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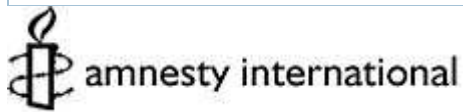
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Amnesty International Report 2016/17 - The State of the World's Human Rights - Nigeria

The conflict between the military and the armed group Boko Haram continued and generated a humanitarian crisis that affected more than 14 million people. The security forces continued to commit serious human rights violations including extrajudicial executions and enforced disappearances. The police and military continued to commit torture and other ill-treatment. Conditions in military detention were harsh. Communal violence occurred in many parts of the country. Thousands of people were forcibly evicted from their homes.

Armed conflict

Boko Haram

Boko Haram continued to commit war crimes and crimes against humanity in the northeast, affecting 14.8 million people. The group continued to carry out attacks and small-scale raids throughout the year. The national and regional armed forces recaptured major towns from Boko Haram's control.

In its response to Boko Haram attacks, the military continued to carry out arbitrary arrests, detentions, ill-treatment and extrajudicial executions of people suspected of being Boko Haram fighters – acts which amounted to war crimes and possible crimes against humanity.

In May, 737 men detained as Boko Haram suspects by the army were transferred to the prison in Maiduguri, capital of Borno state. They were charged for being “incorrigible vagabonds”, which carried up to two years’ imprisonment and/or a fine.

In April, the Defence Ministry started Operation Safe Corridor to “rehabilitate repentant and surrendered Boko Haram fighters” in a camp.

On 13 October, 21 Chibok schoolgirls abducted in 2014 were released by Boko Haram fighters following negotiations. One more girl was found in November; about 195 Chibok schoolgirls remained missing at the end of the year.

Internally displaced PEOPLE

There remained at least 2 million internally displaced persons (IDPs) in northern Nigeria; 80% of them lived in host communities, while the remainder lived in camps. The camps in Maiduguri remained overcrowded, with inadequate access to food, clean water and sanitation.

In the so-called inaccessible territories in Borno state, tens of thousands of IDPs were held in camps under armed guard by the Nigerian military and the Civilian Joint Task Force (CJTF), a state-sponsored civilian militia formed to fight Boko Haram. Most of the IDPs were not allowed to leave the camps and did not receive

adequate food, water or medical care. Thousands of people have died in these camps due to severe malnutrition. In June, in a guarded camp in Bama, Borno state, the NGO Médecins Sans Frontières reported over 1,200 bodies had been buried within the past year.

Both the CJTF and the army were accused of sexually exploiting women in the IDP camps in exchange for money or food, or for allowing them to leave the camps.

Arbitrary arrests and detentions

The military arbitrarily arrested thousands of young men, women and children who fled to the safety of recaptured towns, including Banki and Bama, Borno state. These arrests were largely based on random profiling of men, especially young men, rather than on reasonable suspicion of having committed a recognizably criminal offence. In most cases, the arrests were made without adequate investigation. Other people were arbitrarily arrested as they attempted to flee from Boko Haram. Those detained by the military had no access to their families or lawyers and were not brought before a court. More than 1,500 detainees were released throughout the year.

The mass arrests by the military of people fleeing Boko Haram led to overcrowding in military detention facilities. At the military detention facility at Giwa barracks, Maiduguri, cells were overcrowded. Diseases, dehydration and starvation was rife. At least 240 detainees died during the year. Bodies were secretly buried in Maiduguri's cemetery by the Borno state environmental protection agency staff. Among the dead were at least 29 children and babies, aged between newborn and five years.

At Giwa barracks, children under five were detained in three overcrowded and insanitary women's cells, alongside at least 250 women and teenage girls per cell. Some children were born in detention.

Lack of accountability

There was continued lack of accountability for serious human rights violations committed by security officers. No independent and impartial investigations into crimes committed by the military had taken place despite the President's repeated promises in May. Moreover, senior military officials alleged to have committed crimes under international law remained uninvestigated; Major General Ahmadu Mohammed was reinstated into the army in January. He was in command of operations when the military executed more than 640 detainees following a Boko Haram attack on the detention centre in Giwa barracks on 14 March 2014.

In its November preliminary report, the Office of the Prosecutor of the International Criminal Court (ICC) announced that it will continue its analysis of any new allegations of crimes committed in Nigeria and its assessment of admissibility of the eight potential cases identified in 2015, in order to reach a decision on whether the criteria for opening an investigation are met.

Corporate accountability

In June, the government launched a programme to clean up the contamination caused by oil spills and restore the environment of the Ogoniland region in the Niger Delta. There were hundreds of spills during the year.

The government continued to fail to hold oil companies to account, including Shell. It did not provide the oversight needed to ensure that companies prevented spills, or responded to oil spills. The National Oil Spill Detection and Response Agency (NOSDRA) remained ineffective and certified areas as clean that remained contaminated.

In March, two Niger Delta communities affected by oil spills filed a new law suit against Shell in the UK courts.

Oil companies continued to blame their failure to prevent spills, or restore contaminated areas, on sabotage and theft. Their claims were based on a flawed oil spill investigation led by the oil companies rather than NOSDRA.

Niger Delta

In January, the armed group Niger Delta Avengers began attacking and blowing up pipelines in the Niger Delta region. The government responded by significantly increasing military presence in the region. The activities of Niger Delta Avengers caused oil production to slow down.

Death penalty

Three men were secretly executed on 23 December in Benin prison in Edo state. One of them was sentenced to death by a military tribunal in 1998, which meant he did not have a right to appeal. Judges continued to impose death sentences throughout the year. On 4 May, the Senate resolved to enact a law prescribing the death penalty as the punishment for kidnapping, following the rise in abductions across the country. A number of states have either enacted or proposed similar laws.

Freedom of expression – journalists

The government arrested and detained, some without trial, at least 10 journalists and bloggers.

In August, Abubakar Usman, a prominent blogger, was arrested in Abuja, the capital, by the anti-corruption agency Economic and Financial Crimes Commission and accused of contravening the Cyber Crimes Act. The Commission did not point out the specific provisions the blogger had contravened; he was released without being charged. In September, Jamil Mabai, was arrested and detained by the police for posting comments on Facebook and Twitter that were critical of the Katsina state government.

In early September, the publisher Emenike Iroegbu was arrested in Uyo, Akwa Ibom state, over alleged defamation.

On 5 September, Ahmed Salkida, a Nigerian journalist based in the United Arab Emirates, was declared wanted by the military and later arrested by the state security services on arrival in Nigeria. He was among three people arrested and briefly detained for alleged links to Boko Haram and for facilitating the release of a Boko Haram video on the abducted Chibok girls. He was later released; his passport remained confiscated.

Freedom of assembly

The security forces disrupted, in some cases violently and with excessive use of force, peaceful protests and assemblies. On 6 September, police stopped members of the Bring Back Our Girls movement. They had given notice of the protest and gathered peacefully outside the office and residence of the President in Abuja to demand the release of the abducted Chibok girls.

On 22 September in Abuja, police fired tear gas canisters to disperse a peaceful protest by the Islamic Movement in Nigeria, resulting in some minor injuries.

A number of supporters of Biafran independence were in detention – many of them since late January – for attempting to hold or participate in peaceful assemblies. On several occasions, security forces used excessive force against pro-Biafran activists across southeastern Nigeria.

Unlawful killings

The military was deployed in 30 out of Nigeria's 36 states and in the Federal Capital Territory of Abuja where they performed routine policing functions including responding to non-violent demonstrations. The military deployment to police public gatherings contributed to the number of extrajudicial executions and unlawful killings. Since January, in response to the continued agitation by pro-Biafra campaigners, security forces arbitrarily arrested and killed at least 100 members and supporters of the group Indigenous People of Biafra (IPOB). Some of those arrested were subjected to enforced disappearance.

On 9 February, soldiers and police officers shot at about 200 IPOB members who had gathered for a prayer meeting at the National High School in Aba, in Abia state. Video footage showed soldiers shooting at peaceful and unarmed IPOB members; at least 17 people were killed and scores injured.

On 29 and 30 May, at least 60 people were killed in a joint security operation carried out by the army, police, Department of State Security (DSS) and navy. Pro-Biafra campaigners had gathered to celebrate Biafra Remembrance Day in Onitsha. No investigation into these killings had been initiated by the end of the year.

Enforced disappearances

On 3 April, Chijioke Mba was arrested and detained by the anti-kidnapping unit of the police force in Enugu for belonging to an unlawful society. His family and lawyer had not seen him since May.

On 16 August, Sunday Chucks Obasi was abducted from his home in Amuko Nnewi, Anambra state, by five armed men suspected to be Nigerian security agents in a vehicle with a government registration number plate. Witnesses said he was injured during the incident. His whereabouts remained unknown.

Torture and other ill-treatment

The police and military continued to commit torture and other ill-treatment during the interrogation of suspects or detainees to extract information and confessions. The Special Anti-Robbery Squad (SARS) of the police frequently committed torture and other ill-treatment during interrogations.

In September, the Inspector General of the police warned SARS against committing torture and encouraged them to follow due process of law.

On 18 May, Chibuike Edu died in police custody after he was arrested for burglary and detained for two weeks by the SARS in Enugu. The police authorities were investigating the incident; no one had been held accountable for his death at the end of the year.

The National Assembly was yet to pass into law the anti-torture bill which seeks to further prohibit and criminalize torture. In June, it passed its first reading in the Senate. It had earlier been passed by the House of Representatives and was revised by the Nigeria Law Reform Commission. The revised version was to be debated at the Senate.

Communal violence

Inter-communal violence occurred in many parts of the country. Many incidents were linked to lingering clashes between herdsmen and farming communities.

In February, at least 45 people were killed in Agatu, Benue state, after attacks by suspected herdsmen. In April, at least nine people were killed by suspected herdsmen in the Nimbo/Ukpabi community in Enugu state. The community said they had warned the authorities about the pending attack but the security agencies failed to prevent it. Five people detained by the police over the killings were yet to be tried.

In May, at least two people were killed in the Oke-Ako community, Ekiti state, by suspected herdsmen. In response, in August, the state government enacted a law banning cattle on undesignated land in the state.

Freedom of association

Ibrahim El-Zakzaky, leader of the Islamic Movement of Nigeria (IMN), remained in incommunicado detention without trial since his arrest in December 2015. Between 12 and 14 December 2015, soldiers killed more than 350 protesters and supporters of IMN at two sites in Zaria, Kaduna state.

Hundreds of IMN members were arrested and continued to be held in detention facilities in Kaduna, Bauchi, Plateau and Kano states.

On 11 April, the Kaduna state authorities admitted to a Judicial Commission of Inquiry that they had secretly buried 347 bodies in a mass grave two days after the December 2015 massacre.

On 15 July, the Commission presented its report to the state government indicting the Nigerian military for unlawful killings. In December, the Kaduna state government published its white paper on the report, which rejected most of the Commission's recommendations.

On 22 September, the National Human Rights Commission released a report indicting the IMN for provoking the clashes that led to the killings of IMN members and the military for the killings of IMN members. On the same day, police blocked IMN protesters and fired tear gas canisters at members of the IMN during a protest to demand the release of their leader. On 6 October, the Governor of Kaduna state declared the IMN an unlawful society. Following the declaration, members of the IMN were violently attacked in several states across the country, including Kaduna, Kano, Katsina and Plateau. Several IMN members were also arrested and detained by the military.

Housing rights

Forced evictions of thousands of people from their homes impacting on a range of their rights occurred in at least two states and in the Federal Capital Territory of Abuja.

In February, a Tribunal of Inquiry set up by the Lagos state government found that the government had failed to genuinely and adequately consult, compensate and provide promised resettlement to agricultural communities who were forcibly evicted from their homes and farmlands between 2006 and January 2016.

Between 2 and 5 July, the Rivers state government forcibly evicted over 1,600 residents in Eagle Island claiming that this was to tackle crime.

Following earlier forced evictions in March and September, on 9 October the Governor of Lagos state announced plans to commence the demolition of all settlements along the state's waterfronts. The justification was the need to respond to kidnapping incidents in the state. There were no plans announced to consult the communities prior to eviction.

On 15 October, hundreds of residents in Ilubirin waterfront community were forcibly evicted from their homes. Between 9 and 10 November, over 30,000 residents of Otodo Gbame, a waterfront community in Lagos state, were forcibly evicted when state authorities set fire to and demolished their homes with a bulldozer. On 11 November, hundreds of residents were forcibly evicted from another nearby waterfront community, Ebute Ikate, in Lagos state.

Women's rights

In September, the Gender and Equal Opportunities Bill to eliminate all forms of discrimination against women passed its second reading in the Senate. Although Nigeria ratified the CEDAW in 1985, it was yet to domesticate the Convention as part of the national law.

Rights of lesbian, gay, bisexual, transgender and intersex people

The law prohibiting same-sex marriages remained in force. Police continued to arrest LGBTI people. Men perceived to be gay were attacked by mobs and were blackmailed and targeted for extortion.

Children's rights

In May, Bayelsa state passed the Child Rights Law bringing to 23 the number of states that have enacted the law. In addition, the State House of Assembly in Enugu state passed the law in August; the Governor was yet to give his assent.

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