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→ The Situation of Sexual and Gender Minorities in Nigeria (2014-2018)

The Situation of Sexual and Gender Minorities in Nigeria (2014-2018)

Research Directorate

Immigration and Refugee Board of Canada

February 2019

This report was prepared by the Research Directorate of the Immigration and Refugee Board (IRB) of Canada between October 2018 and January 2019, based on interviews with oral sources located inside and outside of Nigeria and based on publicly accessible information available to the Research Directorate within time constraints. This report aims to provide information on the situation of sexual and gender minorities in Nigeria, focusing on the time period between 2014 and December 2018. The information contained in this report addresses specific issues within the broader theme of the situation of sexual and gender minorities in Nigeria which were identified as relevant to IRB decision-makers. These issues were identified in consultation with the Refugee Protection Division (RPD) and Refugee Appeal Division (RAD) in September 2018. In this regard, this report is not, and does not purport to be, either exhaustive with regard to conditions in the country surveyed or conclusive as to the merit of any particular claim for refugee protection.

The report is divided into nine sections. The first section examines legislation in Nigeria that criminalizes same-sex relationships and same-sex sexual acts. The second section provides information on the treatment of sexual and gender minorities by society, including by faith groups and family members, as well as information on access to employment, housing and health care services. In addition, this section addresses whether pride parades occur in Nigeria and which terminology is used by and for sexual and gender minorities in Nigeria. The third section provides information about incidents of violence targeting sexual and gender minorities, including vigilante group incidents, ritual cleansing practices and the role of the media. The fourth section provides information on the treatment of sexual and gender minorities by authorities, including police. It discusses arrest warrants, as well as incidents of extortion by police authorities. The fifth section discusses available statistics on the arrest and prosecution of real or perceived sexual and gender minorities, as well as recorded human rights violations. The sixth section provides information on available state protection for sexual and gender minorities, including legislation and state protection measures. It also provides information on the ability of sexual and gender minorities to file complaints, including regarding misconduct by authorities. The seventh section

examines support services available to sexual and gender minorities, including services provided by NGOs and the existence of shelters, as well as challenges faced by NGOs. The eighth section addresses the question of whether affidavits are issued regarding sexual orientation and/or gender identity and expression by Commissioners for Oaths, notaries public or lawyers. The ninth section provides information on internal relocation options available to sexual and gender minorities, including information on rural and urban areas in the northern and southern states of Nigeria.

This report may be read in conjunction with several IRB publications, including the following Responses to Information Requests:

- **NGA105655 of November 2016** - Nigeria: Police procedures for investigation and pursuit of individuals for same-sex activity, including documentation; whether police issue warrants of arrest or reports listing the charges and penalties brought against that person; whether a person who is being pursued or investigated is provided with or can obtain a copy of documents pertaining to the case from the police (2014-October 2016);
- **NGA105653 of November 2016** - Nigeria: Whether lawyers or barristers notarize a statement or swear an affidavit in which an individual admits to being bisexual or homosexual, or to knowing of someone's sexual orientation (2014-October 2016);
- **NGA105379 of January 2016** - Nigeria: Whether a Commissioner of Oaths or a notary public would notarize a statement or swear an affidavit in which an individual admits to being bisexual or homosexual, or to knowing of someone's sexual orientation; documentation taken by police upon arrest for same-sex activity (2014-December 2015);
- **NGA105321 of November 2015** - Nigeria: Treatment of sexual minorities, including legislation, state protection, and support services; the safety of sexual minorities living in Lagos and Abuja (February 2012-October 2015);
- **NGA105219 of September 2015** - Nigeria: Information on how bisexuality is understood and perceived in Nigeria; whether bisexuality is distinguished from both male and female homosexuality (2014-June 2015); and
- **NGA105249 of August 2015** - Nigeria: Whether the police in Nigeria detain family members or friends of wanted persons, and, if so, the manner in which they are treated; whether this includes persons wanted for breaking laws related to same-sex sexual conduct (2013-July 2015).

For further information on current developments, please contact the Research Directorate of the IRB.

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1. Legislation

According to a guide posted by the New York University School of Law's Hauser Global Law School Program ¹, the sources of Nigerian law are: the Constitution, legislation, English law, customary law, Islamic law (Sharia law), and judicial precedents (Dina et al. Nov./Dec. 2015). According to the same source, the Nigerian Constitution came into force on 29 May 1999, is supreme, and was amended three times in 2010 (Dina et al. Nov./Dec. 2015). The same source indicates that "[e]ach of the 36 states and the Federal Capital Territory (FCT) Abuja [have their] own laws. These include laws on residual matters, which are within the exclusive legislative competence of states and matters on the concurrent legislative list" (Dina et al. Nov./Dec. 2015).

In correspondence with the Research Directorate, an academic researcher at the Green Economics Institute in the UK ² explained that Nigeria is divided into a "Muslim-dominated north," where 12 states are governed under Sharia law provisions as an alternative to federal law, and a "Christian-dominated south," which is governed by federal law in conjunction with customary laws that have pre-colonial origins and vary widely across ethnic groups (Academic Researcher 11 Dec. 2018).

In correspondence with the Research Directorate, Osifunke Ekundayo ³ stated that the

system of criminal law in Nigeria is comprised of two criminal codes, namely the *Criminal Code Act*, which is applicable in the southern part of Nigeria, and the [*Penal Code Northern States Federal Provisions Act (Penal Code)*], which is applicable in the northern part of Nigeria. Each state in the south has its own criminal code act which in most states [replicates] the *Criminal Code Act*. (Ekundayo 20 Dec. 2018)

Without providing further details, the same source noted that the "Lagos state criminal code act has some modifications" (Ekundayo 20 Dec. 2018).

According to sources, same-sex acts are criminalized in Nigeria (BBC 31 July 2017; Erasing 76 Crimes n.d.). Osifunke Ekundayo noted that "[b]oth the *Nigerian Criminal Code Act* and the *Penal Code* are legislations that criminalize homosexual sexual activities in the form of anti-sodomy laws" (Ekundayo 20 Dec. 2018).

1.1 *Criminal Code Act*

The Nigerian *Criminal Code Act*, Chapter 77 of the *Laws of the Federation of Nigeria 1990* states the following regarding "[o]ffences against [m]orality":

214. Any person who-

1. has carnal knowledge of any person against the order of nature; or
2. has carnal knowledge of an animal; or
3. permits a male person to have carnal knowledge of him or her against the order of nature;

is guilty of a felony, and is liable to imprisonment for fourteen years.

215. Any person who attempts to commit any of the offences defined in the last preceding section is guilty of a felony, and is liable to imprisonment for seven years.

The offender cannot be arrested without warrant.

216. Any person who unlawfully and indecently deals with a boy under the age of fourteen years is guilty of a felony, and is liable to imprisonment for seven years.

The term "deal with" includes doing any act which, if done without consent, would constitute an assault as hereinafter defined.

217. Any male person who, whether in public or private, commits any act of gross indecency with another male person, or procures another male person to commit any act of gross indecency with him, or attempts to procure the commission of any such act by any male person with himself or with another male person, whether in public or private, is guilty of a felony, and is liable to imprisonment for three years.

The offender cannot be arrested without warrant. (Nigeria 1916, Sect. 214-217)

In correspondence with the Research Directorate, Yemisi Dina ⁴ stated that the *Criminal Code Act* is a "national statute that is applicable to and enforced by each state and the FCT" (Dina 18 Dec. 2018). Without providing further details, the same source noted that the Federal Ministry of Justice and State Ministry of Justice implement and enforce the *Criminal Code Act* through various law enforcement agencies (Dina 18 Dec. 2018).

According to sources, "against the order of nature" is interpreted to mean sexual penetration through the anus (Journalist 7 Dec. 2018; Academic Researcher 11 Dec. 2018). In correspondence with the Research Directorate, a journalist, who is the Head of Investigations of the Nigerian online newspaper Premium Times, explained that those predominately charged under this provision are men (Journalist 7 Dec. 2018). For information on arrests and prosecutions of sexual minorities under the *Criminal Code Act*, see [section 5, Statistics](#).

1.2 Penal Code Northern States Federal Provisions Act (Penal Code)

According to Osifunke Ekundayo, Section 284 of the *Penal Code Northern States Federal Provisions Act (Penal Code)* [of 1960 (amended 1990)] criminalizes homosexual acts, between both men and women, as "unnatural offences," and states that "[w]hoever has carnal intercourse against the order of nature with any man, woman or animal shall be punished with imprisonment for a term which may extend to fourteen years and shall also be liable to fine" (Ekundayo 20 Dec. 2018). Ekundayo further stated that male cross-dressing is prohibited in Section 405 titled "Vagabonds" of the *Penal Code*, which states that "[w]hoever is convicted as being a vagabond shall be punished with imprisonment which may extend to two years or with a fine which may extend to four hundred and fifty Nigerian naira [approximately C\$1.67] or both" (Ekundayo 20 Dec. 2018). According to the same source, a "vagabond" is described in the same section as "any male person who dresses or is attired in the fashion of a woman in a public place or who practices sodomy as a means of livelihood or as a profession" (Ekundayo 20 Dec. 2018). A copy of the *Penal Code* could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

1.3 Sharia Laws

According to the guide posted by the New York University School of Law's Hauser Global Law School Program, "Islamic law [Sharia laws] has been administered in the [n]orthern states as a separate and distinct system" since 1956 (Dina et al. Nov./Dec. 2015). Sources indicate that northern Nigerian states that are governed by Sharia laws prohibit same-sex sexual activity (BBC 31 July 2017; ILGA May 2017, 96; Human Rights Watch 18 Jan. 2018, 394). Sources indicate that, in the northern Nigerian states, Sharia laws criminalize sexual activities between persons of the same sex, with a maximum penalty of death for men and whipping and/or imprisonment for women (Human Rights Watch 18 Jan. 2018, 394; ILGA May 2017, 96). In correspondence with the Research Directorate, a representative of the Improved Youth Health Initiative (IYHI (Improved Youth Health Initiative))⁵ stated that the Sharia laws in northern Nigeria prescribe death by stoning for anyone convicted of homosexuality (IYHI (Improved Youth Health Initiative)) 12 Oct. 2018). A 2017 report published by the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) indicates that "[t]he states which have adopted such [Sharia] laws are: Bauchi ([in] 2001), Borno (2000), Gombe (2001), Jigawa (2000), Kaduna (2001), Kano (2000), Katsina (2000), Kebbi (2000), Niger (2000), Sokoto (2000), Yobe (2001) and Zamfara (2000)" (ILGA May 2017, 96).

According to the academic researcher, if an individual who is a sexual minority has a *fatwa* pronounced against them, it is binding throughout the state in which it was pronounced and sometimes across all twelve northern states (Academic Researcher 11 Dec. 2018). The same source explained that fatwas can lead to banishment, systematic ostracism or corporal punishments such as stoning or public flogging with a cane (Academic Researcher 11 Dec. 2018). Further and corroborating information on the issuance of fatwas against sexual minorities could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

According to sources, the Hisbah police is the law enforcement body responsible for enforcing Sharia laws in the northern states of Nigeria (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018; Academic Researcher 11 Dec. 2018). In a telephone interview with the Research Directorate, a representative of Rural Renewal and Community Health Development Initiative (RURCHEDI (Rural Renewal and Community Health Development Initiative))⁶ indicated that, because Sharia laws are in force in northern Nigeria, the Hisbah police have a different mandate than the Nigerian Police Force (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). According to the academic researcher, the Hisbah police have been reported to act extra judicially even when "they are officially not allowed to arrest or punish anyone" and are supposed to report offenders to the police (Academic Researcher 11 Dec. 2018). According to the same source, they carry out "severe extra-judicial punishments" on people who violate Sharia laws, including sexual minorities (Academic Researcher 11 Dec. 2018). The RURCHEDI (Rural Renewal and Community Health Development Initiative) representative explained that "often, the Hisbah police are much more passionate and stringent about enforcing rules, because of the religious values associated with the Sharia laws" (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

According to the RURCHEDI (Rural Renewal and Community Health Development Initiative) representative, "there is no accessible data that shows the prevalence of Sharia sentences against sexual minorities" (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). The Australian Broadcasting Corporation (ABC) reported in October 2017 that convictions of sexual minorities under Sharia laws are "rare" and that no death sentences have been issued to sexual minorities in the northern states of Nigeria under Sharia laws (ABC 21 Oct. 2017a). The US Department of State's *Country Reports on Human Rights Practices for 2017* indicates that Sharia courts did not issue death by stoning sentences in 2017 (US 20 Apr. 2018, 41). The same source added, however, that in previous years, individuals who were convicted of same-sex sexual activity received whipping sentences (US 20 Apr. 2018, 41). For further information on arrests and prosecutions of sexual minorities, see section 5, Statistics.

1.4 Same-Sex Marriage (Prohibition) Act (SSMPA (Same-Sex Marriage (Prohibition) Act))

According to sources, the *Same-Sex Marriage (Prohibition) Act (SSMPA (Same-Sex Marriage (Prohibition) Act))* was signed into law in January 2014, criminalizing same-sex marriage (TIERS (The Initiative for Equality Rights) and NOI Polls Jan. 2017, 1; Human Rights Watch Oct. 2016, 1; Al Jazeera 26 Jan. 2014). Sources indicate that the scope of the SSMPA (Same-Sex Marriage (Prohibition) Act) is "wide" (Human Rights Watch Oct. 2016, 1) or "much wider" than just prohibiting same-sex marriage (HOR 20 Dec. 2018). Human Rights Watch explains that, in addition to prohibiting same-sex marriage, the law forbids any cohabitation between same-sex sexual partners; bans any "public show of same sex amorous relationship"; and prohibits

anyone from forming, operating, or supporting gay clubs, societies and organizations (Human Rights Watch Oct. 2016, 1). The SSMPA (Same-Sex Marriage (Prohibition) Act) states the following:

Prohibition of marriage or civil union by persons of same sex

1. (1) A marriage contract or civil union entered into between persons of same sex:

- a. is prohibited in Nigeria; and
- b. shall not be recognized as entitled to the benefits of a valid marriage.

(2) A marriage contract or civil union entered into between persons of same sex by virtue of a certificate issued by a foreign country is void in Nigeria, and any benefit accruing therefrom by virtue of the certificate shall not be enforced by any court of law.

Solemnization of same sex marriage in places of worship

2. (1) A marriage contract or civil union entered into between persons of same sex shall not be solemnized in a church, mosque or any other place of worship in Nigeria.

(2) No certificate issued to persons of same sex in a marriage or civil union shall be valid in Nigeria.

Recognized Marriage in Nigeria

3. Only a marriage contracted between a man and a woman shall be recognized as valid in Nigeria.

Registration of homosexual clubs and societies

4. (1) The Registration of gay clubs, societies and organisations, their sustenance, processions and meetings is prohibited.

(2) The public show of same sex amorous relationship directly or indirectly is prohibited.

Offences and Penalties

5. (1) A person who enters into a same sex marriage contract or civil union commits an offence and is liable on conviction to a term of 14 years imprisonment.

(2) A person who registers, operates or participates in gay clubs, societies and organization, or directly or indirectly makes public show of same sex amorous relationship in Nigeria commits an offence and is liable on conviction to a term of 10 years imprisonment.

(3) A person or group of persons who administers, witnesses, abets, or aids the solemnization of a same sex marriage or civil union, or supports the registration, operation and sustenance of gay clubs, societies, organizations, processions or meetings in Nigeria commits an offence and is liable on conviction to a term of 10 years imprisonment.

Jurisdiction

6. The High Court of a State or of the Federal [C]apital Territory shall have jurisdiction to entertain matters arising from the breach of the provisions of this Act.

Interpretation

7. In this Act:

"Marriage" means a legal union entered into between persons of opposite sex in accordance with the Marriage Act, Islamic Law or Customary Law;

"Court" means High Court of a State or of the Federal Capital Territory;

"Same sex marriage" means the coming together of persons of the same sex with the purpose of living together as husband and wife or for other purposes of same sexual [sic] relationship;

"Witness" means a person who signs or witnesses the solemnization of the marriage; and

"civil union" means any arrangement between persons of the same sex to live together as sex partners, and includes such description as:

- a. adult independent relationships;
- b. caring partnerships;
- c. civil partnerships;
- d. civil solidarity pacts;
- e. domestic partnerships;
- f. reciprocal beneficiary relationships;
- g. registered partnerships;
- h. significant relationships; and
- i. stable unions. (Nigeria 2014, Art. 1-7, italics in original)

Sources indicate that Nigerian society largely supports the SSMPA (Same-Sex Marriage (Prohibition) Act) (Al Jazeera 26 Jan. 2014; Campbell 7 Dec. 2018). According to a 2017 poll conducted by NOI Polls ⁷ and commissioned by The Initiative for Equality Rights (TIERS (The Initiative for Equality Rights)) ⁸ on the perceptions of Nigerians regarding the rights and lived experiences of lesbian, gay and bisexual Nigerians and attitudes toward the SSMPA (Same-Sex Marriage (Prohibition) Act), 90 percent of adult Nigerians support the SSMPA (Same-Sex Marriage (Prohibition) Act), which is a 3 percent increase compared to the 2015 survey results (TIERS (The Initiative for Equality Rights) and NOI Polls Jan. 2017, 1).

Sources report that since Nigeria passed the SSMPA (Same-Sex Marriage (Prohibition) Act) in 2014, it has been used as a tool by authorities and society to act against sexual minorities (Human Rights Watch Oct. 2016, 1, 2; QA 29 Mar. 2018; RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018), including to carry out human rights violations such as "torture, sexual violence, arbitrary detention, violations of due process rights,

and extortion" (Human Rights Watch Oct. 2016, 2) or, by police, "to stop and search people, including their phone[s]" (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). The New York Times reports that since 2014, the number of arrests of gay people has increased and LGBT advocates have gone into hiding (The New York Times 8 Feb. 2014). Without providing further information, the same source reports that, according to human rights advocates, the "toughest crackdown" on sexual minorities has been in Nigeria's north, although arrests were recorded in multiple Nigerian states (*The New York Times* 8 Feb. 2014).

Sources indicate that there was tolerance for the *yan daudu* ⁹ population within Muslim communities in Nigeria's north (Monroe 2 Feb. 2016; *The Guardian* 10 June 2013) before the enactment of the SSMPA (Same-Sex Marriage (Prohibition) Act) (Monroe 2 Feb. 2016). Further information on attitudes towards the *yan daudu* population after the enactment of the SSMPA (Same-Sex Marriage (Prohibition) Act) could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

For information on arrests and prosecutions of sexual minorities under the SSMPA (Same-Sex Marriage (Prohibition) Act), see section 5, Statistics.

2. Treatment by Society

Sources indicate that Nigerian society generally disapproves of sexual minorities (Representative 5 Oct. 2018; TIERS (The Initiative for Equality Rights) and NOI Polls Jan. 2017; Campbell 7 Dec. 2018) or that sexual minorities are generally regarded negatively (Attorney 16 Oct. 2018; IYHI (Improved Youth Health Initiative) 12 Oct. 2018). According to sources, sexual minorities face societal stigmatization (*The Guardian* 30 Mar. 2018; Equality Triangle Initiative 16 Oct. 2018) and public shaming (Equality Triangle Initiative 16 Oct. 2018). According to a 2013 Pew Research Center survey ¹⁰, 98 percent of those surveyed in Nigeria indicated that homosexuality should not be accepted by society (Pew Research Center 4 June 2013, 3). According to the 2017 poll conducted by NOI Polls and commissioned by TIERS (The Initiative for Equality Rights), 90 percent of respondents believe that Nigeria "would be a better country without homosexuals" (TIERS (The Initiative for Equality Rights) and NOI Polls Jan. 2017, 1).

2.1 Pride Parades

Sources indicate that there have been no LGBT pride parades in Nigeria between 2014 and December 2018 (Journalist 7 Dec. 2018; Amnesty International 14 Jan. 2019; HOR 20 Dec. 2018). The academic researcher explained that a public pride parade would be considered a "serious affront toward public decency by both the public and security forces" (Academic Researcher 11 Dec. 2018).

2.2 Access to Employment and Housing

In a telephone interview with the Research Directorate, John Campbell ¹¹ stated that "[h]omophobia runs very deep in Nigerian society - it is pervasive at all levels and in all areas of life" (Campbell 7 Dec. 2018). Sources indicate that sexual minorities face challenges in accessing employment and housing (Journalist 7 Dec. 2018; Campbell 7 Dec. 2018; Board Member 6 Dec. 2018), including discrimination (Board Member 6 Dec. 2018; Campbell 7 Dec. 2018) and stigma (Board Member 6 Dec. 2018). In a teleconference interview with the Research Directorate, a board member of OutRight Action International (OutRight) ¹² explained, while speaking on his own behalf, that a real or perceived sexual minority can be denied housing or lose their job on the basis of their identity as a sexual minority (Board Member 6 Dec. 2018). In correspondence with the Research Directorate, the founder and CEO of the House of Rainbow (HOR) ¹³ stated that a person can be evicted from their home "without any justification or refund" if it becomes known that the person is homosexual (HOR 20 Dec. 2018). In correspondence with the Research Directorate, a representative of Amnesty International similarly noted that "[l]andlords do not rent property to sexual minorities" (Amnesty International 14 Jan. 2019). According to the academic researcher, large multinational corporations, such as oil companies, are not allowed to refuse employment or fire someone based on their sexual orientation and/or gender identity and expression, although co-workers can still be "hostile towards them" (Academic Researcher 11 Dec. 2018). The same source further explained that small-to-medium-sized enterprises (SMEs) are reported to "consistently" fire male sexual minorities (Academic Researcher 11 Dec. 2018). The HOR founder and CEO stated that many employers in Nigeria do not abide by the non-discrimination laws (HOR 20 Dec. 2018). The same source explained that there are cases of gay men and lesbian women who were fired from their jobs because their sexuality became known (HOR 20 Dec. 2018). The same source further explained that there are cases of HIV positive gay men who have been denied employment or were fired following HIV testing that was carried out either during interviews or during a work placement (HOR 20 Dec. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

2.3 Access to Health Care

According to the academic researcher, it is unlikely that an individual who is a sexual minority would be denied treatment or health care for a physical illness or injury (Academic Researcher 11 Dec. 2018). Other sources indicate, however, that sexual minorities face challenges in accessing health care (Journalist 7 Dec. 2018; Board Member 6 Dec. 2018; HOR 20 Dec. 2018), including being denied these services (Board Member 6 Dec. 2018; HOR 20 Dec. 2018). The Amnesty International representative indicated that sexual minorities face "discrimination" in accessing health care services (Amnesty International 14 Jan. 2019). Without providing further details, the same source noted that in some parts of Nigeria, sexual minorities cannot reveal their sexual orientation to medical doctors (Amnesty International 14 Jan. 2019). The journalist explained that there are cases in which HIV-positive persons were denied treatment by doctors because they disclosed their sexual orientation during consultations (Journalist 7 Dec. 2018).

The OutRight board member explained that civil society organizations that are dedicated to the needs of sexual minorities have addressed cases of discrimination, for example when sexual minorities are denied social services, by lobbying the donors of such organizations, which are often international organizations, including the United States Agency for International Development (USAID) (Board Member 6 Dec. 2018). Further information on access to health services by sexual minorities could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

2.4 Treatment of Sexual Minorities by Family Members

Sources indicate that sexual minorities are generally not accepted by family members (JYHI (Improved Youth Health Initiative) 12 Oct. 2018; Attorney 16 Oct. 2018). Other sources indicate that there are family members who accept sexual minorities "with difficulty" (Representative 5 Oct. 2018) or in "exceptional cases" (ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018). However, according to John Campbell, "[f]amily members of sexual minorities repudiate sexual minorities: they either ostracize them, try to change them or act violently towards them" (Campbell 7 Dec. 2018). According to sources, family members have reportedly disowned sexual minorities (Representative 5 Oct. 2018; JYHI (Improved Youth Health Initiative) 12 Oct. 2018; The Guardian 9 Feb. 2016) or thrown them out of the family's home (ABC 21 Oct. 2017a; Ekundayo 31 Dec. 2018). In correspondence with the Research Directorate, an independent researcher ¹⁴ stated that sexual minorities tend to hide their sexual identity from family members to avoid ridicule (Independent Researcher 15 Oct. 2018). According to the same source, sexual minorities may be subject to taunting from relatives, which is "perceived as a means of 'correcting' someone" (Independent Researcher 15 Oct. 2018). According to a shadow report prepared by Queer Alliance Nigeria (QA) (now known as Equality Triangle Initiative ¹⁵) on human rights violations based on sexual orientation and gender identity in Nigeria ¹⁶, sexual minorities are subject to "reparative therapy" ¹⁷ that is carried out by family members, as well as security officers, healthcare providers, and religious and traditional institutions (QA 29 Mar. 2018). For further information on practices to which family members may subject sexual minorities, see section 3.2, Ritual Cleansing Practices.

2.5 Treatment of Family Members

According to the JYHI (Improved Youth Health Initiative) representative, families disown "family members who identify as sexual minorities due to the shame that family members might face from society, their church and friends" (JYHI (Improved Youth Health Initiative) 12 Oct. 2018). Similarly, other sources explained that families of sexual minorities face stigma (Board Member 6 Dec. 2018; Ekundayo 31 Dec. 2018). The RURCHEDI (Rural Renewal and Community Health Development Initiative) representative stated that

[f]amily members of sexual minorities, including spouses, parents, children and siblings, can face ostracism, stigmatization and embarrassment from community members and other extended family members. Family members of sexual minorities can be cut off from their community and they can be insulted and assaulted by community members.

However, there are also cases where family members of sexual minorities face no risks at all – as such, it can be relative whether family members of sexual minorities face any risks from society. (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018)

According to the JYHI (Improved Youth Health Initiative) representative, whether or not family members of sexual minorities face risks depends on whether the person who is a sexual minority is public about their sexuality, is an activist who is "widely known," and whether the family members are "openly in support" of the person who is a sexual minority (JYHI (Improved Youth Health Initiative) 10 Jan. 2019).

According to the RURCHEDI (Rural Renewal and Community Health Development Initiative) representative,

[f]amily members of sexual minorities are often, if not always, obliged to pay for the bail and extortion [costs] of sexual minorities carried out by police authorities. Often times, family members carry the responsibility to help sexual minorities who are being extorted monetarily by police authorities, so as not to "out" them as sexual minorities or to prevent charges under the *Criminal Code Act* or the *SSMPA (Same-Sex Marriage (Prohibition) Act)*. Family members are typically not subjected to ritual cleansing practices – this is reserved for sexual minorities. A family with [a person who is a sexual minority] may entirely be ostracized - people may not want to engage in business, activities or partnerships with them. People may not want to marry into a family with a sexual minority. A family with a sexual minority may be [cast out] from the church and cultural community as well. (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018)

Osifunke Ekundayo also noted that families "fear that people will not want to marry other children from the family" (Ekundayo 31 Dec. 2018).

Sources indicated that when the person who is a sexual minority is no longer in the country, the family members face stigma (Ekundayo 31 Dec. 2018) or "shame" (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). The RURCHEDI (Rural Renewal and Community Health Development Initiative) representative explained that if the person who is a sexual minority leaves a child behind in Nigeria, the child experiences discrimination, neglect and stigma (RURCHEDI (Rural Renewal and Community Health Development Initiative) 3 Jan. 2019). According to the JYHI (Improved Youth Health Initiative) representative, when the person

who is a sexual minority is no longer in Nigeria, the family members do not face any risks from society or authorities, "[e]xcept in a situation where the family is popular and very public with their support of their child" who is a sexual minority (IYHI (Improved Youth Health Initiative) 10 Jan. 2019). The RURCHEDI (Rural Renewal and Community Health Development Initiative) representative stated that the stigma and shame that family members of sexual minorities face is "considerably reduced" once the person who is a sexual minority is no longer in Nigeria (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018).

2.6 Terminology and Labels

According to sources, labels such as "gay," "lesbian," "bisexual," and "transgender" are used in Nigeria (Attorney 16 Oct. 2018; TIERS (The Initiative for Equality Rights) 18 Oct. 2018; Board Member 6 Dec. 2018). Other sources stated that these labels are often used "with derision" (Independent Researcher 15 Oct. 2018) or "in a derogatory manner" by society (ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018). Sources indicate that native terms are used in addition to these labels (ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018; Campbell 10 Dec. 2018; Board Member 6 Dec. 2018). According to the academic researcher, common terms for male homosexuals and bisexuals in local languages mean "'he who makes love to the anus'," for example *Adodi*, *Adofuro* in Yoruba, *Odu'unusaw* in Urhobo, *Mu'amullar jinsi daya* in Hausa, and *Ukemuduot* in Igbo (Academic Researcher 11 Dec. 2018). The OutRight board member stated that "within the LGBTI community, a code word is used called '*sagba*,' which [refers to] same-sex relationships for men and for women. The connotation of *sagba* is positive and outside of the LGBTI community, it is not known. It is used across Nigeria, but primarily in the south of Nigeria" (Board Member 6 Dec. 2018). Further and corroborating information on local terms used to describe sexual minorities could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

Sources indicated that while labels such as "gay," "lesbian," "bisexual," and "transgender" are used in Nigeria, sexual minorities do not, or are reluctant to, openly identify as sexual minorities (Representative 5 Oct. 2018; Independent Researcher 15 Oct. 2018; Campbell 7 Dec. 2018), "because it is dangerous for them as they may face violence or be ostracized" by society (Campbell 10 Dec. 2018). Sources indicate that sexual minorities hide their identities as sexual minorities (BBC 31 July 2017; *The Guardian* 30 Mar. 2018; Independent Researcher 15 Oct. 2018).

2.7 Treatment by Faith Groups

According to sources, there is hostility towards sexual minorities in Nigeria across different faith groups (Campbell 10 Dec. 2018; ABC 21 Oct. 2017a). According to the BBC, "both Christianity and Islam" play "a powerful role in shaping people's views on homosexuality in Nigeria" (BBC 6 Feb. 2014). John Campbell stated that Nigeria is a "very religious country" and that Islamic and

Christian clergy both denounce sexual minorities and urge that they be ostracized and treated as pariahs (Campbell 7 Dec. 2018). Other sources similarly indicate that there are faith leaders who preach against homosexuality (QA 29 Mar. 2018; Sweden 18 Dec. 2014, 6). According to the RURCHEDL (Rural Renewal and Community Health Development Initiative) representative, there is no church in Nigeria that openly accepts sexual minorities (RURCHEDL (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). The same source stated that "[i]f there are any faith groups that support sexual minorities, they have to gather with each other carefully and operate under the radar as their operation has been prohibited by the SSMPA (Same-Sex Marriage (Prohibition) Act)" (RURCHEDL (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). Sources indicate, however, that the HOR is a religious community that welcomes sexual minorities (Finland 9 June 2015, 7; *The Guardian* 3 Mar. 2018; HOR 19 Dec. 2018). Further information on faith leaders and institutions that provide support to sexual minorities could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

2.8 Treatment of Intersexual Persons, Transgender Persons, and Lesbian Women

Sources indicate that homosexual men are the most visible among sexual minorities in Nigeria (Finland 9 June 2015, 2; Sweden 18 Dec. 2014, 6). According to a report published by Sweden's Migration Agency, Lifos, following a fact-finding mission that was carried out in May 2014 in Nigeria, "[o]ther persons concerned within the LGBT designation, such as transgender and intersexual persons, are overwhelmingly unseen in society" (Sweden 18 Dec. 2014, 5, 6). According to the same report, "[t]here are no statistics regarding [transgender persons]. ... Men dressed as women [do] not [undergo] sex change operations. It is not permitted in Nigeria. Intersexual children are sometimes left to die after birth. Those who are allowed to live stay hidden" (Sweden 18 Dec. 2014, 8). According to the Women's Health and Equal Rights (WHER) Initiative ¹⁸,

[s]exual minority women face the dual discrimination of being both women and possessing a sexual orientation or gender identity contrary to Nigerian societal norms. ... The abuse and discrimination experienced by sexual minority women begin[s] within their families and [is] pervasive in workplaces, educational institutions, health care facilities, social settings and religious institutions. (WHER Initiative n.d.)

Human Rights Watch cites lesbian and bisexual women interviewed for their 2016 report on the situation of sexual minorities in Nigeria as stating that fear of being perceived as "guilty by association" leads them to avoid associating with other LGBT community members, which increases their isolation and, in some cases, eventually compels them to marry a person of the opposite sex, have children, and conform to "socially pr[e]scribed gender norms" (Human Rights Watch Oct. 2016, 3). According to sources, there is societal pressure in Nigeria to get married

and have children (Board Member 6 Dec. 2018; Academic Researcher 11 Dec. 2018). According to the OutRight board member, there are no statistics that indicate the prevalence of sexual minorities who are forced into marriage (Board Member 6 Dec. 2018).

2.9 Treatment of Bisexual Persons

In correspondence with the Research Directorate, the Executive Director of the WHER Initiative indicated that both bisexuality and homosexuality are viewed negatively as all same-sex practices and relationships and that neither bisexuals nor homosexuals are accepted in Nigerian society (WHER Initiative 24 Oct. 2018). According to the JYHL (Improved Youth Health Initiative) representative, people "often perceive bisexual individuals as perverts and evil people who do evil things" (JYHL (Improved Youth Health Initiative) 12 Oct. 2018). In correspondence with the Research Directorate, the Director of Equality Triangle Initiative explained that

[m]ost people classify bisexual persons as either lesbians or gay. The reason for this is the low visibility of bisexual persons within the LGBT community as well as the intra-community discrimination and stigma that bisexual [persons] face within the LGBT community. However, the high level of stigma and discrimination can also influence [whether people] self-identif[y] as bisexual, as some people find it more comforting to claim this label as part of countering social pressures and stigma. (Equality Triangle Initiative 16 Oct. 2018)

According to the independent researcher, many bisexuals get married to people of the opposite sex and have families in order to stop pressure from family members or to stop suspicions concerning their sexual orientation (Independent Researcher 15 Oct. 2018). The Executive Director of the WHER Initiative stated that

[a] lot of homosexuals in Nigeria are "situational bisexuals" because they engage in heterosexual relationships to conform to societal expectations. ... A person would not "say" they were "bisexual" to cover their homosexuality, instead they would engage in "bisexual practice" which would be maintaining heterosexual relationships to cover up their homosexual attractions/behaviours. For those who would have both homosexual and heterosexual relationships, the homosexual relationships would still remain hidden. ... They have sexual relationships with the opposite sex to avoid stigma/homophobia and to fulfill familial expectations that [one] must marry and have children. (WHER Initiative 24 Oct. 2018)

In correspondence with the Research Directorate, the Executive Director of the International Centre for Advocacy on Right to Health (ICARH (International Centre for Advocacy on Right to Health)) ¹⁹ stated that

[b]isexuality is subjective in Nigeria and this is categorized by gender. Nigeria is to an extent patriarchal in nature and thus in this type of environment, women are often permitted to be bisexual in nature, as it [is regarded] as pleasing to [men], and encouraged by men. This is quite different for men who identify as bisexual, as the negative perception toward same-sex affairs between men is deemed a taboo and prohibited. (ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018)

Other sources similarly indicate that social attitudes and perceptions of bisexuality depend on whether the person is a woman or a man, as bisexual women are regarded less negatively in comparison with bisexual men (Board Member 6 Dec. 2018; Attorney 16 Oct. 2018). The OutRight board member explained that "bisexuality for men is very taboo and [considered] an abomination" (Board Member 6 Dec. 2018).

3. Incidents of Violence

According to the OutRight board member, societal attitudes towards sexual minorities are gradually improving (Board Member 6 Dec. 2018). Similarly, the Director of Equality Triangle Initiative stated that there is a slow shift in social attitudes towards sexual minorities (Equality Triangle Initiative 16 Oct. 2018). The same source explained that despite improvements, sexual minorities "continue to experience high levels of discrimination, stigma and violence" (Equality Triangle Initiative 16 Oct. 2018). According to the OutRight board member, sexual minorities may face violence from family members, members of society and state authorities (Board Member 6 Dec. 2018). According to the RURCHEDL (Rural Renewal and Community Health Development Initiative) representative, sexual minorities can be killed by community members as a result of their sexual orientation and/or gender identity and expression (RURCHEDL (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018).

In a teleconference interview with the Research Directorate, a Lagos-based representative of Immigration, Refugees and Citizenship Canada (IRCC) at the High Commission of Canada to Nigeria stated that, according to his understanding, the threat of violence against sexual minorities is "significantly over-reported" (Canada 14 Feb. 2018a). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

According to sources, sexual minorities are subjected to mob attacks or violence (Journalist 7 Dec. 2018; Board Member 6 Dec. 2018). The OutRight board member explained that mob violence generally occurs "in rural areas, although in urban areas as well. In general, no one is held responsible when mob attacks have occurred. When sexual minorities are attacked by a mob, it is common that police authorities offer to help sexual minorities under the condition of a bribe" (Board Member 6 Dec. 2018).

3.1 Vigilante Group Incidents

Sources indicate that vigilante groups have reportedly targeted and attacked sexual minorities (Independent Researcher 15 Oct. 2018; JYHI (Improved Youth Health Initiative) 12 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018) or that "groups of people" have attacked persons based on their real or perceived sexual orientation and/or gender identity (Human Rights Watch Oct. 2016, 2). According to the OutRight board member,

there is a difference between vigilante groups' attacks and mob justice. Vigilante groups are made up of people in a community who protect the community from criminals. A mob can include vigilante groups, but is not just limited to vigilante groups. It can include anyone in that vicinity of the mob attack. (Board Member 6 Dec. 2018)

The Director of Equality Triangle Initiative stated that the prevalence of vigilante groups targeting and attacking sexual minorities is "low" (Equality Triangle Initiative 16 Oct. 2018). In correspondence with the Research Directorate, a TIERS (The Initiative for Equality Rights) representative similarly stated that vigilante attacks against sexual minorities are "unlikely" to occur, "especially in urban areas" (TIERS (The Initiative for Equality Rights) 18 Oct. 2018). The JYHI (Improved Youth Health Initiative) representative explained that vigilante group attacks happen "sporadically" (JYHI (Improved Youth Health Initiative) 12 Oct. 2018). According to John Campbell, there are no statistics on attacks against sexual minorities by vigilante groups (Campbell 7 Dec. 2018).

In correspondence with the Research Directorate, a representative of Vision Spring Initiatives (VSI) ²⁰, speaking on her own behalf, stated that vigilante group attacks against sexual minorities are "prevalent" in northern Nigeria (Representative 5 Oct. 2018). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

The RURCHEDI (Rural Renewal and Community Health Development Initiative) representative noted that sexual minorities "can be stripped naked by community members and paraded around in public," as well as "beaten" and "taunted with derogatory words and insults" by "members of the public" (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). The JYHI (Improved Youth Health Initiative) representative described a case of a vigilante group incident in southeastern Nigeria in which two men, who were allegedly caught having sex, were beaten by members of their community, stripped naked, taken around the village, and had their photos taken, which were posted on social media (JYHI (Improved Youth Health Initiative) 12 Oct. 2018). According to the same source, the police did not intervene in the incident nor bring the perpetrators to justice (JYHI (Improved Youth Health Initiative) 12 Oct. 2018).

According to the OutRight board member, vigilante group attacks against real or perceived sexual minorities occur at gatherings or events (Board Member 6 Dec. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within

the time constraints of this report.

Sources report that social media is used to lure sexual minorities to meet up in order to physically assault and/or rob them (ABC 21 Oct. 2017a; Human Rights Watch Oct. 2016, 45-46). According to the RURCHEDI (Rural Renewal and Community Health Development Initiative) representative,

[t]here have been many cases where community members trick sexual minorities by infiltrating dating apps, like Grindr, and [sub]sequently blackmailing sexual minorities in order not to "out" them as sexual minorities to their community. There are also cases where members of the LGBT community blackmail other sexual minorities by extorting them for money in order not to "out" them as sexual minorities to their community. (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018)

The Guardian cites a director at TIERS (The Initiative for Equality Rights) as stating that cases of extortion have risen "significantly" through social media applications such as Grindr (*The Guardian* 30 Mar. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report. For further information on incidents of extortion, see section 4.2, Extortion.

3.2 Ritual Cleansing Practices

Sources characterize ritual cleansing practices that involve sexual minorities in Nigeria as "very common" (TIERS (The Initiative for Equality Rights) 18 Oct. 2018) or "rampant" (JYHI (Improved Youth Health Initiative) 12 Oct. 2018). According to the ICARH (International Centre for Advocacy on Right to Health) Executive Director, ritual cleansing practices are "popularly referred to" as "[e]xorcism" (ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018). According to the independent researcher, although ritual cleansing practices vary throughout Nigeria, these practices are targeted towards "'healing' gay people" because homosexuality is seen as an "evil spirit which possesses the affected person" (Independent Researcher 15 Oct. 2018). According to sources, ritual cleansing practices occur at places of worship (JYHI (Improved Youth Health Initiative) 12 Oct. 2018; Representative 5 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018), such as churches (JYHI (Improved Youth Health Initiative) 12 Oct. 2018). Sources indicate that ritual cleansing practices can include the following elements:

- Prayers (Representative 5 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018; WHER Initiative 24 Oct. 2018);
- Isolation (Representative 5 Oct. 2018; ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018; Board Member 6 Dec. 2018), in one's home (Board Member 6 Dec. 2018);
- Sacrifices carried out by a priest (JYHI (Improved Youth Health Initiative) 12 Oct. 2018);
- "[S]evere punishment" (JYHI (Improved Youth Health Initiative) 12 Oct. 2018);

- Beatings (JYHI (Improved Youth Health Initiative) 12 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018; ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018) with brooms (Equality Triangle Initiative 16 Oct. 2018) or flogging (ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018);
- Being tied up (ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018);
- Fasting (Representative 5 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018; Board Member 6 Dec. 2018);
- Starvation (JYHI (Improved Youth Health Initiative) 12 Oct. 2018);
- Eating or drinking a "concoction" (ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018);
- Walking naked through a public space, "including a market area, sometimes with one's body marked and one's head shaved" (Board Member 6 Dec. 2018);
- Counselling (Equality Triangle Initiative 18 Oct. 2018; WHER Initiative 24 Oct. 2018);
- Denouncing homosexuality (ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018).

According to the OutRight board member, ritual cleansing practices cause "immense traumatic stress," as these experiences are "degrading and humiliating" (Board Member 6 Dec. 2018). Sources indicate that individuals subjected to ritual cleansing practices may seek protection, where available, with an NGO (TIERS (The Initiative for Equality Rights) 3 Dec. 2018), or at a shelter that is managed by NGOs that support sexual minorities (ICARH (International Centre for Advocacy on Right to Health) 25 Oct. 2018; Equality Triangle Initiative 25 Oct. 2018), or with friends (ICARH (International Centre for Advocacy on Right to Health) 25 Oct. 2018). In a follow-up correspondence, the Director of Equality Triangle Initiative indicated that individuals subjected to ritual cleansing practices are unable to report this to the police or other state authorities, as reporting may lead to "further reprisals" (Equality Triangle Initiative 25 Oct. 2018). In a follow-up correspondence, the independent researcher indicated that sexual minorities are "practically forced" to undergo the ritual cleansing practices, "otherwise, they risk being ostracized from the community" (Independent Researcher 29 Oct. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

In December 2015, Gay Star News, a news website covering global LGBT issues, reported a case in 2015 in which two men in the Delta State who were accused of having committed same-sex acts were arrested by a vigilante group, sent to the *Okpala*, "the spiritual head of the district of Agbor-Alidinma," and then to the "Chief Priest of a shrine to undergo a series of spiritual cleansing rituals" (Gay Star News 26 Dec. 2015). The men were fined US\$126 each and were requested to return to the shrine the following month with one "native cow," 36 "native chalks," 50 cola nuts, 2 red cloths each, and 20 tuber of yams for the "final clean[s]ing rites" (Gay Star News 26 Dec. 2015). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

According to the VSI representative, lesbian women are subjected to "curative sex" where family members have sex with her so that "she can experience sex differently and change" (Representative 5 Oct. 2018). According to the same source, some lesbians also experience coercion into early and forced marriages, bullying, blackmail, extortion, and being invited out through social media to later be raped (Representative 5 Oct. 2018). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

3.3 The Role of the Media

According to the 2014 *New York Times* article, Nigerian media outlets have been largely supportive of the SSMPA (Same-Sex Marriage (Prohibition) Act) and, after Nigeria passed the SSMPA (Same-Sex Marriage (Prohibition) Act), news media demands for a crackdown on sexual minorities increased (*The New York Times* 8 Feb. 2014). According to the JYHI (Improved Youth Health Initiative) representative, there are many cases of media reports that target sexual minorities and portray them negatively (JYHI (Improved Youth Health Initiative) 12 Oct. 2018). Sources indicate cases in which media reports published an individual's sexual orientation (ABC 21 Oct. 2017a; Gay Star News 26 Dec. 2015; *The Guardian* 3 Mar. 2018), including:

- the individual's picture (ABC 21 Oct. 2017a; Gay Star News 26 Dec. 2015; *The Guardian* 3 Mar. 2018);
- name (ABC 21 Oct. 2017a; Gay Star News 26 Dec. 2015; *The Guardian* 3 Mar. 2018); and/or
- HIV status (ABC 21 Oct. 2017a; Board Member 6 Dec. 2018).

Sources described such media reports as "common" (Representative 5 Oct. 2018; Board Member 6 Dec. 2018). However, in correspondence with the Research Directorate, a US-based attorney ²¹ stated that, even though the media does not promote the rights of sexual minorities, it does not "publish 'anti-gay' propaganda either" (Attorney 16 Oct. 2018). Without providing further details, the Equality Triangle Initiative Director stated that although media reports "exposing LGBT persons continue to exist," these reports are less "sensational" than they have been in the past (Equality Triangle Initiative 16 Oct. 2018).

4. Treatment by Authorities

4.1 Arrest Warrants

Sources indicate that Nigerian police authorities do not follow specific procedures for the investigation and prosecution of crimes related to someone's sexual orientation and/or gender identity and expression (JYHI (Improved Youth Health Initiative) 12 Oct. 2018; Attorney 16 Oct.

2018). Sources indicate that police raid gatherings of sexual minorities and arrest them "often" (Independent Researcher 15 Oct. 2018) or "regularly" (*The Guardian* 30 Mar. 2018). For further information on arrests of sexual minorities at social gatherings, see section 5, Statistics.

The independent researcher stated that the usual practice for police authorities is to issue a statement following the arrest of suspected sexual minorities which provides the "details of the police operation and the crime(s) committed" (Independent Researcher 15 Oct. 2018).

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

The IRCC representative stated that "[t]here have never been any warrants of arrest under the anti-homosexuality laws" (Canada 14 Feb. 2018a). Other sources similarly indicate that arrest warrants are not issued for such cases (Attorney 16 Oct. 2018) or are not "usually" issued (Representative 5 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018). However, according to the OutRight board member, although it is "not common" for police authorities to issue arrest warrants when "arresting individuals under the SSMPA (Same-Sex Marriage (Prohibition) Act)," police authorities at times issue a search warrant to investigate someone's apartment, while asking neighbours questions about the visitors the person receives, whether the visitors are men or women, and where the person tends to go (Board Member 6 Dec. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

Sources indicate that charges are not laid against sexual minorities (Canada 14 Feb. 2018a) or that people are not "usually" charged under anti-homosexuality laws (TIERS (The Initiative for Equality Rights) 18 Oct. 2018); rather, the same sources state that arrests under the SSMPA (Same-Sex Marriage (Prohibition) Act) are carried out for extortion purposes (Canada 14 Feb. 2018a; TIERS (The Initiative for Equality Rights) 18 Oct. 2018).

4.2 Extortion

According to the RURCHEDI (Rural Renewal and Community Health Development Initiative) representative, "[s]exual minorities may face monetary extortion from the police, community members and members of the LGBT community" (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). Sources categorize incidents of extortion carried out against sexual minorities by police authorities as "common" (Attorney 16 Oct. 2018; Board Member 6 Dec. 2018; RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018) or "routine" (Equality Triangle Initiative 16 Oct. 2018). According to the RURCHEDI (Rural Renewal and Community Health Development Initiative) representative,

[t]here is no data that shows the prevalence of extortion. Organizations in Nigeria that work on the needs of sexual minorities face legal and economic restrictions. As such, they face enormous challenges to carry out such research to put forth empirical data that demonstrates the prevalence of extortion against sexual minorities. (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018)

According to sources, police authorities extort sexual minorities when they are arrested or detained (JYHI (Improved Youth Health Initiative) 12 Oct. 2018; Attorney 16 Oct. 2018; Board Member 6 Dec. 2018). Sources indicated that money can be extorted from anyone under the SSMPA (Same-Sex Marriage (Prohibition) Act), regardless of sexual orientation (Canada 14 Feb. 2018a; Board Member 6 Dec. 2018). According to the RURCHEDI (Rural Renewal and Community Health Development Initiative) representative, there is often no evidence that extortion has occurred in police custody because smart phones and cameras are not allowed in the police facility and extortion is done through cash, not bank transfers (RURCHEDI (Rural Renewal and Community Health Development Initiative) 3 Jan. 2019).

Sources indicate that authorities who arrest and extort sexual minorities do so under the pretext of Nigerian legislation (AFP 4 Aug. 2017; Human Rights Watch Oct. 2016, 3), namely the SSMPA (Same-Sex Marriage (Prohibition) Act), but that those arrested are later released on "bail", usually after offering bribes to the police" (Human Rights Watch Oct. 2016, 3). According to John Campbell, "it is common that state authorities are bribed" (Campbell 7 Dec. 2018). *The Guardian* cites a paralegal in Nigeria who works on cases related to sexual minorities as explaining that in "the majority" of cases, police extort money from sexual minorities, knowing that if their case goes to court, their sexual identity will become public (*The Guardian* 30 Mar. 2018). The VSI representative explained that some sexual minorities get bailed out by their family members who pay authorities "some amount of money" and that those who do not pay are charged under either Sharia laws or state laws concerning sexual minorities (Representative 5 Oct. 2018). The OutRight board member explained that

when sexual minorities are released on bail, family members have to be involved, because they are required to sign for one's release. Also, with the help of pro-bono lawyers, it is possible to be released from detention. However, they will be exposed in the media with their name and sexuality, which causes great humiliation. As a result, one's family and community will become aware of one's sexual orientation and/or gender identity and this in turn exposes one to the threat of physical violence from mob attacks and ritual cleansing practices that family members force sexual minorities to undergo. (Board Member 6 Dec. 2018)

Sources indicate a range of bail amounts between approximately US\$30 (Human Rights Watch Oct. 2016, 3; Equality Triangle Initiative 16 Oct. 2018) and US\$300 (Representative 5 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018).

According to the journalist, anti-homosexuality legislation is used by the police to intimidate individuals based on their real or perceived sexual orientation (Journalist 7 Dec. 2018).

According to the OutRight board member,

police authorities use scare tactics against sexual minorities, putting pressure on them [by threatening] that [the police authorities] will expose their sexuality to their community. They also put immense pressure on sexual minorities to snitch on others who are sexual minorities, forcing them to reveal names and addresses. (Board Member 6 Dec. 2018)

Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

According to sexual minorities who were interviewed by Human Rights Watch for its 2016 report on the situation of sexual minorities in Nigeria, sexual minorities have adopted "self-censoring behavior" or altered their gender presentation to avoid being arrested and extorted (Human Rights Watch Oct. 2016, 3). For further information on sexual minorities' ability to live openly, see section 2.6, Terminology and Labels and section 9, Relocation Options.

5. Statistics

5.1 Arrests and Prosecutions

According to the BBC, arrests are "infrequent" as homosexual people "live in hiding" (BBC 31 July 2017). The independent researcher explained that it is difficult to obtain accurate statistics on arrests and charges laid against sexual minorities because Nigeria does not have a culture of "adequate record keeping" (Independent Researcher 15 Oct. 2018). According to John Campbell, any statistics on prosecutions in Nigeria are "aspirational" and not necessarily reflective of the actual situation, due to the lack in reliable measurement techniques (Campbell 7 Dec. 2018).

Without providing further information, US *Country Reports* 2017 states that the first time that the Nigerian government brought formal charges under the SSMPA (Same-Sex Marriage (Prohibition) Act) was in 2017 (US 20 Apr. 2018, 41). *Vanguard*, a Nigerian newspaper, reports that since 2015, "many [Nigerians] have gone on trial for alleged involvement in homosexuality" (*Vanguard* 4 Sept. 2018). According to the OutRight board member, no one has been "sentenced and put into jail" under the SSMPA (Same-Sex Marriage (Prohibition) Act) (Board Member 6 Dec. 2018).

Sources report the following incidents:

- On 10 May 2015, 20 men in their early 20s were arrested in Ibadan, Oyo State, at a birthday party and were accused of "organizing a gay party" and "initiating other young men into homosexuality" (QA 29 Mar. 2018). The men were detained for more than 72

hours and released after paying 221,000 Nigerian naira [approximately C\$829] in bail (QA 29 Mar. 2018).

- In 2017, more than 40 men were tried in Lagos for engaging in homosexuality, under Section 214-217 of the *Criminal Code Act* and the *SSMPA (Same-Sex Marriage (Prohibition) Act)* (Equality Triangle Initiative 16 Oct. 2018).
- Between January and October 2017, "at least" 114 homosexual men and women were arrested in northern Nigeria (ABC 21 Oct. 2017a).
- In April 2017, 53 attendees of a homosexual wedding were arrested and charged "with 'belonging to a gang of unlawful society'" (Human Rights Watch 18 Jan. 2018, 394; AP 19 Apr. 2017) in Zaria (AP 19 Apr. 2017). According to sources, they were prosecuted in April 2017 in a court in Zaria, Kaduna state, for "conspiracy," "unlawful assembly" and "belonging to an unlawful society" (Amnesty International 22 Feb. 2018; BBC 20 Apr. 2017). They were granted bail (Amnesty International 22 Feb. 2018; BBC 20 Apr. 2017; AFP 4 Aug. 2017).
- In July 2017, authorities arrested over 40 men at an HIV awareness event at a hotel in Lagos under the accusation of performing same-sex acts (BBC 31 July 2017; Human Rights Watch 18 Jan. 2018, 394). According to Amnesty International, in August 2017, approximately "42 men and boys between 12 and 28 years old were arrested at a hotel in Lagos while attending an HIV intervention programme organized by an NGO. They were charged with 'engaging in gay activities'" (Amnesty International 22 Feb. 2018).
- In August 2017, 28 men and 12 minors were charged [under section 214(3) of the *Criminal Code Act*] after being accused of engaging in "'gay activities'" at a hotel in Lagos (AFP 4 Aug. 2017).
- In August 2017, 28 adults were arraigned before the Yaba Magistrate Court by the Lagos State government for engaging in homosexuality (*Vanguard* 4 Sept. 2018; Premium Times 5 Aug. 2017). Premium Times reports that the 28 adults were granted bail at 500,000 naira [approximately C\$1,836] and two sureties in like sum (Premium Times 5 Aug. 2017).
- In June 2018, Nigerian police arrested more than 100 people at a hotel in Asaba, Delta State, "on charges that they are gays and lesbians" (Erasing 76 Crimes 11 June 2018).
- In August 2018, police in Lagos arrested 57 persons for alleged homosexual activities in Egbeda, Lagos (Premium Times 27 Aug. 2018; NAN 27 Aug. 2018).
- As of October 2018, "more than 200 persons" were tried under Sections 214-217 of the *Criminal Code Act* and the *SSMPA (Same-Sex Marriage (Prohibition) Act)* (Equality Triangle Initiative 16 Oct. 2018).
- On 17 December 2018, 11 women were arrested by the Hisbah police in Kano for allegedly planning a lesbian wedding (*RURCHEDI (Rural Renewal and Community Health Development Initiative)*) 3 Jan. 2019; *Vanguard* 20 Dec. 2018; Premium Times 18 Dec. 2018).

Further information on the above-mentioned incidents could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

5.2 Human Rights Violations

According to the independent researcher, cases of attacks, lynching and public shaming of sexual minorities are more common than prosecutions of sexual minorities (Independent Researcher 15 Oct. 2018). According to the Equality Triangle Initiative Director, between 2014 and 2018, LGBT organizations recorded more than 800 cases of human rights violations based on real or perceived sexual orientation and gender identity (Equality Triangle Initiative 16 Oct. 2018).

The Equality Triangle Initiative Director indicated that the following human rights violations on the basis of sexual orientation and gender identity were recorded in Nigeria in 2017:

- 32 cases of "invasion of privacy";
- 3 killings;
- 5 cases of attempted rape and rape;
- 3 cases of mob violence;
- 7 cases of torture;
- 25 cases of forceful eviction;
- 48 cases of battery (Equality Triangle Initiative 16 Oct. 2018).

Further statistics on human rights violations based on real or perceived sexual orientation and/or gender identity could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

6. State Protection

6.1 Legislation

According to sources, state protection is not available to sexual minorities in Nigeria, given that homosexual acts are illegal in Nigeria (Journalist 7 Dec. 2018; Academic Researcher 11 Dec. 2018; RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). According to sources, there is no legislation that protects the rights of sexual minorities (BBC 31 July 2017; Campbell 7 Dec. 2018; RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). According to the shadow report prepared by QA, Nigeria has passed into law the 2015 Violence Against Persons (Prohibition) Act (VAPP), the [2014] *HIV and AIDS (Anti-Discrimination) Act*, and the 2017 *Anti-Torture Act* (QA 29 Mar. 2018). According to John Campbell, the *VAPP*, the *HIV and AIDS (Anti-Discrimination) Act* and the *Anti-Torture Act* do not offer any tangible protection for sexual minorities (Campbell 7 Dec. 2018). According to Osifunke Ekundayo, the *VAPP* came into force on 25 May 2015 with an objective to "eliminate violence in private and public life, by providing maximum protection and effective remedies for victims and punishment of offenders" (Ekundayo 20 Dec. 2018). The same source explains that the *VAPP* provides for protection orders; a protection order is defined as "an order issued by a judge and which restrains a person, whether a private person or a State Actor, from further abusive behaviour towards the victim" (Ekundayo 20 Dec. 2018). The QA report states that the *VAPP*, "which cites sexuality as a protected ground from violence[,] has not had substantive

positive effects on the lived realities of LGBT persons" (QA 29 Mar. 2018). The same source states that despite the passing of the *VAPP*, sexual minorities "continue to experience mob justice and the perpetrators of violence against LGBT persons are not prosecuted in accordance with the provisions of the law" (QA 29 Mar. 2018). According to sources, the *VAPP* is only applicable as law in the FCT of Abuja (Ekundayo 20 Dec. 2018; QA 29 Mar. 2018).

According to Osifunke Ekundayo, the *HIV and AIDS (Anti-Discrimination) Act* aims to protect "the rights and dignity of people living with and affected by HIV and AIDS" and has a "penalty for noncompliance, which is provided for in Section 23" of the act (Ekundayo 20 Dec. 2018).

According to the academic researcher, due to the *HIV and AIDS (Anti-Discrimination) Act*, large multinational companies "are known to give antiretroviral drugs to staff that are HIV-positive" (Academic Researcher 11 Dec. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

Further information on legislation that protects the rights of sexual minorities could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

6.2 Reporting

Sources explained that sexual minorities tend not to file reports with authorities out of fear of reprisals from authorities (Human Rights Watch Oct. 2016, 3; QA 29 Mar. 2018; Campbell 7 Dec. 2018), including being exposed as sexual minorities (Campbell 7 Dec. 2018; Human Rights Watch Oct. 2016, 3) or being arrested under the *SSMPA (Same-Sex Marriage (Prohibition) Act)* (Human Rights Watch Oct. 2016, 3). According to the independent researcher, sexual minorities who report abuse or discrimination are "ridiculed" by authorities (Independent Researcher 29 Oct. 2018). The Amnesty International representative indicated that the judicial system is not effective in investigating crimes committed against sexual minorities and that "[i]n most cases, crimes committed against sexual minorities are not even investigated" (Amnesty International 14 Jan. 2019). According to the *IYHL (Improved Youth Health Initiative)* representative, vigilante group attacks are not often reported due to fear of repercussions and further stigmatization by law enforcement officers (*IYHL (Improved Youth Health Initiative)* 12 Oct. 2018).

The Executive Director of the Equality Triangle Initiative stated that sexual minorities are afraid to report extortion carried out by police authorities "because the police are complicit" in these activities (Equality Triangle Initiative 25 Oct. 2018). According to the OutRight board member, sexual minorities who face extortion from police authorities are unlikely to file complaints because "no effective investigation" would result from such a complaint (Board Member 6 Dec. 2018). The *TIERS (The Initiative for Equality Rights)* representative characterized the probability of facing reprisals from authorities as "high" and said that sexual minorities would instead lodge complaints with NGOs (*TIERS (The Initiative for Equality Rights)* 3 Dec. 2018).

6.3 Protection Measures

Sources indicate that there are protection measures available to sexual minorities who are extorted by police authorities, including legal action [against the police official in question (ICARH (International Centre for Advocacy on Right to Health) 25 Oct. 2018)] and filing a complaint (ICARH (International Centre for Advocacy on Right to Health) 25 Oct. 2018; Independent Researcher 29 Oct. 2018) with the Public Complaint Rapid Response Unit (PCRRU) of the Nigeria Police Force (Independent Researcher 29 Oct. 2018). According to a PCRRU report, the PCRRU is a unit within the Nigeria Police Force that is responsible for "receiving and resolving all complaints of [p]olice professional misconduct emanating from policing activities and operations nationwide" (Nigeria 25 Jan. 2017, 1). According to the same report, the PCRRU is available "24 hours a day to listen to members of the public from across Nigeria" and can be reached by a phone call, SMS [text message], WhatsApp, Blackberry messenger (BBM pin), Twitter, Facebook and email (Nigeria 25 Jan. 2017, 1).

According to the Executive Director of ICARH (International Centre for Advocacy on Right to Health), state protection measures are "not really effective" and not pursued as the individual's sexual orientation could be made public (ICARH (International Centre for Advocacy on Right to Health) 25 Oct. 2018). Similarly, John Campbell indicated that while there is a complaint mechanism to file complaints about police activities, the mechanism is "not effective, especially not for sexual minorities" (Campbell 7 Dec. 2018). The same source explained that

it would be too dangerous for sexual minorities to file complaints about police authorities as they may face repercussions from the police. Consequently, sexual minorities generally do not dare to file complaints against the police. As such, there are no state protection measures available to sexual minorities who are extorted by police authorities. (Campbell 7 Dec. 2018)

According to the Amnesty International representative, in "some cases the police detain [sexual minorities] when they file complaints. They are treated with a lot of discrimination by the police" (Amnesty International 14 Jan. 2019). The same source also indicated that there is no difference in the treatment of sexual minorities by authorities between southern and northern Nigeria (Amnesty International 14 Jan. 2019). John Campbell stated that there is "no ombudsperson or any institution like it" in Nigeria (Campbell 7 Dec. 2018). According to Premium Times, the office of Nigeria's ombudsperson, the Public Complaints Commission (PCC), which was created in 2004 to address "complaints by aggrieved citizens or residents in Nigeria against administrative injustice," was shut down in 2016, due to its inability to pay full salaries to its workers (Premium Times 20 Oct. 2016).

According to Osifunke Ekundayo, Nigeria established the National Human Rights Commission (NHRC) in 1995 (Ekundayo 31 Dec. 2018). According to the same source, a complaint mechanism was created at the headquarters and all of the six Zonal Offices of the NHRC, with "[a]dditional offices" being established, to handle complaints of human rights violations, free of charge (Ekundayo 31 Dec. 2018). According to the RURCHEDI (Rural Renewal and Community

Health Development Initiative) representative, there is a lack of awareness of the existence of the NHRC, which is "understaffed and underfunded" (RURCHEDI (Rural Renewal and Community Health Development Initiative) 3 Jan. 2019). According to sources, the NHRC is not effective in protecting the human rights of sexual minorities (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018; Ekundayo 31 Dec. 2018), "because same-sex relationships and acts are illegal in Nigeria" (RURCHEDI (Rural Renewal and Community Health Development Initiative) 28 Dec. 2018). The RURCHEDI (Rural Renewal and Community Health Development Initiative) representative explained that "any effort" to file a complaint with the NHRC would place sexual minorities at risk of being re-arrested and charged for violating the Criminal Code Act and the SSMPA (Same-Sex Marriage (Prohibition) Act) (RURCHEDI (Rural Renewal and Community Health Development Initiative) 3 Jan. 2019). Similarly, Osifunke Ekundayo explained that sexual minorities who are victims of violence and abuse by state and non-state actors are "too afraid to report or seek legal redress [through the] NHRC for fear of being arrested under SSMPA (Same-Sex Marriage (Prohibition) Act)" (Ekundayo 31 Dec. 2018).

According to the academic researcher, a person's ability to seek protection as a sexual minority depends on the person's economic status and network (Academic Researcher 11 Dec. 2018). The same source explained that someone who is wealthy will be able to hire a "highly competent lawyer" to argue their case (Academic Researcher 11 Dec. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

7. Support Services

7.1 NGOs

The Amnesty International representative indicated that no services are provided by the government and that the "only services available to sexual minorities are provided by NGOs" (Amnesty International 14 Jan. 2019). Sources indicate that there are organizations that support and advocate for sexual minorities in Nigeria (Equality Triangle Initiative 16 Oct. 2018; Independent Researcher 15 Oct. 2018; IYHI (Improved Youth Health Initiative) 12 Oct. 2018). The OutRight board member explained that it is not possible in Nigeria to operate openly as an LGBT organization and that an organization that is dedicated to the needs of sexual minorities has to be branded as an organization providing health services dedicated to key populations at risk for HIV (Board Member 6 Dec. 2018). Likewise, the *Guardian* cites a former ICARH (International Centre for Advocacy on Right to Health) caseworker as stating that many NGOs that carry out work in the LGBT community do so under the cover of human rights and HIV awareness (*The Guardian* 30 Mar. 2018). According to the OutRight board member, such organizations have pro-bono lawyers who handle cases when sexual minorities are arrested (Board Member 6 Dec. 2018). According to sources, there are approximately 10 to 15

organizations that advocate for the rights of sexual minorities in Nigeria (*The Guardian* 9 Feb. 2016; Equality Triangle Initiative 16 Oct. 2018; Board Member 6 Dec. 2018). The independent researcher indicated that the following organizations advocate for the rights of sexual minorities in Nigeria: Human Rights Watch, TIERS (The Initiative for Equality Rights), the Bisi Alimi Foundation, Access to Health and Rights Development Initiative ²², and ICARH (International Centre for Advocacy on Right to Health) (Independent Researcher 15 Oct. 2018).

According to the website *Where Love Is a Crime*, which was developed and is managed by TIERS (The Initiative for Equality Rights) (TIERS (The Initiative for Equality Rights) n.d.b), organizations that work on issues concerning sexual minorities in specific areas of Nigeria include:

- North West: Advocates for Grass root Empowerment (AGE), also known as the Grass root community Support (GCS) (TIERS (The Initiative for Equality Rights) n.d.c);
- North Central: WHER Initiative and ICARH (International Centre for Advocacy on Right to Health) (TIERS (The Initiative for Equality Rights) n.d.d);
- South East: Access to Good Health Initiative (AGHI) (TIERS (The Initiative for Equality Rights) n.d.e);
- South West: TIERS (The Initiative for Equality Rights) and HOR (TIERS (The Initiative for Equality Rights) n.d.f);
- South South: [Equality Triangle Initiative], Initiative for Improved Male Health (IMH), and Initiative for Advancement of Humanity (IAH) (TIERS (The Initiative for Equality Rights) n.d.g).

The Amnesty International representative stated that support services are "only" available in urban areas such as Lagos, Abuja, Enugu, Kaduna, Port Harcourt and Ibadan (Amnesty International 14 Jan. 2019). According to the OutRight board member, it is "too dangerous" for any organization that supports the rights of sexual minorities to operate in the north of Nigeria, as a result of the Sharia legislation (Board Member 6 Dec. 2018). Without providing further details, the same source indicated that there are organizations dedicated to the needs of sexual minorities in the following areas:

- Two organizations based in Lagos;
- One organization based in Abuja;
- One organization based in Calabar;
- Two organizations based in Port Harcourt;
- Two organizations based in Benue;
- One organization based in the Delta State;
- One organization based in Enugu. (Board Member 6 Dec. 2018)

Further information, including the names of the organizations, could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

7.1.1 Services

According to the Equality Triangle Initiative Director, services provided by organizations that support and advocate for sexual minorities include: "sexual health, litigation, psychosocial support, capacity building, policy reform, and leadership development amongst other services" (Equality Triangle Initiative 16 Oct. 2018). According to the JYHI (Improved Youth Health Initiative) representative, JYHI (Improved Youth Health Initiative) provides paralegal support, psychosocial support, as well as sexual health and rights information and services (JYHI (Improved Youth Health Initiative) 12 Oct. 2018). According to the VSI representative, VSI provides counselling and psychosocial support to young sexual minorities whose rights have been violated during arrests, as well as to their parents (Representative 5 Oct. 2018). *The Guardian* reports that ICARH (International Centre for Advocacy on Right to Health) has provided mental health therapy to sexual minorities in Abuja (*The Guardian* 30 Mar. 2018). *The Guardian* cites a former ICARH (International Centre for Advocacy on Right to Health) caseworker as stating that the few mental health services that exist in Nigeria are "more available to men" because HIV awareness is focused on gay men (*The Guardian* 30 Mar. 2018). According to the OutRight board member,

one's ability to access the services of civil society organizations [that support sexual minorities] depends on one's connection to the LGBTI community and network in Nigeria. If one is not connected to this network, for example, as a result of one's inability to connect to the Internet and social media or one's living circumstances, one most likely has no idea that these organizations exist. Even very well-educated people may not have an idea that these organizations exist, because it is not common knowledge. (Board Member 6 Dec. 2018)

According to the VSI representative, VSI, in partnership with the Legal Defence and Assistance Project (LEDAP) ²³, trained more than 300 police officials on respecting the rights of sexual minorities (Representative 5 Oct. 2018). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

7.1.2 Challenges

Sources indicate that NGOs supporting sexual minorities face safety issues (Equality Triangle Initiative 16 Oct. 2018; JYHI (Improved Youth Health Initiative) 12 Oct. 2018; Board Member 6 Dec. 2018) and a lack of funding (JYHI (Improved Youth Health Initiative) 12 Oct. 2018). According to the founder and CEO of HOR, there is no government funding for activities or services that support sexual minorities and such organizations "rely heavily" on foreign donors and funders (HOR 20 Dec. 2018). John Campbell explained that organizations across Nigeria, including in rural and urban areas, that are dedicated to sexual minorities, carry out their services discreetly, because it can be dangerous for the staff, who may face repercussions from authorities and society (Campbell 7 Dec. 2018). Similarly, the journalist explained that as a result

of the enactment of the SSMPA (Same-Sex Marriage (Prohibition) Act) in 2014, when the forming of NGOs supporting sexual minorities was criminalized, NGOs have had to operate clandestinely "so as not to attract attention from the police" (Journalist 7 Dec. 2018). The JYHI (Improved Youth Health Initiative) representative explained that as a result of the SSMPA (Same-Sex Marriage (Prohibition) Act), staff members, volunteers and clients of LGBT organizations may be subjected to 10 years in jail (JYHI (Improved Youth Health Initiative) 12 Oct. 2018). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

Sources report raids on organizations dedicated to sexual minorities (Equality Triangle Initiative 16 Oct. 2018; WHER Initiative 24 Oct. 2018), including by the police (WHER Initiative 24 Oct. 2018). The OutRight board member noted that "there have been incidents [in which organizations dedicated to sexual minorities] were attacked and their documents were taken away" (Board Member 6 Dec. 2018). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

US *Country Reports* 2017 indicates that state authorities "did not impede the work" of LGBTI groups in 2017 (US 20 Apr. 2018, 41). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

7.2 Shelters

According to the ICARH (International Centre for Advocacy on Right to Health) Executive Director, there are no functioning shelters in Nigeria for sexual minorities (ICARH (International Centre for Advocacy on Right to Health) 24 Oct. 2018). Other sources, however, indicate that there are shelters for sexual minorities who flee violence (Representative 5 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018; Independent Researcher 15 Oct. 2018) run by NGOs (Representative 5 Oct. 2018; Independent Researcher 15 Oct. 2018). According to the VSI representative, private homes can be used to shelter sexual minorities from fleeing violence (Representative 5 Oct. 2018). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

According to the OutRight board member, shelters, which are also known as "safe homes," are also used by individuals who are released from detention under the SSMPA (Same-Sex Marriage (Prohibition) Act) and who cannot return to their families (Board Member 6 Dec. 2018).

Without indicating the number of available shelters dedicated to sexual minorities across Nigeria, sources indicate that there are shelters in the following locations:

- Benue State (Board Member 6 Dec. 2018);
- Minna, Niger State (Representative 5 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018);
- Lagos, Lagos State (Equality Triangle Initiative 16 Oct. 2018; Board Member 6 Dec. 2018);
- Abuja, Federal Capital Territory (Representative 5 Oct. 2018);

- Delta State (Representative 5 Oct. 2018).

Sources characterize the capacity of shelters as "limited," "underfunded" (Representative 5 Oct. 2018) or "minimal" (Equality Triangle Initiative 16 Oct. 2018). According to the OutRight board member, the shelters "constantly deal with security issues emanating from society and authorities" (Board Member 6 Dec. 2018). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

The OutRight board member indicated that

there are no safe homes in Nigeria that are dedicated to lesbians. The safe homes that exist are primarily for activists and advocates who are in significant danger. There is no common knowledge about these shelters, or safe homes, as a recourse. One would learn about the shelters, or safe homes, through word of mouth. (Board Member 6 Dec. 2018)

Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

7.3 Helplines

According to sources, there is no government-sponsored helpline for sexual minorities who face violence (Journalist 7 Dec. 2018; Academic Researcher 11 Dec. 2018). According to the *Guardian*, TIERS (The Initiative for Equality Rights) launched a helpline for sexual minorities in 2015 and as of March 2018, it has received "more than 200 calls" (*The Guardian* 30 Mar. 2018). The OutRight board member explained that TIERS (The Initiative for Equality Rights)' helpline for sexual minorities is not available 24 hours per day, due to TIERS (The Initiative for Equality Rights)' limited capacity (Board Member 6 Dec. 2018). Further information on helplines could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

8. Affidavits on Sexual Orientation and/or Gender Identity and Expression by Commissioners for Oaths, Notaries Public and Lawyers

According to sources, it is not a standard practice in Nigeria for a Commissioner for Oaths or a notary public to swear an affidavit regarding a person's sexual orientation and/or gender identity and expression (IYHI (Improved Youth Health Initiative) 12 Oct. 2018; TIERS (The Initiative for Equality Rights) 18 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018). According to the independent researcher, a Commissioner for Oaths or a notary public would be "wary" to notarize a document concerning an illegal act like a same-sex relationship or marriage, as it

could be deemed to be "endorsing" it (Independent Researcher 15 Oct. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

Sources indicate that it is not common for lawyers or barristers to notarize statements or swear affidavits in Nigeria in the context of someone's sexual orientation (Attorney 16 Oct. 2018; JYHI (Improved Youth Health Initiative) 12 Oct. 2018; Independent Researcher 15 Oct. 2018). The JYHI (Improved Youth Health Initiative) representative explained that unless someone trusts a lawyer or knows them personally, the person would not likely share information about their sexual orientation (JYHI (Improved Youth Health Initiative) 12 Oct. 2018). Similarly, the independent researcher stated that "[a]pproaching a lawyer [to provide a document certifying their sexual orientation] would be a rarity, and where done, [would] be done discreetly" (Independent Researcher 15 Oct. 2018). According to the OutRight board member, a pro-bono lawyer or doctor who works for an organization that is dedicated to sexual minorities might provide a letter affirming and certifying that someone is a sexual minority (Board Member 6 Dec. 2018). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

The Equality Triangle Initiative Director expressed the opinion that it would be

dangerous for anyone to approach a notary public and request [a notarized document pertaining to a person's sexual orientation] due to the social and legal climate surrounding homosexuality. It might become an avenue for blackmail and extortion[:] whilst the law does not mandate a lawyer or notary public to report such a person or request, the notary public or lawyer might use it ... to extort anyone who requests such service. (Equality Triangle Initiative 16 Oct. 2018)

The independent researcher indicated that

in terms of the ethics of the legal profession, as encapsulated in the Code of Conduct for Legal Practitioners in Nigeria, a lawyer would be able to defend anyone who has approached him/her for representation regarding charges under Nigeria's anti-gay laws.

...

A lawyer would not be required to turn anyone over to the police. They do not constitute part of any 'task force' in such issues. Rather, once a lawyer takes on any client, they must work in the interest of that client and keep within the ethics of the profession. (Independent Researcher 15 Oct. 2018)

According to the *New York Times*, local lawyers in Bauchi are reluctant to represent sexual minorities (*The New York Times* 8 Feb. 2014). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

9. Relocation Options

9.1 Urban vs. Rural Areas

The independent researcher stated that because same-sex acts are criminalized across Nigeria, sexual minorities are generally not able to live openly as sexual minorities (Independent Researcher 15 Oct. 2018). Other sources similarly indicated that there are no areas in Nigeria where sexual minorities are able to live openly as sexual minorities (JYHI (Improved Youth Health Initiative) 12 Oct. 2018; Representative 5 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018). However, sources indicate that there is some tolerance towards sexual minorities in major cities (Independent Researcher 15 Oct. 2018; Attorney 16 Oct. 2018), including in:

- Abuja (Independent Researcher 15 Oct. 2018; Attorney 16 Oct. 2018);
- Lagos (Independent Researcher 15 Oct. 2018; Attorney 16 Oct. 2018; Journalist 7 Dec. 2018);
- Port Harcourt (Independent Researcher 15 Oct. 2018; Journalist 7 Dec. 2018);
- Enugu (Journalist 7 Dec. 2018);
- Ibadan (Journalist 7 Dec. 2018);
- Owerri (Journalist 7 Dec. 2018).

According to the journalist, sexual minorities are "mostly safe" in major cities, although they are still attacked and discriminated against (Journalist 7 Dec. 2018). The IRCC representative stated that there is "some openness" towards homosexuality, "especially in Lagos" (Canada 14 Feb. 2018a). In the same joint interview with the Research Directorate, a Lagos-based Migration Program Manager of IRCC similarly indicated that it is possible to have an openly homosexual relationship in Lagos given that it is "like any big city" and that "most people" would not believe it is a "big deal at all" (Canada 14 Feb. 2018b). According to John Campbell,

it is not possible to live openly as a sexual minority in any area of Nigeria - not even in big urban areas like Lagos, Port Harcourt or Abuja. When sexual minorities live in urban areas, they are still required to live in the closet and have to behave in a clandestine manner concerning their sexuality and gender identity. If they do not live in this manner, they will face prejudice, isolation and physical violence, including beating[s], from society. (Campbell 7 Dec. 2018)

According to sources, there are no gay districts in any urban (Campbell 7 Dec. 2018; Board Member 6 Dec. 2018) or rural areas in Nigeria (Campbell 7 Dec. 2018). According to the attorney, there is limited tolerance towards sexual minorities in Abuja and Lagos, where there are a "few" gay bars (Attorney 16 Oct. 2018). The OutRight board member explained that while there are no exclusively-gay bars anywhere in Nigeria, there are gay-friendly bars, namely in Abuja and Lagos (Board Member 6 Dec. 2018). John Campbell stated, however, that there are "no

clubs that cater openly to sexual minorities" (Campbell 10 Dec. 2018). According to sources, homosexuals in Nigeria mostly socialize in private homes and with friends (*The Guardian* 30 Mar. 2018; Academic Researcher 11 Dec. 2018).

According to the academic researcher, the challenges that sexual minorities face when they move from rural areas or small towns to big cities are no different than those encountered by heterosexual people (Academic Researcher 11 Dec. 2018). The same source explained, however, that sexual minorities will begin to face challenges when their sexual orientation and/or gender identity is revealed, causing relatives, friends and landlords to be "likely" to expel them from their residences, "mostly on religious grounds, whether it is sincere or a convenient excuse" (Academic Researcher 11 Dec. 2018). The same source added that people whose sexual orientation and/or gender identity is revealed in big cities cannot return to their place of origin because this information "would have spread back 'home'" (Academic Researcher 11 Dec. 2018). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

9.2 Northern Nigeria

Sources indicate that the situation for sexual minorities is more difficult in the northern states of Nigeria than in southern Nigeria (ABC 21 Oct. 2017a; Representative 5 Oct. 2018). According to the journalist, sexual minorities are generally safer in cities in the south than in the north of Nigeria (Journalist 7 Dec. 2018). Sources indicate that northern Nigeria is considered more dangerous for sexual minorities due to the Sharia laws (Independent Researcher 15 Oct. 2018; JYHI (Improved Youth Health Initiative) 12 Oct. 2018; Equality Triangle Initiative 16 Oct. 2018). According to the independent researcher, "[t]here have been reported cases of gay people being flogged and stoned in northern Nigeria" (Independent Researcher 15 Oct. 2018). The JYHI (Improved Youth Health Initiative) representative stated, however, that sexual minorities are vulnerable to mob justice across Nigeria, which could cause death and that places "with high levels of poverty and lack of education often carry severe risk for sexual minorities" (JYHI (Improved Youth Health Initiative) 12 Oct. 2018). Similarly, the attorney stated that the treatment of sexual minorities is "relatively the same" across Nigeria, but "worse in conservative areas, rural areas and [n]orthern Nigeria" (Attorney 16 Oct. 2018).

9.3 Socio-Economic Status

The TIERS (The Initiative for Equality Rights) representative explained that in "rural areas and low income communities, discrimination is far reaching" (TIERS (The Initiative for Equality Rights) 18 Oct. 2018). The same source added that in rural parts of Nigeria, including "rural spots in urban areas," "physical harm" against sexual minorities is more common, while in other areas, discrimination against sexual minorities occurs in "a different shape" and more commonly includes "blackmail and economic exploitation" (TIERS (The Initiative for Equality Rights) 18 Oct.

2018). According to the same source, due to "classis[m]" in Nigeria, sexual minorities "who live in relative peace are either rich or educated" (TIERS (The Initiative for Equality Rights) 18 Oct. 2018). Similarly, the OutRight board member explained that

[o]ne's ability to be safe in Nigeria as a sexual minority depends largely on one's economic status. In this sense, the wealthier you are, the safer you are, because you can bribe your way through extortions and through any road blocks with authorities. If you do not have this economic capacity to essentially bribe your way to personal safety, you are in constant risk. (Board Member 6 Dec. 2018)

Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this report.

10. Notes

- 1 The guide to Nigerian legal information was written by Yemisi Dina, John Oluwole A. Akintayo and [Osifunke] Ekundayo (Dina et al. Nov./Dec. 2015). John Oluwole A. Akintayo is a law teacher at the Faculty of Law at the University of Ibadan, Nigeria, and a member of the Nigerian Bar Association (Dina et al. Nov./Dec. 2015). His areas of research include jurisprudence, private international law, constitutional law and administrative law (Dina et al. Nov./Dec. 2015). For information on Osifunke Ekundayo, see note [3], and on Yemisi Dina, see note [4].
- 2 The academic researcher is a visiting lecturer at the Green Economics Institute in the UK, and has written and published on social, political and economic issues in Nigeria. He is also a freelance journalist registered with the National Union of Journalists (NUJ) in the UK.
- 3 Osifunke Ekundayo teaches law at the University of Ibadan and is a member of the Nigerian Bar Association (Dina et al. Nov./Dec. 2015). She worked as a librarian at the Ibadan Federal Court of Appeal (Dina et al. Nov./Dec. 2015). Her areas of research include family law, legal research methods and international law (Dina et al. Nov./Dec. 2015). She provided information to the Research Directorate while speaking on her own behalf (Ekundayo 20 Dec. 2018).

- 4 Yemisi Dina is the Interim Chief Law Librarian at the Osgoode Hall Law School library at York University (Dina 18 Dec. 2018). Her areas of research include law librarianship, legal research methods and information technology and law (Dina et al. Nov./Dec. 2015). She provided information to the Research Directorate while speaking on her own behalf (Dina 18 Dec. 2018).
- 5 Improved Youth Health Initiative (JYHL (Improved Youth Health Initiative)) is a "youth led/focused organization working on the sexual health and rights of young sexual minorities in Eastern Nigeria. JYHL (Improved Youth Health Initiative) provides information and services on sexual health and rights to young sexual minorities, provides referrals for voluntary HIV testing and counselling, and paralegal services. JYHL (Improved Youth Health Initiative) also provides shelter ... for abused sexual minorities who are fleeing violence and abuse due to their real or perceived sexual orientation and/or gender identity/expression" (JYHL (Improved Youth Health Initiative) 25 Oct. 2018).
- 6 Rural Renewal and Community Health Development Initiative (RURCHEDI (Rural Renewal and Community Health Development Initiative)) is a non-profit community-based organization that works, including in partnership with other organizations, to "advocate, promote and protect the basic human rights of vulnerable populations, especially the LGBTIQ" community in Nigeria (RURCHEDI (Rural Renewal and Community Health Development Initiative) 3 Jan. 2019).
- 7 NOI Polls is an Abuja-based organization providing country-specific polling services in West Africa, including Nigeria (NOI Polls n.d.). NOI Polls provides information on public opinion concerning various social and economic issues, focusing on "issues of governance, market trends, management of the economy, provision of services, as well as performance of government and private sector institutions" (NOI Polls n.d.). According to the report on the survey, "[t]he survey method involved a random nationwide sampling of 2,000 respondents who were interviewed over the telephone. Participants were selected from the six geopolitical zones through a proportionate, stratified random sample design" (TIERS (The Initiative for Equality Rights) and NOI Polls Jan. 2017, 1). The survey questionnaires, which consisted of eight questions, were administered using five major languages, namely Yoruba, Hausa, Igbo, English and Pidgin English (TIERS (The Initiative for Equality Rights) and NOI Polls Jan. 2017, 1).

- 8 Founded in 2005, The Initiative for Equal Rights (TIERS (The Initiative for Equality Rights)) is "a Nigeria-based registered no[t]-for-profit organisation working to protect and promote the human rights of sexual minorities nationally and regionally" (TIERS (The Initiative for Equality Rights) n.d.a). According to their website, TIERS (The Initiative for Equality Rights) has 16 full-time staff members and over 50 volunteer peer educators (TIERS (The Initiative for Equality Rights) n.d.a). According to the OutRight board member, TIERS (The Initiative for Equality Rights) has approximately four pro-bono lawyers, as well as a human rights officer (Board Member 6 Dec. 2018).
- 9 Sources indicate that yan daudu refers to "men who act like women" (Monroe 2 Feb. 2016; *The Guardian* 10 June 2013) in the Hausa language (*The Guardian* 10 June 2013). According to the HOR founder and CEO, the yan daudu "have been categorized as homosexuals or transvestites" and are present in northern Nigerian cities, including Kano and Kaduna (HOR 7 Jan. 2019). *The Guardian* explains that yan daudu means "'sons of Daudu', a fun-loving, gambling spirit worshipped in the Muslim Bori practice, whose trance and dancing rituals are traditionally associated with marginalised poor women, sex workers and disabled people" (*The Guardian* 10 June 2013).
- 10 The sample design of the Pew Research Centre survey was a "[m]ulti-stage cluster sample stratified by region and urbanity" (Pew Research Centre 4 June 2013, 15). The survey was carried out face-to-face with adults in English, Hausa, Yoruba and Igbo during the time period of 6 March - 4 April 2013 (Pew Research Centre 4 June 2013, 15). The sample size was 1,031 and the margin of error was approximately 4 percentage points (Pew Research Centre 4 June 2013, 15).
- 11 Ambassador John Campbell, retd., is the Ralph Bunche senior fellow for Africa policy studies at the Council on Foreign Relations (CFR) in Washington, D.C. His overseas postings included Nigeria twice, as political counselor from 1988 to 1990 and as ambassador from 2004 to 2007. He writes daily blog posts for the CFR, many of which deal with the political situation in Nigeria. He has also published two books on Nigeria, namely *Nigeria: Dancing on the Brink* and *Nigeria: What Everyone Needs to Know*.
- 12 In addition to being a board member for OutRight Action International (OutRight), he is also an assistant professor teaching on global LGBT rights in the department of Global Studies at the New School, New York. OutRight is a US-based non-profit organization that advocates for the human rights of LGBTIQ people (OutRight n.d.). OutRight was previously known as the International Gay and Lesbian Human Rights Commission (IGLHRC) and was founded in 1990 (OutRight n.d.). The board member spoke on his own behalf, rather than the organizations with which he is affiliated.

- 13 The House of Rainbow (HOR) is a Christian movement with a presence in Nigeria that supports marginalized sexual and gender minorities (HOR 20 Dec. 2018). The HOR provides safe spaces for sexual minorities of faith and it provides education about HIV prevention for men who have sex with men (MSM) (HOR 19 Dec. 2018). The HOR does "not have a specific physical location" but is hosted by other organizations in the cities of Asaba (Delta State), Bauchi (Bauchi State), Minna (Niger State) and Ikeja (Lagos State) (HOR 19 Dec. 2018).
- 14 The independent researcher also works as a consultant and obtained her Doctor of Laws (LLD) degree from the University of the Free State, Bloemfontein, South Africa. She specializes in the area of human rights (particularly sexual and reproductive health and rights and gender equality) and has written and published on the criminalization of homosexuality in Nigeria, including on Nigeria's 2014 *Same-Sex Marriage (Prohibition) Act* (*SSMPA (Same-Sex Marriage (Prohibition) Act)*).
- 15 Equality Triangle Initiative, formerly known as "Queer Alliance," is an "LGBTQ grassroots organization from Nigeria. [It is] a community[-]led organization working to advocate for the human rights of sexual and gender minorities by supporting, enhancing and promoting knowledge on issues of sexual diversity and gender justice aiming to improve the lived realities of LGBTQ persons through policy advocacy, leadership development and research. [Its] services include human rights violations documentation, sexual health and HIV prevention, safe shelters, strategic convening, youth development and engaging in research as part of informing policy decisions and public education on sexual diversity. [It] hold[s] expertise on policy advocacy, building leadership skills and evidence[-]based research" (CHOICE for Youth and Sexuality n.d.).

- 16 The report was submitted for consideration for the 31st Session of the UN Universal Periodic Review of Nigeria and prepared in collaboration with the following organizations: Access to Health and Rights Development Initiative (ARHDI); Access to Good Health Initiative (AGHI); Bisi Alimi Foundation (BAF); Centre for the Right to Health (CRH); Evergreen Initiative for Women's Health and Rights; Hope Alive Awareness Initiative; Improved Sexual Health and Rights Advocacy Initiative (ISHRAI); Initiative for the Advancement of Improved Health and Development (I-AIHD); Initiative for Sexual Reproductive Health and Rights Awareness (ISRHRAI); International Centre for Reproductive Health and Sexual Rights (INCRESE); International Centre for Advocacy on Right to Health (ICARH (International Centre for Advocacy on Right to Health)); Interfaith Diversity Network, West Africa (IDNOWA); Women's Health and Equal Rights (WHER) [Initiative]; Total Health and Empowerment Development Initiative (THEDI) (QA 29 Mar. 2018). The report received technical support from Sexual Rights Initiative (Geneva) and CHOICE for Youth and Sexuality (Amsterdam) (QA 29 Mar. 2018).
- 17 According to the *Guardian*, reparative therapy is also known as "conversion therapy," which refers to "any treatment aiming to change a person's sexual orientation or suppress their gender identity," including spiritual interventions, talking therapies, drugs, electric shock treatment, aversion techniques and "corrective rape" (*The Guardian* 8 Aug. 2018).
- 18 The Women's Health and Equal Rights (WHER) Initiative is a Nigerian "non-governmental, not-for-profit organization established with the aim of promoting a deeper conceptual knowledge of sexuality, gender identity, and sexual orientation; providing access to health and other support services to sexual minority women through research, education, training, advocacy, empowerment and other direct services" (WHER Initiative n.d.).
- 19 The International Centre for Advocacy on Right to Health (ICARH (International Centre for Advocacy on Right to Health)) is an NGO that promotes the human rights and health concerns of sexual minorities, people living with HIV/AIDS (ICARH (International Centre for Advocacy on Right to Health) n.d.; Finland 9 June 2015, 16) and other marginalized groups in Nigeria (ICARH (International Centre for Advocacy on Right to Health) n.d.). According to a report by the Finnish Immigration Service, ICARH (International Centre for Advocacy on Right to Health) operates in Abuja (Finland 9 June 2015, 16).

- 20 Vision Spring Initiatives (VSI) is an NGO that seeks to "achieve [the] developmental rights of children, young people, and other vulnerable groups and [supports] their attainment of these rights" (VSI n.d.). One of the organization's objectives is to "advocate for the sexual and reproductive health and rights of young people and vulnerable groups" (VSI n.d.). The VSI representative spoke to the Research Directorate on her own behalf.
- 21 The attorney previously served as the Head of the Freedom of Information Unit of the National Human Rights Commission (NHRC) in Nigeria. The attorney provided information to the Research Directorate while speaking on his own behalf and based on his research and experience living in Nigeria.
- 22 Access to Health and Rights Development Initiative is an NGO that works on the rights of sexual minorities (ABC 21 Oct. 2017b; Premium Times 5 Aug. 2017).
- 23 The Legal Defence and Assistance Project (LEDAP) is an NGO that consists of lawyers and law professionals and is "engaged in the promotion and protection of human rights, the rule of law and good governance in Nigeria" (LEDAP n.d.). It has Observer Status with the African Commission on Human and Peoples' Rights (LEDAP n.d.). LEDAP provides "free legal representation to poor and vulnerable victims of human rights violations" and raises awareness within the Nigerian legal community about the integration of international human rights norms into the Nigerian administration of justice system (LEDAP n.d.).
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