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Nigeria 2020

Both the armed group Boko Haram and Nigerian security forces continued to commit serious crimes in the north-east, including war crimes and likely crimes against humanity. Boko Haram killed hundreds of civilians and carried out abductions which targeted women and girls. Government forces carried out indiscriminate attacks against villages and continued to detain thousands in inhumane conditions. In the north-western and north-central regions, over 1,500 people died in inter-communal violence and bandit attacks. Everywhere, excessive use of force resulting in unlawful killings, and torture and other ill-treatment were widespread. The fate of hundreds of Islamic Movement of Nigeria (IMN) members who disappeared in 2015 remained unknown. Meanwhile, impunity for such crimes persisted. The rights to freedom of expression and peaceful assembly and association were routinely violated. In the context of COVID-19, gender-based violence increased and the right to health was undermined. Thousands of people were forcibly evicted from their homes.

Background

In January, Chad withdrew its troops from Nigerian territory. The Chadian troops were part of the Multinational Joint Task Force, a regional initiative established to counter armed group attacks in the region. In March, at least 50 soldiers were killed in a Boko Haram ambush in Yobe state.

In March, the government introduced measures to control the spread of COVID-19, including an initial lockdown on non-essential activities, a curfew, school closures and a ban on international and domestic flights. Restrictions were gradually eased and then lifted in September.

Abuses by armed groups

Boko Haram continued to commit grave human rights abuses in the north-east, including killings and abductions of civilians, which amounted to war crimes and may have constituted crimes against humanity. More than 420 civilians died in around 45 attacks, many of them in Borno state, but also in Adamawa and Yobe. Meanwhile, Boko Haram continued to recruit child soldiers.

In Adamawa state, on 20 January, Boko Haram members beheaded Reverend Lawan Andimi, 18 days after abducting him in Michika, Adamawa state. In the same month, Daciya Dalep, a 22-year-old student, was executed by a child soldier.

At least 30 civilians were killed in February when members of Boko Haram attacked people trying to enter the town of Auno. In June, around 81 people were killed and several others abducted during an attack on the village of Faduma Kolomdi. In October, some 20 farmers were killed in Boko Haram attacks in the villages of Ngwom and Moromti.

Throughout the year, Boko Haram abducted hundreds of women and girls and subjected them to rape and forced marriage, including 20 who were taken in July when they were searching for firewood near the Gamboru internally displaced people's camp in Borno state.

Humanitarian workers

In June, the Islamic State West Africa Province (ISWAP), a Boko Haram faction, threatened to target aid workers, humanitarian facilities and anyone it believed to have “helped” the military.

On 15 January, following negotiations with the authorities, ISWAP released five aid workers – two women and three men – who had been abducted outside Maiduguri a month earlier. On 22 July, the same group executed five aid workers it had abducted in June on the Monguno-Maiduguri road in Borno state.

Unlawful attacks

More than 1,531 people died and thousands were displaced in inter-communal violence mostly between herdsmen and farming communities, as well as in attacks by bandits, in the north-central and north-western regions. More than 1,015 people were taken hostage by unidentified gunmen; in December, over 300 students of Government Science Secondary School in Kankara in Katsina state were abducted from their hostels, although they were released a few days later. The violence forced many farming families to flee to urban areas or displacement camps.

Between January and July, at least 366 people were killed in villages in Kaduna state by suspected herders. In May, some 74 people were reportedly killed in Sokoto state when gunmen attacked four villages in the Sabon Birni Local Government Area.

Civilians were also killed when government forces launched indiscriminate attacks against Boko Haram. On 13 April, at least 10 children and seven women were among those killed when the Air Force accidentally bombed the village of Sakotoku in Damboa Local Government Area in Borno state.

Internally displaced people

Thousands of people were internally displaced by inter-communal violence and attacks by armed groups in the northern regions. Many were also displaced as a result of military attacks against Boko Haram. On 3 January, soldiers razed the villages of Bukarti, Ngariri and Matiri, forcing hundreds of residents to flee to a camp near Maiduguri in Borno state. In September, the Borno state Governor facilitated the return of around 1,000 people, who had been displaced for years, to their homes in the town of Baga.

Excessive use of force

The security forces committed grave human rights violations, including torture and other ill-treatment, and the use of excessive force which resulted, on some occasions, in unlawful killings.

In January, security agents shot and injured five IMN members during a protest to demand the release of their leader, Sheikh Ibraheem El-Zakzaky, and his wife, Zeenah, in Abuja.

The authorities repressed human rights, including the rights to freedom of expression, peaceful assembly and freedom of movement. Such violations were prevalent in the context of enforcing COVID-19 measures: between 30 March and 13 April, at least 18 people were killed by the Nigerian Correctional Service, the police and the military. The National Human Rights Commission documented 105 complaints of human rights violations between March and mid-April, including the use of excessive force perpetrated by security forces in 24 of the country's 36 states and in the Federal Capital Territory Abuja.

On 23 August, security forces opened fire on unarmed members of the separatist group the Indigenous People of Biafra (IPOB), who were holding a meeting at a school in Emene in Enugu state, killing at least four people. Witnesses said officers of the Department of State Services (DSS), police and military were at the scene, some of whom shot directly at IPOB members who were carrying stones and sticks. The authorities said two security force officers were also killed in the incident.

In October, security forces used excessive force to disperse peaceful protests and assemblies, including the #EndSARS demonstrations, resulting in the deaths of 56 protesters, bystanders and members of the security forces. (SARS - the Special Anti-Robbery Squad - is a unit of the police tasked with fighting violent crime.)

Arbitrary arrests and detentions

The military continued to detain thousands of people. They arbitrarily arrested and detained those suspected of links to Boko Haram. Detainees were denied access to their family members and lawyers and were not brought before courts. Children who fled Boko Haram-controlled areas were also arrested and held in military detention facilities, including Giwa barracks in Maiduguri and the Kainji military base in Niger state. In June, 602 Boko Haram suspects were released to the Borno state government for resettlement.

The military flouted an Abuja High Court order in July for the release of Martins Idakpini, an army officer who was detained in June after he publicly condemned the military's handling of the fight against Boko Haram insurgents.

Torture and other ill-treatment

The use of torture and other ill-treatment remained pervasive throughout the criminal justice system and was perpetrated by the police (particularly the SARS), the DSS and the military.

Enforced disappearances

Throughout the year, security agencies, including police, military and DSS officers, arbitrarily detained and subjected people to enforced disappearance.

Security agencies had not yet accounted for about 600 members of the IMN who went missing in 2015, following an incident in which at least 347 IMN members were killed by the military in Kaduna state.

There was no news of Abubakar Idris (also known as Abu Hanifa Dadiyata), an activist and government critic, who was abducted in August 2019 by unidentified armed men from his home in Kaduna.

Impunity

The government failed to promptly, thoroughly and effectively investigate allegations of human rights violations and abuses or bring suspected perpetrators to justice. In particular, no genuine steps were taken to investigate or prosecute crimes under international law committed by Boko Haram or the Nigerian military in the context of the conflict in the north-east.

The government had still not released its report on the findings of a presidential panel which had claimed to investigate the military’s compliance with human rights obligations and the rules of engagement. In December, the ICC Prosecutor announced the closure of the court’s preliminary examination and stated that she would request authorization from the judges of the Pre-Trial Chamber of the Court to open investigations.

The authorities continually ignored court orders and undermined the rule of law. In March, the Attorney General defied an Abuja Federal High Court order to hand over the soldiers who were allegedly responsible for killing three policemen in Taraba state in August 2019.

Freedom of expression

The authorities used repressive laws to harass, intimidate, arrest and detain human rights defenders, activists, media workers and perceived critics. Non-state actors also subjected journalists to intimidation, harassment and beatings.

The Social Media and Hate Speech bills remained before the Senate at the end of the year. If enacted, there could be an increased risk of repression of human rights, including the right to freedom of expression.

In April, in Ebonyi state, police arrested *The Sun* newspaper journalist Chijioke Agwu after he published an article on a Lassa fever outbreak. Peter Okutu, of the *Vanguard* newspaper, was arrested for his report about a military attack on the Umuogodoakpu-Ngbo community in the Ohaukwu Local Government Area. They were both released a few hours after their arrests.

Also in April, Mubarak Bala, President of the Humanist Association of Nigeria, was arrested by Kano state Police Command officers on allegations that he had insulted the Prophet Muhammad on Facebook. He remained in detention, without charge or access to lawyers at the end of the year, despite a 21 December order for his release by the Federal High Court of Abuja.

The authorities took measures to limit broadcast media’s ability to carry out their constitutional watchdog roles. In August, the federal government amended the Nigerian Broadcasting Code, increasing the fine for “hate speech” from NGN500,000 (US\$1,300) to NGN5 million (US\$13,000). The National Broadcasting Commission fined Channels TV, Arise TV and African Independence Television for reporting on the #EndSARS protests in October, citing alleged violation of the broadcasting code, including the use of “unverified online video footage”.

In November, Amnesty International Nigeria received threats and harassment from a group calling itself the Centre for Africa Liberation and Socio-Economic Rights after it had issued a statement on reports of killings of peaceful protesters at the Lekki Toll Gate in Lagos state. The group issued an ultimatum for Amnesty International to leave the country within seven days. The group’s spokesperson also threatened to attack the staff, supporters and premises of Amnesty International.

Right to health

Prison conditions

Prisons remained chronically overcrowded and around 70% of inmates were in pre-trial detention, some for over five years. In April, the federal government announced the release of 2,600 prisoners in an amnesty to reduce overcrowding and control the spread of COVID-19. On 31 March, six inmates in Kaduna Correctional Centre were killed by prison guards following a protest sparked by fears of the spread of COVID-19.

Health workers

Health workers were not adequately protected from COVID-19 infection. Working conditions were hazardous as a result of PPE shortages, dilapidated and over-stretched health facilities, low wages and harassment by security forces. These were among the reasons for the strike by the National Association of Resident Doctors in June.

Gender-based violence

Gender-based violence, including sexual violence, against women and girls was widespread.

In February, over 200 women’s groups took to the streets in Abuja to protest against the physical attack by Enugu state police on Goodness Ibangha, a lawyer for the NGO Women’s Aid Collective.

According to official statistics, over 3,600 rapes were recorded during the COVID-19 lockdown. Barakat Bello, aged 18, and Uwaila Omozuwa, aged 22, were raped and killed in separate incidents in May and June.

In June, governors in all states announced their intention to declare a state of emergency to tackle rape and other gender-based violence against women and children. They also agreed to impose harsher punishments against perpetrators.

In September, a Kogi state Commissioner was prosecuted for rape, and a Federal High Court in Abuja ordered a Senator to pay NGN50 million (US\$130,000) in compensation to a woman he had physically and verbally assaulted in 2019. The Senator’s appeal against the decision was pending at the end of the year.

By the end of the year, 17 of the 36 states had adopted legislation which provided protection from gender-based violence.

Rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people

Gay men, lesbians and bisexual people continued to be arrested by security agents on the basis of their sexuality, and gay men were subjected to blackmail and extortion by mobs and individuals.

In October, a court in Lagos dismissed a case against 47 men prosecuted for public displays of affection with members of the same sex at a hotel in Lagos in 2018.

Right to housing and forced evictions

Authorities in the Federal Capital Territory, Lagos and Benue states forcibly evicted thousands of people without adequate notice, compensation or the provision of alternative accommodation. In January, the Navy used live ammunition over a two-day period to forcibly evict hundreds of families from their land in Tarkwa Bay, Lagos state. Some residents said their children went missing during the incident.

In April, Lagos state officials demolished around 10 houses during a forced eviction in Yaya Abatan in Ogba.

In May, more than 20 houses were destroyed in the Logo 1 area of Makurdi in Benue state, overseen by armed police. The Benue state Governor denied any involvement in the demolition and failed to investigate the incident.

In August, hundreds of houses were demolished, and thousands of people were displaced at the Nepa Junction settlement in Apo in the Federal Capital Territory, while armed police dispersed residents with tear gas, resulting in some residents being hospitalized.

On 31 December, residents of Monkey Village in the Opebi area of Lagos state were forcibly evicted when houses and buildings were demolished by bulldozers with the aid of police and thugs.

Death penalty

Courts continued to impose death sentences, but no executions were carried out. In August, Yahaya Sharif-Aminu, a musician, was sentenced to death by hanging for blasphemy by the Upper Shari’a Court in Kano.

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Austrian Red Cross
Austrian Centre for Country of Origin and Asylum
Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien
[T \(Telefon\)](tel:+43158900583) +43 1 589 00 583
[F \(Fax\)](tel:+43158900589) +43 1 589 00 589
info@ecoi.net

[Contact](#)
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