

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	158
Land:	Nigeria
Kilde:	Freedom House
Titel:	Freedom in the World 2007
Udgivet:	1. juni 2007
Optaget på baggrundsmaterialet:	16. september 2008



Freedom in the World - ↓ Nigeria (2008)

Capital:
Abuja

Population:
144,400,000

Political Rights Score: 4
Civil Liberties Score: 4
Status: Partly Free

Trend Arrow

Nigeria received a downward trend arrow due to national elections that international and domestic observers judged to be extremely flawed.

Overview

Hopes that Nigeria's first transition between elected civilian leaders would enhance the country's nascent democracy were dashed in 2007 when presidential, state, and legislative elections were marred by massive fraud, vote rigging, and violence. Umaru Yar'Adua, a northerner and Muslim who was seen as the personal choice of outgoing president Olusegun Obasanjo, won with 70 percent of the official tally. He adopted a conciliatory stance toward his defeated opponents and made conflict resolution in the volatile, oil-rich Niger Delta region a focus of his domestic policy.

The military has ruled Nigeria for much of its history since independence from Britain in 1960. Beginning with the first military coup in 1966, generals and their backers argued that they were the only ones who could keep a lid on simmering tensions among the country's 250 ethnic groups, as well as between religious communities; the north is largely Muslim, while the south is mainly Christian. 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 bloody three-year civil war and devastating famine.

Nigeria appeared to be emerging from several years of military rule under General Ibrahim Babangida in 1993, when a presidential election was held. Moshood Abiola, a Muslim Yoruba from the south, was widely considered the winner, but the military annulled the results. A puppet civilian administration governed briefly until General Sani Abacha, a principal architect of previous coups, took power in November 1993. Abacha dissolved all democratic structures and banned political parties, governing through a predominantly military Provisional Ruling Council (PRC). Abiola was arrested in June 1994 after declaring himself Nigeria's rightful president. He died in detention, having suffered from a lack of proper medical care, just five weeks after Abacha himself died suddenly in June 1998.

The departure of the two most significant figures on Nigeria's political landscape opened possibilities for democratic change. General Abdulsalami Abubakar, the army chief of staff, emerged as the PRC's consensus choice to be the country's next leader, and he promised to oversee a transition to civilian rule in 1999. Olusegun Obasanjo—a former general who had led a military regime from 1976 to 1979 and spent three years in prison under Abacha—won the February 1999

presidential poll on the ticket of the People's Democratic Party (PDP). The PDP also won the most seats in both the Senate and the House of Representatives in legislative elections.

Nigeria made its first transition from one elected government to another when Obasanjo won a second term in April 2003 elections. The elections were preceded by violence, and widespread irregularities and fraud were documented by observers. Obasanjo faced 19 opposition candidates, but the race was ultimately between the southern, Christian Obasanjo and former general Muhammadu Buhari, a northern Muslim and member of the All Nigeria Peoples Party (ANPP). Obasanjo won with 62 percent of the vote, compared with 32 percent for Buhari, who filed a petition on behalf of some 20 opposition parties to nullify the election results. The Supreme Court in 2005 unanimously rejected the challenge, saying the fraud discovered was not enough to have changed the poll results.

The ruling PDP also dominated the 2003 legislative elections, winning 76 of 109 Senate seats and 223 of 360 House seats. The ANPP captured 27 seats in the Senate and 96 in the House, while the Alliance for Democracy won 6 Senate seats and 34 House seats. Smaller parties secured the remainder.

Obasanjo sponsored a political reform conference in 2005, which made little headway on key national questions. About 400 delegates met for five months and failed to agree on fundamental issues such as how to divide the country's oil wealth and how to effectively deal with religious and ethnic tensions. Calls for the extension of presidential term limits also met with opposition.

Preparations for presidential, gubernatorial, and legislative elections scheduled for April 2007 were tumultuous and occasionally violent. In May 2006, the legislature defeated a proposed constitutional amendment that would have allowed Obasanjo to run for a third term. Vice President Atiku Abubakar, who had publicly opposed the amendment, announced his intentions to run for president, but his candidacy was threatened by a corruption indictment that he claimed was politically motivated. The opposition Action Congress (AC) party nominated him as its presidential candidate in December 2006, and the Supreme Court cleared him to run five days before the election. Umaru Yar'Adua, the Muslim governor of northern Katsina State who was widely perceived as Obasanjo's pick, overcame 21 opponents to win the PDP nomination, while the ANPP again chose Buhari as its candidate.

The PDP swept state elections held on April 14, 2007, amid eyewitness reports of massive vote rigging and fraud, winning 28 out of 36 governorships. Presidential and legislative elections on April 21 were marred by chaos in voting centers, deadly violence in the Niger Delta region, and an attempted truck bombing aimed at the electoral commission headquarters. At least 200 people were killed in election-related violence during the two polls, with victims including police and several candidates. International and local election monitors were scathingly critical of the vote, and opposition parties refused to accept the results, which gave Yar'Adua 70 percent of the presidential ballots, Buhari 18.7 percent, Abubakar 7.5 percent, and the Progressive People's Alliance candidate, Orji Uzor Kalu, 1.7 percent. The head of a European Union delegation said the elections fell "far short" of international standards of credibility.

The PDP swept the legislative vote, taking 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 remaining seats went to three smaller parties, the Progressive People's Alliance (one seat in the Senate, three in the House), the Accord Party (one Senate seat), and the Labour Party (one House seat). However, several of these seats were overturned by the courts in the months following the elections. In October 2007 the Speaker of the House of Representatives, Patricia Etteh, resigned over allegations of corruption, after intense legislative and public pressure.

Election tribunals were set up across the country to hear challenges to the poll results, with both Abubakar and Buhari challenging Yar'Adua's victory. The new president was conciliatory following his inauguration in May, inviting opposition leaders to join a government of national unity and making peace in the Niger Delta a cornerstone of his domestic policy. (Yar'Adua's vice president, Goodluck Jonathan, is a former governor of Bayelsa State, in the Niger Delta.) The ANPP eventually acceded, receiving two cabinet positions, while the AC split over participation. An Abuja court released Mujahid Dokubo-Asari, leader of the rebel Niger Delta People's Volunteer Force (NDPVF), on health grounds in June, after 18 months of detention, in a move seen as supporting Yar'Adua's agenda for peace talks with Niger Delta militant groups. Asari engaged in talks with the government, but violence and kidnappings continued in the Delta during the year, and militant leaders questioned Yar'Adua's commitment to addressing their demands for self-determination and control over resources.

Nigeria's economy is dominated by oil, which accounts for more than 98 percent of export revenues and almost all foreign investment. Wealth is highly concentrated, and political control is held by a narrow elite. The majority of Nigerians are engaged in small-scale agriculture and other informal activities, and lack access to political power.

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. During the April 2007 presidential election, Human Rights Watch reported that voting "was marred by the late opening of polls, a severe shortage of ballot papers, the widespread intimidation of voters, the seizure of ballot boxes by gangs of thugs, vote buying and other irregularities." The Brussels-based International Crisis Group found that the gubernatorial, presidential, and legislative elections of 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." Observers said fraud and intimidation were particularly prevalent in the southeast and in the Niger Delta.

More than 35 parties participated in the 2007 elections. The three major political parties are the ruling PDP, which supports a neoliberal economic program; the conservative ANPP, which is the largest opposition party and draws its strongest support from Nigeria's Muslim northern region; the AC, an opposition party formed in the lead-up to the 2007 elections via the merger of several smaller groups. Three smaller parties are represented in the federal legislature: the Progressive People's Alliance, the Labour Party, and the Accord Party. Political parties represent a wide array of policy positions, and openly engaged in debate and electoral campaigning in the lead-up to presidential and legislative elections in 2007.

Corruption remains a serious problem, having bled Nigeria of many billions of dollars in oil revenue. The government has taken steps to improve transparency and reduce corruption, including the reform of procedures for contract procurements and bidding. In September 2006, a top official announced that authorities had convicted more than 1,000 people of economic crimes and recovered around \$5 billion over the past two years. Seven former governors were charged with corruption in 2007 on orders from the Economic and Financial Crimes Commission. Nigeria was ranked 147 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

Freedom of speech and expression is constitutionally guaranteed and generally respected in practice. More than 200 private radio and television stations broadcast throughout the country, and scores of print publications operate largely unhindered. However, criminal prosecution continues to be used against journalists covering sensitive issues such as official corruption, separatist movements, and communal violence, and local authorities occasionally target journalists who criticize them. In addition, Sharia (Islamic law) statutes in 12 northern states impose severe penalties for alleged press offenses. The New York-based Committee to Protect Journalists has documented a pattern of media repression by the State Security Service (SSS), which answers directly to the president. SSS agents have on occasion arrested journalists, confiscated newspapers, and harassed news vendors. Security forces also have impeded journalistic coverage of the restive Niger Delta region; in October 2007, two German journalists, an American activist, and a Nigerian man were arrested in the Delta and accused of threatening national security after they took photographs and video footage of oil facilities. All charges against them were later dropped. The government does not restrict internet access, and academic freedom is guaranteed and honored in practice.

Religious freedom is guaranteed by the constitution, but many Nigerians, including government officials, discriminate against adherents of religions other than their own. Religious violence, frequently reflecting regional and ethnic differences and accompanying competition for resources, is common. In April 2007, security forces in northern Nigeria killed at least 25 suspected Islamic militants after a deadly attack on a police station, according to the military. Also in 2007, sectarian fighting between Shiite and Sunni Muslims in northern Sokoto State occurred after a prominent Sunni cleric was assassinated.

Freedoms of assembly and association are generally respected in practice. However, Amnesty International reported in 2005 that repression of protests remained a routine tactic of Nigerian security forces in the Niger Delta, and that communities protesting in the region often suffered collective punishment. In 2006, security forces clashed with demonstrators in southeastern Anambra State who supported the banned separatist Movement for the Actualization of the Sovereign State of Biafra (MASSOB). The organization claims that ethnic Igbos suffer discrimination by the government and seeks a separate Igbo state in the southeast. Human rights groups report that dozens of pro-Biafran activists have been killed in the past seven years and hundreds have been detained.

With the exception of members of the armed forces and those employed in essential services, workers may join trade unions and have the right to bargain collectively. About 10 percent of the workforce is unionized. Legislation passed in 2005 eliminated rules requiring a single labor federation for workers, but

mandated that all trade union federations be registered with the government, the U.S. State Department reported. A minimum of 50 workers per enterprise is required to form a trade union. The new law allowed existing recognized unions and federations to retain their status. A 2005 report by the International Confederation of Free Trade Unions noted that "serious restrictions exist in Nigeria with regard to freedom of association, collective bargaining and the right to strike." In June 2007, a three-day general strike called by two umbrella unions was held to protest increases in fuel prices and value-added tax, the controversial sale of two oil refineries by outgoing president Olusegun Obasanjo in the last days of his administration, and other economic policies. The sale of the two refineries was later revoked, and in November 2007, the government agreed to review all privatization deals made under Obasanjo, in a victory for unions and civil society groups.

There is considerable competence and independence among Nigeria's higher courts. The judiciary, however, is often subject to political influence and is hampered by corruption and inefficiency, especially at lower levels. Defendants do not always have legal representation and are often ill-informed about procedures and their rights. Lengthy pretrial detention remains a problem. In the 12 northern states where Sharia is in effect, human rights groups say Islamic courts fail to respect due process rights, which leads to harsh and discriminatory sentences. Nigeria's prisons are overcrowded, unhealthy, and life threatening.

Nigeria continues to suffer from abuses by security forces and a climate of impunity. In 2005, Human Rights Watch said police still routinely torture detainees. A UN Special Rapporteur on extrajudicial, summary, or arbitrary executions said in 2005 that Nigerian police use armed robbery as a blanket charge to jail people when they refuse to pay bribes and to justify the unlawful killing of civilians. In November 2007, Human Rights Watch pointed out that police "killed half as many 'armed robbery suspects' as they managed to arrest" during a three-month period. In December 2007, Amnesty International reported that "secret executions" had taken place in Nigeria's prisons despite assurances that Nigeria had not executed anyone in years.

The constitution requires government offices to reflect the country's ethnic diversity. The Hausa-Fulani from northern Nigeria generally dominated the military and government from independence until Obasanjo was elected in 1999. Although the constitution prohibits ethnic discrimination, societal discrimination is widely practiced, and clashes frequently erupt among the country's many ethnic groups. A national census was completed in March 2006, for the first time since 1991. However, in a bid to prevent ethnic unrest, it did not contain questions on religion or tribe. The census results, which are supposed to determine the regional distribution of public revenues, showed that the northern state of Kano was the country's most populous, and that the north as a whole accounted for over half of Nigeria's population. The results were denounced by southerners, who believe the north has for many years maintained an inaccurate population majority in the census.

Ethnic minorities in the Niger Delta feel particularly discriminated against, primarily with regard to distribution of the country's oil wealth. Several militia groups, some based on ethnicity, operate in the Delta region and frequently target oil workers for kidnapping and extortion. Militants loyal to Niger Delta militia leader Mujahid Dokubo-Asari claim to be fighting for political autonomy and a bigger slice of oil

revenues for the Ijaw ethnic group, the largest in the Delta region. Clashes between the Ijaws and their rivals, the Itsekiris, have claimed hundreds of lives. The Associated Press reported in 2007 that kidnappings in the Delta were fueled by ransom payments, of which government officials were said to receive a cut.

Nigerian women face societal discrimination, although educational opportunities have eroded a number of barriers over the years. In some ethnic groups, women are denied equal rights to inherit property, and marital rape is not considered a crime. According to a 1997 World Health Organization study, many Nigerian women are subjected to female genital mutilation (FGM), though the precise incidence is unknown. Although the federal government publicly opposes FGM, it has taken no legal action to ban the practice. Women's rights have suffered serious setbacks in the northern states governed under Sharia. Human trafficking to, from, and within the country for purposes of labor and prostitution is a problem. The government in 2004 outlawed human trafficking and set up an agency to deal with offenders, but provisions are insufficient; UNICEF reported in December 2007 that thousands of children from Benin were being forced into hard labor in Nigeria after being sold and trafficked.