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Freedom in the World 2010 - Nigeria

Capital: Abuja

Population: 152,616,000

Political Rights Score: 5 *

Civil Liberties Score: 4 *

Status: Partly Free

Trend Arrow ↓

Nigeria received a downward trend arrow due to the ruling party's consolidation of power and clashes between the government and a religious sect that led to the deaths of several hundred people.

Overview

The ruling People's Democratic Party continued to consolidate power in 2009, with alleged partisan interference ensuring its victory in the April rerun of a 2007 gubernatorial election. In July, more than 700 people were killed in clashes between police and members of an Islamic fundamentalist sect. Separately, a government amnesty offer in August led to an apparent reduction in rebel violence in the Niger Delta region, though the situation remained volatile at year's end.

The military ruled Nigeria for much of its history after independence from Britain in 1960. Beginning with the first military coup in 1966, military officers claimed that their intervention was necessary to control simmering tensions among the country's 250 ethnic groups, as well as between religious communities. Muslims, who live mostly in the north, make up about 50 percent of the population, while Christians, who dominate in the south, account for most of the remaining 50 percent. Ethnic and regional tensions led to the attempted secession of Nigeria's oil-rich southeast as the Republic of Biafra in 1967, which touched off a three-year civil war and a devastating famine that together caused more than one million deaths.

A military-supervised political transition led to the inauguration of a civilian government in 1979, but the new democratic regime was burdened by factionalism, corruption, and communal polarization. Economic mismanagement and deeply flawed elections triggered another military intervention in 1983, followed by 16 more years of military rule.

After several years under the leadership of General Ibrahim Babangida, the country held a presidential election in June 1993. Moshood Abiola, a Muslim Yoruba from the south,

was widely considered the winner, but Babangida annulled the election. A civilian caretaker administration governed briefly until General Sani Abacha, a principal architect of previous coups, took power in November 1993. Abacha's dictatorial regime dissolved all democratic structures and banned political parties, governing through a predominantly military Provisional Ruling Council (PRC). Abiola was jailed in 1994 and ultimately died in detention, just weeks after the unexpected demise of Abacha in 1998.

General Abdulsalami Abubakar emerged as the new military leader and presided over a transition to civilian rule. In 1999, Olusegun Obasanjo – a former general who had led a military regime from 1976 to 1979 and spent a number of years in prison under Abacha – won a presidential election on the ticket of the People's Democratic Party (PDP), which also captured the most seats in both the Senate and the House of Representatives.

Nigeria made its first transition from one elected government to another when Obasanjo won a second term in April 2003. The elections were preceded by violence, and observers documented widespread irregularities and fraud. Obasanjo, a southern Christian, took 62 percent of the vote. His main competitor was former general Muhammadu Buhari, a northern Muslim and member of the All Nigeria Peoples Party (ANPP), who won 32 percent. Buhari filed a petition to nullify the election results, but the Supreme Court in 2005 unanimously rejected the challenge, saying the documented fraud was not enough to have changed the vote's outcome.

Preparations in 2006 for the 2007 presidential, gubernatorial, and legislative elections were tumultuous and occasionally violent. Vice President Atiku Abubakar announced his intention to run for president, but his candidacy was threatened by corruption charges that he claimed were politically motivated. The opposition Action Congress (AC) party nominated him as its presidential candidate in December, and the Supreme Court cleared him to run just five days before the election. Umaru Yar'Adua, the Muslim governor of northern Katsina State who was widely perceived as Obasanjo's pick, won the PDP nomination, while the ANPP again chose Buhari as its candidate.

The April 2007 elections were marred by bloodshed and eyewitness reports of massive vote-rigging and fraud. At least 200 people were killed in election-related violence, with victims including police and several candidates. International and local election monitors were highly critical of the vote, and opposition parties refused to accept the results, which gave Yar'Adua 70 percent of the presidential ballots, Buhari 19 percent, Abubakar 8 percent, and the Progressive People's Alliance candidate, Orji Uzor Kalu, 2 percent.

In the parliamentary vote, the PDP took 87 out of 109 Senate seats and 263 out of 360 House seats. The ANPP took 14 Senate seats and 63 House seats, while the AC took 6 Senate seats and 30 House seats; the remainder went to three smaller parties. The PDP also led the state elections, taking 29 out of 36 governorships.

The official results drew a raft of legal challenges that were adjudicated by election officials as well as the court system, with many appeals stretching well into 2008. In December 2008, the Supreme Court delivered its final ruling on the presidential contest, repudiating the opposition complaints and upholding Yar'Adua's victory. Separately, in a rare instance of an opposition candidate unseating a PDP rival through the appeals system, an appeals court in November overturned the election of the Edo State governor based on "voting irregularities," declaring the AC candidate the rightful governor. A February 2009 ruling annulled the gubernatorial victory of the PDP's Segun Oni in Ekiti State, calling for a rerun of the 2007 vote. However, political violence and misconduct attributed to PDP operatives accompanied the April 2009 runoff between Oni and the AC's Kayode Fayemi, and official results confirmed Oni as the winner.

In November, Yar'Adua left the country to seek medical treatment in Saudi Arabia, and he had not returned at year's end. Little information on his condition was released, and critics began calling for him to resign or temporarily hand power to the vice president.

Nigeria's economy is dominated by oil, which accounts for 95 percent of export revenues

and almost all foreign investment. However, it is estimated that nearly \$400 billion in oil revenue has been stolen or squandered since Nigeria's independence in 1960. Wealth and political power are concentrated in the hands of a narrow elite, and much of the regular violence in the oil-rich yet impoverished Niger Delta region stems from unequal distribution of oil revenue.

Political Rights and Civil Liberties

Nigeria is not an electoral democracy. According to the constitution, the president is elected by popular vote for no more than two four-year terms. Members of the bicameral National Assembly, consisting of the 109-seat Senate and the 360-seat House of Representatives, are elected for four-year terms. The Brussels-based International Crisis Group found that the general elections of April 2007, "in the view of Nigerians and the many international observers alike, were the most poorly organized and massively rigged in the country's history." Civil society organizations reported numerous, widespread incidents of political harassment and violence surrounding the elections in six Niger Delta states, with the majority committed by PDP supporters or criminal gangs acting on behalf of PDP politicians.

Nearly 50 parties participated in the 2007 elections. The three major political parties are the ruling PDP; the ANPP, which is the largest opposition party and draws its strongest support from the Muslim north; and the AC, an opposition party formed from smaller groups ahead of the 2007 elections. Three other parties are represented in the federal legislature: the Progressive People's Alliance, the Labour Party, and the Accord Party. Although political parties represent a wide array of policy positions and openly engage in debate, they continue to be marginalized by the PDP. Many opposition parties have argued that the Independent National Electoral Commission is effectively an extension of the PDP.

Corruption remains pervasive despite government efforts to improve transparency and reduce graft. In a watershed case, former PDP deputy chairman Olabode George was sentenced in October 2009 to over two years in prison for graft dating to his tenure as head of the Port Authority. Also in 2009, U.S. oil-services firm Halliburton admitted distributing over \$180 million in kickbacks to Nigerian officials to secure more than \$6 billion in contracts. Seven former governors were charged with corruption in 2007 on orders from the Economic and Financial Crimes Commission (EFCC), the country's main anticorruption agency, but EFCC chairman Nuhu Ribadu was removed from his post in 2008 and fled the country following attempts on his life. The commission's current chairwoman, Farida Waziri, often faces politically motivated meddling in EFCC cases. Nigeria was ranked 130 out of 180 countries surveyed in Transparency International's 2009 Corruption Perceptions Index.

Freedom of speech and expression is constitutionally guaranteed, and Nigeria has a lively independent media sector. However, State Security Service (SSS) agents arrest journalists, confiscate newspapers, and harass vendors, notably when journalists are covering corruption or separatist and communal violence. Local authorities frequently condemn those who criticize them, and as cases of violence against journalists often go unsolved, suspicion surrounds the motives and perpetrators. A reporter and editorial board member with the newspaper *ThisDay*, Paul Abayomi Ogundeji, was killed in August 2008, making him the second *ThisDay* board member to be murdered in as many years. An assistant news editor for the *Guardian*, Bayo Olu, was shot and killed in September 2009. Sharia (Islamic law) statutes in 12 northern states impose severe penalties for alleged press offenses. The government does not restrict internet access.

Religious freedom is guaranteed by the constitution, but many Nigerians, including government officials, discriminate against adherents of other religions. Religious violence frequently reflects regional and ethnic differences and accompanying competition for resources. At least 700 people were killed in July 2009 during clashes between police and an Islamic fundamentalist group in the city of Maiduguri; related violence was reported in neighboring states. The U.S. Commission on International Religious Freedom added Nigeria to its list of "countries of particular concern" in 2009,

alleging government complicity and direct involvement in the deaths.

Academic freedom is generally honored, although government officials frequently pressure university administrators and faculty to ensure special treatment for their relatives and associates. Nigeria's public education system remains dismal; more than a third of the population is illiterate, and less than 60 percent of school-aged children are enrolled.

Freedoms of assembly and association are generally respected in practice. However, protests are often suppressed by state and private security forces, especially demonstrations organized by youth groups or in the Niger Delta. Human rights groups report that dozens of secessionist activists have been killed in recent years and hundreds have been detained. Workers, except those in the military or "essential services," may join trade unions and have the right to bargain collectively. Public health workers strike frequently, and in 2009 Nigeria's largest labor union collective, the Nigeria Labour Congress, held several large demonstrations regarding workers' pay, deregulation in the petroleum sector, and election reforms. Also during the year, several months of strikes by faculty and staff unions crippled the university system.

The higher courts are relatively competent and independent, but they remain subject to political influence, corruption, and inefficiencies. Certain departments, particularly the Court of Appeals, have often overturned decisions on election challenges or allegations of corruption against powerful elites, raising doubts about their independence. Former PDP Delta State governor James Ibori, a leading financier of President Umaru Yar'Adua's 2007 campaign, was indicted that year on over 140 counts of corruption, but his case continues to be postponed in the courts. British police, in collaboration with the EFCC, have requested the extradition of both Ibori and former Akwa Ibom State governor Victor Attah for trial on money laundering charges in Britain. However, in September 2009, Nigeria's Attorney General Michael Aondoakaa blocked the request.

Ordinary defendants in Nigerian courts frequently lack legal representation and are often ill-informed about court procedures and their rights. Human rights groups have alleged that Islamic courts in the 12 northern states with Sharia statutes fail to respect due process rights and discriminate against non-Muslims. Pretrial detainees, many of whom are held for several years, account for 65 percent of the country's inmates, and fewer than one in seven detainees has had access to a court-appointed lawyer. Amnesty International describes prison conditions in Nigeria as "appalling," and a 2008 report by the group found extensive human rights abuses in the prison system. Children are often held in prisons with adult populations.

Security forces commit abuses with impunity. In 2007, a UN special rapporteur found frequent extrajudicial killings by police and widespread torture and ill-treatment of suspects in police custody. Amnesty International reported 39 cases of extrajudicial killings by security forces between 2007 and 2009. Violent crime in certain cities and areas remains a serious problem, and the trafficking of drugs and small arms is reportedly on the rise.

The constitution prohibits ethnic discrimination and requires government offices to reflect the country's ethnic diversity, but societal discrimination is widely practiced, and ethnic clashes frequently erupt. Minorities in the Niger Delta feel particular discrimination, primarily with regard to distribution of the country's oil wealth, and their grievances have fueled rebel violence. The government launched an amnesty program in August 2009, and some militant factions reportedly accepted the offer. However, by year's end the main rebel group, the Movement for the Emancipation of the Niger Delta (MEND), was threatening to cancel its tenuous ceasefire. Kidnappings, especially of oil workers, continued throughout the year.

The authorities often engage in forcible evictions to pave the way for development projects. Amnesty International estimated that between 2000 and 2009, more than two million Nigerians had been evicted.

Nigerian women face societal discrimination, although their educational opportunities have improved and several key governmental positions are held by women. Women in some ethnic groups are denied equal rights to inherit property, and spousal rape is not considered a crime. While the federal government publicly opposes female genital mutilation, it has taken no action to ban the practice. Women's rights have suffered serious setbacks in the northern states governed under Sharia statutes. Human trafficking to, from, and within the country for purposes of labor and prostitution is reported to be on the rise. The government in 2004 outlawed human trafficking and set up an agency to deal with offenders, but existing provisions are insufficient. According to UNICEF, there are 15 million child laborers in Nigeria, with 40 percent of them at risk of being trafficked. Several organizations have reported on an illegal trade in which pregnant teenagers are promised abortions, only to be held until their babies are delivered and sold for an average price of about \$2,400.

**Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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