in the political system are addressed.

### Rule of Law and Impunity

Politically powerful individuals and members of Nigeria's security forces who stand accused of serious human rights abuses and other crimes are seldom held to account. Numerous powerful ruling party politicians have been implicated in mobilizing armed gangs responsible for election-related violence and also in orchestrating the open rigging of the 2007 elections, but no investigation has been undertaken. Nor have federal authorities taken any action to ensure accountability for past atrocities such as the Nigerian military's complete destruction of the Bayelsa

state town of Odi in 1999 or its massacre of several hundred civilians in Benue state in 2001.

Nigeria's judiciary has won widespread respect for its increasing independence, ruling against the government in numerous politically-charged cases related to the elections. But all too often the federal government has impeded rather than supported those efforts. The judiciary itself is flawed, especially the criminal justice system: magistrates and judges routinely accept confessions extracted under torture and allow spells of extended pretrial detention that may last for months or even years.

Law enforcement agencies have also subverted the rule of law. Police openly and routinely torture criminal suspects and others, and have killed more than 8,000 Nigerians in the past eight years; the police carried out 785 largely unexplained killings of alleged "armed robbers" during the current inspector general's first 90 days in office in 2007. At the same time, police have refused to investigate prominent politicians implicated in political violence and other human rights abuses.

## **Intercommunal and Political Violence**

While large-scale massacres like those in Kaduna in 2002 and Yelwa in 2004 did not occur in 2007, intercommunal violence remained common. Since the end of military rule, more than 11,000 Nigerians have died in over 500 violent sectarian and political clashes. The underlying causes of this strife are varied and complex, since the ethnic, religious, and other tensions that provoke it often overlap with and exacerbate one another. Many government policies discriminate against individuals not deemed to be ethnic "indigenes" (descendants of the original inhabitants) of their communities and this has made issues of local citizenship increasingly contentious. Many Nigerians believe the government's failure to combat the nation's grinding poverty lies at the heart of many conflicts that appear to be ethnic or religious in nature, as competition for scarce economic resources becomes increasingly desperate.

Security forces have generally failed to prevent or suppress political violence, most notably before and during the April elections, a period that witnessed well over 100 incidents of election-related violence that left some 300 people dead. When voters

were driven away from polling areas by gangs of thugs employed by politicians, the police very often turned a blind eye.

## **Conflict and Poverty in the Niger Delta**

Nigeria's oil-rich Niger Delta has become increasingly militarized and insecure. Scores of civilians were murdered by armed gangs and security forces in 2007, and the violence further impeded the impoverished region's development. Numerous armed groups have risen to prominence in the Delta. Many of these groups claim to be fighting for greater local control of the region's oil wealth, while simultaneously engaging in various forms of violent criminal activity including the kidnapping for ransom of more than 200 expatriate oil workers and a handful of locally prominent Nigerians.

Much of the insecurity that plagues the Delta is directly related to failures of governance at all levels. Despite massive budget increases due to rising oil prices, federal, state, and local governments have made no effective effort to address the grinding poverty and environmental degradation that lies at the heart of political discontent in the region. Instead, many regional political figures have been directly implicated in sponsoring and arming militia groups that have carried out violent abuses.

After the April elections, fighting between armed gangs linked to prominent Rivers state politicians engulfed the state capital Port Harcourt, claiming dozens of civilian lives. A military intervention in August resulted in more civilian deaths. Politicians whose gangs rigged the elections in 2003 and 2007, laying the foundation for the crisis, have not been held to account.

## **Human Rights Concerns in the Context of Sharia**

Since 2000, Sharia (Islamic law) courts have had 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. Although capital sentences have been thrown out on appeal or simply not carried out, 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. State governments in northern Nigeria have continued to enforce oppressive Sharia laws targeting gay and lesbian Nigerians. In August, 18 men were arrested under suspicion of participating in a “gay wedding” ceremony in Bauchi state. The federal government has abandoned its obligation to combat such discriminatory laws, and backed repressive anti-gay legislation of its own in early 2007, though this has not been passed.

### **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, many local media outlets enjoy considerably less freedom than their national counterparts, and some have been subjected to intimidation or harassment by state and local authorities. In June 2007 authorities in the Federal Capital Territory demolished the new offices of Africa Independent Television (AIT), a move that was widely seen as a reprisal for AIT’s critical coverage of the 2007 elections and of former President Olusegun Obasanjo’s failed bid to secure a third term in office. In March prominent human rights campaigner Anyakwee Nsirmovu, director of the Institute for Human Rights and Humanitarian Law in Port Harcourt, received death threats and was attacked by a gang of armed men. The assault and threats were likely a reprisal for his outspoken criticism of corrupt state and local government officials in Rivers state.

### **Key International Actors**

Because of Nigeria’s political significance and its status as a major oil producer, key governments—notably the United Kingdom and the United States—and organizations such as the African Union and the Commonwealth have been unwilling to exert meaningful pressure on Nigeria over its human rights record. Observer

missions fielded by the European Union and various US-backed organizations issued reports that were highly critical at the conduct of the April 2007 polls. But beyond this, none of Nigeria's foreign partners has strongly condemned the ongoing patterns of corruption and abuse put on display then. Nor have international partners demanded meaningful human rights improvements from the new government.

Multinational oil companies operating in the Niger Delta have been central, if often unwilling participants in the region's conflicts and dysfunctional political dynamics. The companies have largely failed to meet their basic responsibilities toward the communities impacted by their operations. They have done little to prevent human rights abuses committed by security forces assigned to protect their operations, and have not done enough to curb environmentally harmful gas flares and oil spills caused by ageing and poorly-maintained infrastructure.