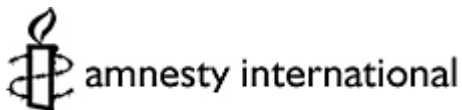


Flygtningenævnets baggrundsmateriale

Bilagsnr.:	216
Land:	Nigeria
Kilde:	Amnesty International
Titel:	Annual Report 2011
Udgivet:	13. maj 2011
Optaget på baggrundsmaterialet:	12. august 2011

Title	Amnesty International Annual Report 2011 - Nigeria
Publisher	Amnesty International
Country	Nigeria
Publication Date	13 May 2011
Cite as	Amnesty International, <i>Amnesty International Annual Report 2011 - Nigeria</i> , 13 May 2011, available at: http://www.unhcr.org/refworld/docid/4dce154d36.html [accessed 8 June 2011]



Amnesty International Annual Report 2011 - Nigeria

Head of state and government: **Goodluck Jonathan** (replaced Umaru Musa Yar'Adua in February)

Death penalty: **retentionist**

Population: **158.3 million**

Life expectancy: **48.4 years**

Under-5 mortality (m/f): **190/184 per 1,000**

Adult literacy: **60.1 per cent**

The police continued to commit human rights violations, including unlawful killings, torture and other ill-treatment, and enforced disappearances. The justice system was under-resourced and riddled with delays. Prisons were overcrowded; the majority of inmates were pre-trial detainees, some held for many years. Approximately 920 people were on death row, many sentenced after unfair trials. No executions were reported. The security situation in the Niger Delta deteriorated during the year. Human rights defenders and journalists continued to face intimidation and harassment. Violence against women remained widespread and the government failed to protect the rights of children. Forced evictions continued across the country.

Background

President Umaru Musa Yar'Adua died in May following a long illness, and was replaced by Goodluck Jonathan, the Vice President, who had been acting President since February.

The Chairman of the Independent National Electoral Commission was removed in April and replaced in June. Elections were scheduled for January 2011, then postponed to April 2011.

Widespread political violence linked to the 2011 elections led to the deaths of dozens of people. Among those killed were candidates, their family members, and supporters.

On 31 December, at least 13 people were killed and many more injured when a bomb exploded inside the Sani Abacha military barracks in Abuja, the capital.

Plateau state

Between 17 and 20 January, more than 300 people were killed in religious and ethnic

violence in and around the city of Jos, Plateau state; over 10,000 people were displaced and thousands of shops and homes were destroyed. On 7 March more than 200 men, women and children were killed by armed men when the villages of Dogo Nahawa, Zot, and Ratsat were attacked. Homes and property were burned, and thousands of people were displaced.

At least three bombs exploded in and around Jos on 24 December, killing 80 and injuring many more. The bombings triggered further violence in and around the city, leaving dozens dead and many more injured. Several buildings were also burned down.

A Presidential Advisory Committee established in February to investigate the violence reported to President Jonathan in August. He pledged to implement the Committee's recommendations, but the report was not made public. The findings of earlier investigations into violence in 2008 had not been published by the end of 2010.

Boko Haram

Between July and December, more than 30 people were killed in Borno state by people believed to be members of the religious sect commonly known as Boko Haram. Many of the attacks targeted the police. Six people were killed on 24 December when suspected Boko Haram members attacked two churches in Maiduguri.

Hundreds of soldiers were deployed to Borno state in October. On 22 November, a police spokesperson announced that more than 170 people had been arrested by the police in the preceding six weeks. Many were transferred to Abuja; by the end of the year most remained in police detention and had yet to be produced in court.

On 31 December, the police announced they had arrested a further 92 suspected members of Boko Haram.

Suspected members of Boko Haram also carried out attacks in Bauchi and Yobe states, killing at least five policemen. In September a group of suspected Boko Haram members attacked Bauchi Federal Prison and freed over 700 inmates, including approximately 123 members of Boko Haram.

A committee set up in August 2009 to investigate the Boko Haram crisis in July 2009 in which over 700 people died did not make their findings public during 2010. In April, the High Court, Borno state ordered the police to pay compensation in the case of Alhaji Baba Fugu, who was extrajudicially executed in police custody during the 2009 crisis. An appeal by the police against the decision had not been heard by the end of the year.

Abia state

Criminal gangs kidnapped scores of people, including children, in Abia state, sometimes for as little as 10,000 Naira (US\$65). According to the Nigerian Medical Association, 21 doctors were kidnapped. On 29 September, the army was deployed to Abia state. On 12 October, the Joint Task Force (JTF), which combined troops of the army, navy, air force and the mobile police, announced that they had killed 172 suspected members of kidnapping gangs in shoot-outs, and arrested 237. NGOs estimated that hundreds of people were killed by security forces in Abia state in 2010.

Unlawful killings and enforced disappearances

In February, senior government ministers called for reform of the Nigeria Police Force and an improved complaints mechanism. However, no further action was taken.

Widespread disregard for human rights and due process within the police force continued. Hundreds of people were killed by the police in 2010. Many were unlawfully killed before or during arrest in the street or at roadblocks, or subsequently in police detention. Many other people disappeared after arrest. A large proportion of these

unlawful killings appeared to be extrajudicial executions. Most perpetrators remained unpunished. In May, the NGO LEDAP (Legal Defence and Assistance Project) estimated that in 2009 at least 1,049 people had been killed by the police.

- Police at a checkpoint in Ilorin, Kwara state, shot and killed a nursing mother and her eight-month-old baby in January. Four police officers were arrested.
- In April, police opened fire at protesters in Ajegunle, Lagos, killing four people. They had been protesting at the death of Charles Okafor who died after police beat him during a raid on a viewing centre where he had been watching a football match.
- In June, Assistant Superintendent of Police Boniface Ukwu was shot dead by policemen at a roadblock in Enugu. He was off duty and not in uniform. The police subsequently claimed that he was killed in a shoot-out with kidnappers.

The police were ordered to pay compensation in some cases, including that of Kausarat Saliu, a three-year-old girl shot dead in April 2009 at a roadblock in Lagos, while travelling with her parents on a commercial bus.

Torture and other ill-treatment

Police routinely tortured suspects, including children. In March, the then Attorney General and Minister of Justice of the Federation formally accepted the draft National Anti-Torture Policy. No further action was taken.

Detainees were regularly held by the police for longer than the constitutionally guaranteed 48 hours before being brought before a judge, often for weeks and even months.

- Shete Obusoh and Chijioke Olemeforo were arrested by police officers from the Special Anti-Robbery Squad on 4 October and spent 17 days in police detention before being taken to court and remanded in prison on 21 October. They said that during this time they were hung from the ceiling in the police station and beaten with gun butts and machetes.

Justice system

Seventy per cent of Nigeria's nearly 48,000 prison inmates were pre-trial detainees. Many had been held for years awaiting trial in appalling conditions. Few could afford a lawyer and the government-funded Legal Aid Council had only 122 lawyers for the whole country.

At the end of 2010, most justice sector reform bills were still pending before the National Assembly. A Bill strengthening the National Human Rights Commission made progress but had not been sent for presidential assent by the end of the year.

The courts continued to be riddled with delays.

- In August, the Federal High Court in Port Harcourt ordered the police to produce Chika Ibeku, declaring his detention without charge or bail unlawful. It took a further three months before the court issued the order and began serving the named police officials. The habeas corpus application had been filed by the Nigeria Bar Association Human Rights Institute in May 2009.

Death penalty

Approximately 920 people were on death row, including eight women, 10 prisoners over the age of 70, and more than 20 who were under 18 at the time of the offence. No

executions were reported. Many death row inmates were sentenced to death following blatantly unfair trials or after spending more than a decade in prison awaiting trial.

Following meetings of the Council of States and the National Economic Council in April and June, chaired by the President and Vice President respectively, state governors announced their intention to review all cases of death row inmates and to sign execution warrants in order to reduce prison congestion.

Niger Delta

The improved security situation brought about by the presidential amnesty granted to members of armed groups in 2009 had deteriorated by the end of 2010. Armed groups and gangs kidnapped dozens of oil workers and their relatives, including children, and attacked several oil installations. The security forces, including the military, continued to commit human rights violations in the Niger Delta, including extrajudicial executions, torture and other ill-treatment, and destruction of homes.

On 1 December, following fighting between the JTF and an armed group in Delta state, the JTF razed the nearby community of Ayokoromo. At least 120 homes were burned down. The JTF claimed nine villagers were killed but community leaders and NGOs put the death toll at 51, including women and children.

In January, the Movement for the Emancipation of the Niger Delta (MEND) called off its ceasefire, which had been in place since October 2009. In March, two bombs exploded in Warri, Delta state, killing at least one person. In October, three car bombs exploded in Abuja, disrupting Nigeria's independence celebrations and killing 12 people. MEND claimed responsibility.

- In January, two workers at Chevron's gas plant, Escravos, in Delta state, were shot dead. Members of the JTF, who had been guarding the facility, allegedly drove past and opened fire as the workers were leaving the plant. Chevron paid the families of the two men compensation, but did not accept any responsibility for the killings.

Pollution and environmental damage caused by the oil industry continued to have a serious impact on people living in the Niger Delta. Laws and regulations to protect the environment were poorly enforced. Government agencies responsible for enforcement were ineffective and, in some cases, compromised by conflicts of interest. Communities in the Niger Delta frequently had no access to vital information about the impact of the oil industry on their lives.

- On 1 May, crude oil from a leaking pipe from an offshore platform of ExxonMobil's Qua Iboe oilfield reached the shores of the Ibeno community, Akwa Ibom state.

Violence against women

Violence against women remained pervasive, including domestic violence, rape and other forms of sexual violence by state officials and private individuals. The authorities consistently failed to exercise due diligence in preventing and addressing sexual violence by both state and non-state actors, leading to an entrenched culture of impunity.

- Maryam Mohammed Bello and Halima Abdu were presented in court in February and remanded in prison after spending one year in police detention in Maiduguri, where they said they were repeatedly raped. Both women became pregnant while in police custody. The women were eventually bailed in October.

Children's rights

By the end of the year, 12 of Nigeria's 36 states still had not passed the Child Rights Act.

Children were routinely detained with adults in police and prison cells. Only one of the country's three remand homes was functioning. It was overcrowded, with approximately 600 children held in facilities designed for 200.

Government provision for homeless and vulnerable children remained inadequate with over 1 million street children across the country.

By the end of 2010, no investigation had been carried out into the violent clash involving the Kala-Kato Islamic sect on 29 December 2009 in Bauchi, which left at least 38 people dead, 22 of them children. Many were reportedly shot by the police.

Freedom of expression

Human rights defenders and journalists continued to face intimidation and harassment. Several human rights defenders and journalists were threatened and beaten by police and security forces, and at least two were killed in suspicious circumstances. By the end of 2010, the Freedom of Information Bill, first presented in 1999, had not been passed by the National Assembly.

- In March, the Shari'a Court in Magajin Gari, Kaduna, ordered the Civil Rights Congress (CRC) to stop its online forum from debating the amputation of the right hand of Mallam Bello Jangebe 10 years earlier.
- On 24 April, Edo Sule Ugbagwu, a senior judiciary correspondent with *The Nation* newspaper, was killed in Lagos by unknown gunmen. By the end of the year no one had been brought to justice for his killing.
- On 29 December, human rights activist Chidi Nwosu was shot dead by unknown gunmen in his house in Abia state. He was President of the Human Rights, Justice and Peace Foundation and was known for his work against corruption and human rights abuses.

Forced evictions

Forced evictions continued throughout Nigeria. They were carried out without genuine consultation, adequate notice and compensation or alternative accommodation. More than 200,000 people remained at risk of forced eviction in Port Harcourt, Rivers state, as a result of the state government's plans to demolish the city's waterfront communities.

- On 23 December, at least one person died and several others were injured when armed police officers opened fire during a forced eviction in Makoko community in Lagos. The police were accompanying Lagos state's Environmental Task Force, the Kick Against Indiscipline (KAI) Brigade, to demolish structures in the area. This was the second time in 2010 that Makoko residents faced eviction from their homes. In April, the KAI had forcibly evicted hundreds of people from their homes in Makoko.

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