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World Report 2012 - Nigeria

Events of 2011

Deeply entrenched human rights problems, as well as the growing threat posed by a militant Islamist group, underscored the pressing need for President Goodluck Jonathan to strengthen and reform the institutions that ensure security and the rule of law. National elections in April were heralded by many as Nigeria's fairest. Still, campaign violence, allegations of vote rigging, and inflation of results – particularly in the rural areas of southeastern Nigeria, President Jonathan's stronghold – marred the elections.

Episodes of intercommunal violence continued to claim hundreds of lives, including ongoing violence in Plateau State, and post-presidential election riots and sectarian killings in northern Nigeria that left more than 800 dead. Meanwhile abuses by government security forces and the ruling elite's mismanagement and embezzlement of the country's vast oil wealth continued largely unabated. Endemic corruption, poverty, poor governance, and unchecked police abuses have created an environment where militant groups thrive and find ready recruits in the vast cadre of Nigeria's unemployed youth.

A series of bombings and numerous targeted killings by the Boko Haram militant Islamist group in northern Nigeria had at this writing left more than 425 people dead in 2011, raising concern about the government's use of heavy-handed tactics in responding to the problem. Suspected members of the group carried out dozens of attacks in the northern city of Maiduguri, gunning down police officers, politicians, traditional leaders, and opposing clerics. The group also claimed responsibility for the November bombings in the town of Damaturu, Yobe State, that left at least 100 people dead, and a suicide bomb attack in August on the United Nations building in Abuja that killed 24 people and injured more than 100 others.

The administration took some steps to improve government transparency. In May the National Assembly passed, and President Jonathan signed into law, the Freedom of Information Act, which guarantees the public the right to access public records. Free speech and the independent press remained robust. Nigeria's judiciary continued to

exercise a degree of independence but was dogged by public allegations of corruption. Meanwhile, many of the corruption cases against senior political figures remained stalled in the courts. Foreign partners took some important steps to confront endemic corruption in Nigeria, but appeared reluctant to exert meaningful pressure on the government over its human rights record.

Intercommunal and Political Violence

Intercommunal, political, and sectarian violence has claimed more than 16,000 lives since the end of military rule in 1999. Protests by opposition supporters in 12 northern states following the April 16 presidential election degenerated into three days of violent riots and sectarian killings between Christians and Muslims that left hundreds dead, including at least 680 in Kaduna State.

Episodes of intercommunal violence continued in Plateau State, in central Nigeria. At this writing more than 350 people had died in 45 separate incidents in 2011. Victims, including children, were hacked to death, shot, burned alive, and dragged off buses and killed, in many cases simply based on their ethnic or religious identity. Intercommunal clashes in 2011 in Bauchi, Benue, Nassarawa, Niger, and Taraba states left more than 120 dead and hundreds more displaced.

State and local government policies that discriminate against "non-indigenes" – people who cannot trace their ancestry to what are said to be the original inhabitants of an area – continue to exacerbate intercommunal tensions and perpetuate ethnic-based divisions. Federal and state authorities failed to break the cycle of violence by holding the perpetrators of these crimes accountable.

Conduct of Security Forces

As in previous years, the undisciplined Nigeria Police Force was implicated in frequent human rights violations, including extrajudicial killings, torture, arbitrary arrests, and extortion-related abuses. The police routinely solicit bribes from victims to investigate crimes and from suspects to drop investigations. Embezzlement of police funds is rife among senior police officials who also often demand monetary "returns" from money extorted from the public by their subordinates. Meanwhile, soldiers were implicated in several attacks on villages in Plateau State in August and September, and in extrajudicial killings in response to Boko Haram attacks in Maiduguri.

In July the attorney general's office filed criminal charges against five police officers, including three assistant commissioners of police, for the 2009 extrajudicial killing of the Boko Haram leader Mohammed Yusuf and his followers. But the authorities have still not prosecuted members of the police and military for the unlawful killing of more than 130 people during the November 2008 sectarian violence in Plateau State, the soldiers who massacred more than 200 people in Benue State in 2001, or the members of the military involved in the complete destruction of the town of Odi, Bayelsa State, in 1999.

Government Corruption

Nigeria made only limited progress with its anti-corruption campaign in 2011. The Economic and Financial Crimes Commission (EFCC) at this writing had arraigned 35 nationally prominent political figures on corruption charges since 2003, including in 2011 a former federal minister, four former state governors, and a former speaker and deputy speaker of the House of Representatives.

But executive interference with the EFCC, a weak and overburdened judiciary, and the agency's own failings have undermined the effectiveness of its work. At this writing the commission had only secured four convictions of senior political figures, and they faced relatively little or no prison time. The EFCC has failed to prosecute other senior politicians widely implicated in corruption, and the political elite continues to squander and siphon off the country's tremendous oil wealth, leaving poverty, malnutrition, and

mortality rates among the world's highest.

Violence and Poverty in the Oil-Producing Niger Delta

The 2009 amnesty – which saw a few thousand people, including top militant commanders, surrendering weapons in exchange for cash payments – has reduced attacks on oil facilities, but kidnappings, mostly of family members of wealthy Nigerians, continued in the Niger Delta and southeastern Nigeria. The government made little effort to address the environmental damage from oil pollution, state and local government corruption, and political sponsorship of armed groups, which drive and underlie violence and poverty in the oil-rich region.

Decades of oil spills – from multinational oil company operations, sabotage of pipelines, and bunkering (theft) of crude oil – and widespread gas flaring have left the Niger Delta heavily polluted. A UN report in August found that oil pollution in the Ogoniland region of Rivers State may require the world's largest clean up ever, at an initial cost of US\$1 billion, and take up to 30 years. The UN team found that oil contamination had migrated into the groundwater in at least eight spill sites that Shell – the largest oil company in Nigeria – had claimed they had remediated.

Human Rights Concerns in the Context of Sharia

State governments in 12 northern states apply Sharia law as part of their criminal justice systems, which include sentences – such as the death penalty, amputations, and floggings – that amount to cruel, inhuman, and degrading punishment. In September a court in Zamfara State sentenced two men to amputation of their right hands. At this writing the case was under appeal. Serious due process concerns also exist in these proceedings, and evidentiary standards in the Sharia codes applied in these states discriminate against women, particularly in adultery cases.

Sexual Orientation and Gender Identity

Nigeria's federal criminal code punishes consensual homosexual conduct with up to 14 years in prison. In states applying Sharia, consensual homosexual conduct among men is punishable by death (stoning), and by flogging and six months in prison in the case of women. Federal legislation that would criminalize anyone who enters into or assists a "same gender" marriage was introduced in the Senate in July. Similar legislation has been introduced in the National Assembly at least twice before and stalled amid opposition from domestic and international human rights activists.

Health and Human Rights

Widespread lead poisoning from artisan gold mining in Zamfara State has killed at least 500 children since 2010. At this writing 1,500 children were being treated for lead poisoning, but hundreds of other affected children had not received any medical care. The government has also failed to adequately clean up the environment and regulate ongoing mining practices.

Freedom of Expression and Media

Civil society and the independent press openly criticize the government and its policies, allowing for robust public debate. Yet journalists are still subject to arrest and intimidation when reporting on issues implicating Nigeria's political and economic elite. The police arrested six journalists from the *Nation* newspaper in October after they published a purported letter from former President Olusegun Obasanjo. In October Zakariyya Isa, a journalist with the state National Television Authority, was gunned down in Maiduguri. Boko Haram claimed responsibility for the killing.

Key International Actors

Because of Nigeria's role as a regional power, Africa's leading oil exporter, and a major contributor of troops to UN peacekeeping missions, foreign governments – including the United States and the United Kingdom – have generally been reluctant to publicly criticize Nigeria over its poor human rights record.

US government officials did speak out forcefully against the country's endemic government corruption, but they were less willing to condemn the serious abuses committed by Nigeria's security forces. The UK government continued to play a leading role in international efforts to combat money laundering by corrupt Nigerian officials, demonstrated by the April extradition from Dubai of powerful former Delta State governor James Ibori. However, the UK increased funding to £180 million (\$280 million) in aid to Nigeria in 2011, including security sector assistance, without demanding accountability for government officials or members of the security forces implicated in corruption or serious human rights abuses.

During the UN secretary-general's visit to Nigeria in May he expressed concern about intercommunal violence, but failed to put meaningful pressure on the Nigerian government to allow a mission to Plateau State by his special adviser on the prevention of genocide, after the government failed to approve the visit.

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