Flygtningenævnets baggrundsmateriale

Bilagsnr.:	628
Land:	Nigeria
Kilde:	Human Rights Watch
Titel:	World Report 2023 – Nigeria
Udgivet:	Januar 2023
Optaget på baggrundsmaterialet:	13. januar 2023

World Report 2023



Nigeria

Events of 2022

Coffins are seen arranged inside a hall during a mass memorial service for victims killed during an attack by gunmen during a Sunday mass service at St. Francis Catholic Church in Owo, Ondo, Nigeria June 17, 2022.

© 2022 REUTERS/Temilade Adelaja

Political tensions were high as Nigeria prepared for 2023 general elections that will usher in a new president. The elections are set to take place amid worsening insecurity and threats from multiple armed groups.

The brutal killing of 40 worshippers in a church in southwest Ondo State by gunmen and spates of attacks by Islamist and other armed groups within proximity of Nigeria's seat of government in Abuja signaled critical levels of insecurity in 2022.

Boko Haram and its splinter factions, including the Islamic State West Africa Province (ISWAP), continued to carry out attacks in the northeast and expanded their activities beyond the region. ISWAP carried out a high-profile attack on a prison in Kuje within the Federal Capital Territory (FCT) that allowed hundreds of prisoners to escape, and was linked to other incidents including the church killings and an attack on a train from Abuja to Kaduna in which eight people were killed and 72 kidnapped.

In January, Nigerian authorities officially categorized criminal groups operating in the northwest as terrorists. The groups, popularly known as "bandits," emerged following years of conflict between nomadic herdsmen and farming communities. In 2022, bandits carried out kidnappings for ransom, killings, rape, and looting across communities in the region. The Abuja-based Center for Democracy and Development stated in April that over 100 bandit groups with an average of 30 members each operate with military grade weapons in largely ungoverned spaces in the northwest.

Gunmen agitating for the secession of the southeast region continued killings of residents and government officials in the region.

Nigerian authorities responding to the security threats across the country were also implicated in abuses.

Violence in the Northwest

Bandit groups continued to carry out widespread killings, kidnappings, and looting across several states in Nigeria's northwest region, while the military responded with airstrikes.

In January, many people were killed and displaced in an attack by bandits on villages in Anka and Bukkuyum districts in Zamfara State. This reportedly came a week after the Nigerian military killed about 100 bandits during airstrikes targeting bandits' camps. In February, a military airstrike targeting bandits killed seven children in the Maradi region of the Republic of Niger which borders the northwestern Sokoto, Zamfara, and Katsina States in Nigeria.

An August report by a committee set up by the Zamfara State government to review the security situation in the state revealed that 4,983 women were widowed, 25,050 children were orphaned, and 190,340 people were displaced between 2011 and 2019. The report added that over 3 billion naira (US\$6.8 million) was paid to bandits as ransom for 3,672 people abducted during this period.

Separatist Agitations in the Southeast

The trial of Nnamdi Kanu, leader of the Indigenous People of Biafra (IPOB) group agitating for the secession of southeast Nigeria, on treason and terrorism-related charges was delayed by preliminary proceedings including two bail applications that the court denied. The judge also struck out eight of fifteen charges filed against Kanu for failing to disclose any valid offenses. In October, Kanu was discharged and acquitted of the remaining charges by Nigeria's Court of Appeal but remained in custody following a further appeal to the Supreme Court by the government to challenge this decision.

Citizens in the southeast continue to observe, to varying extents, a "sit-at-home" order introduced by IPOB in August 2021 as a means of pressuring the government to release Kanu. The order requires citizens in southeastern states to stay at home and public places to stay closed on Mondays and any other day that is announced, including days Kanu is set to appear in court. Gunmen seeking to enforce the order have killed, maimed, and destroyed properties of citizens in the region. IPOB has denounced the activities of the gunmen and stated that they have since suspended the sitat-home order.

Security forces and vigilantes opposing the separatists have also been implicated in abuses including extrajudicial killings in the region.

Nigerian media reported that over 287 people were killed in the southeast between January and May 2022.

Boko Haram Conflict

Following the reported death of Boko Haram leader Abubakar Shekau in June during a clash with fighters of the ISWAP breakaway faction, both groups continued fighting in 2022.

ISWAP claimed responsibility for an attack on a prison in Kuje, 40 kilometers from Abuja, the capital. About 900 inmates were freed during the attack, including over 60 Boko Haram members, though authorities said some were recaptured. Security analysts highlighted the involvement of Ansaru, a rising Al Qaeda-backed splinter faction of Boko Haram, in the attack. In August, a leaked memo to President Muhammadu Buhari from the Kaduna State governor warned that Ansaru had formed a permanent operational base in Kaduna State near the Federal Capital

Territory and was consolidating its grip on local communities in the state by running a parallel government.

ISWAP was also linked to a March attack on a Kaduna-bound train from Abuja. Eight people were killed and 72 kidnapped during the attack. By October, all kidnapped victims regained their freedom under different circumstances.

In Borno State, the epicenter of the Boko Haram conflict, the government continued to shut down camps for internally displaced persons in Maiduguri, the state capital. The closures cut off aid for thousands of displaced persons and compelled them to leave the camps without consultation, adequate information, or sustainable alternatives to ensure their safety and ability to support themselves in communities where they were forced to resettle or return.

Accountability for Serious Crimes

In April, International Criminal Court Prosecutor Karim Kahn made his first visit to Nigeria following his predecessor's closing of the preliminary examination of the situation in the country.

In December 2020, the ICC Prosecutor's Office had concluded that a full investigation was warranted after finding reasonable basis to believe that Boko Haram and its breakaway factions, as well as the Nigerian security forces, committed war crimes and crimes against humanity. During his visit, Khan highlighted the need for such crimes to be addressed through domestic proceedings, failing which the ICC will take them up, and agreed with Nigerian authorities on next steps with timelines to inform any future decision he will make on the situation.

Domestic trials for hundreds of Boko Haram suspects remained postponed since 2018.

More than a year after a 2021 judicial panel report implicated security forces in the killing of protesters in Lagos in 2020, Nigerian authorities have made no effort to ensure justice and accountability.

In September, some victims of human rights abuses by the defunct Special Anti-Robbery Squad and other units of the Nigerian Police were paid compensation following proceedings led by the National Human Rights Commission.

Freedom of Expression and Media

In May, a female college student, Deborah Samuel, was murdered by a mob in northwestern Sokoto State after being accused of blasphemy against the Prophet Mohammed. Efforts by the authorities to identify and arrest suspects were met with protests, which further stoked religious tensions across the predominantly Muslim state.

Although the Nigerian Constitution guarantees the right to freedom of expression, thought, and conscience, its criminal law categorizes insult to religion as an offense and Sharia (Islamic law), applicable in 12 northern states including Sokoto, criminalizes blasphemy.

In January, Nigerian authorities lifted a ban on Twitter, imposed on June 2021, that restricted access to the social media platform after it deleted President Buhari's tweets for violating its policies. In June, the Economic Community of West African States (ECOWAS) Court found that the Twitter ban violated the rights of Nigerians, including the rights to freedom of expression and access to information and the media.

In August, Nigeria's National Broadcasting Commission imposed a fine of 5 million naira (about US\$11, 500) on four television companies for broadcasting documentaries on the banditry crisis in the northwest, including a BBC *Africa Eye* documentary titled, "Bandits Warlords of Zamfara,"

claiming that the documentaries glorified terrorism. The broadcast authority also suspended operations of 52 state and private broadcast stations for failure to pay license renewal fees. Civil society groups challenged the suspension, prompting a court to restrain the broadcast authority from revoking the station's licenses pending its determination of the case.

Sexual Orientation and Gender Identity

In April, a federal legislator introduced an amendment to the Same Sex Marriage Prohibition Act (2013) which would outlaw cross dressing and make it punishable with six months jail term or a fine of 500,000 naira (US\$1,160). The proposed amendment will undergo several readings before it is debated and voted upon by legislators. Nigerian law criminalizes same-sex conduct as well as public displays of same-sex amorous relationships, same-sex marriages, and the registration of gay clubs, societies, and organizations.

Women's Rights

In March, lawmakers rejected proposed amendments to the Nigerian Constitution aimed at fostering women's rights and political participation. The proposed amendments seek to grant citizenship to foreign husbands of Nigerian women, a right already granted to Nigerian men with foreign wives, and the inclusion of affirmative actions to ensure more women can participate in leadership. The rejection of the proposed amendments sparked protests following which lawmakers promised to reconsider them.

In September, Nigeria ratified the International Labour Organization (ILO) Violence and Harassment Convention (C190), making it the first country in West Africa and the eighth country in the world to do so. The treaty obligates Nigeria to provide comprehensive protections to ensure a world of work free from violence and harassment, including gender-based violence and sexual harassment.

Children's Rights

According to a United Nations report released in June, Boko Haram affiliated groups and splinter factions, including ISWAP, abducted at least 211 children and recruited at least 63 children, including 54 girls, between January and December 2021. At least 88 children were killed or maimed by parties to the conflict, and 53 girls were raped or subjected to sexual violence, including forced marriage. A minimum of 15 schools were attacked, 12 of these by ISWAP and over 45 children alleged to be associated with armed groups were detained by the military.

In September, Nigeria signed a handover protocol with the UN agreeing that children taken into military custody on suspicion of involvement with Boko Haram should be transferred within seven days to civilian authorities for reintegration.

In September, the UN Educational, Scientific and Cultural Organization (UNESCO) estimated that Nigeria has 20.2 million out of school children, one of the three highest in the world along with India and Pakistan.

A June report by the United Nations International Children's Emergency Fund (UNICEF) stated that over 23 million girls were married before age 18. In 2021, Human Rights Watch found child marriage in Nigeria to be prevalent both in states that had adopted the Child Rights Act, which sets the age of marriage at 18, and in states that had yet to adopt the law.

The Education Ministry failed to act following reports that it had recommended unsafe online learning products for children during the Covid-19 pandemic. All seven products surveilled or had

the capacity to surveil children online, outside school hours, and deep into their private lives.

Disability Rights

Nigeria has yet to enact a legal ban on chaining of people with mental health conditions and psychosocial disabilities as a path towards ending the horrific practice across the country. Accessing human rights-respecting and community-based mental health care and psychosocial support continues to be difficult for most Nigerians.

Poverty and Inequality

Nigeria's food inflation reached 22 percent in July, causing severe hardship as families struggled to afford food.

In June, the federal government announced that 2 million households are benefiting from its Conditional Cash Transfer (CCT) program.

Over 95 million Nigerians are living in poverty on about US\$1.90 a day according to estimates by the World Bank. Human Rights Watch research in 2021 found Nigeria lacks a functional social protection system to protect citizens from economic shocks. It also found that ad-hoc initiatives such as the CCT program failed to protect people's right to an adequate standard of living during the Covid-19 pandemic.

Key International Actors

In April, the United States government approved the \$997 million sale of 12 AH-1Z attack helicopters and related military equipment to the Nigerian government, which it had suspended in 2021 due to human rights concerns. US authorities said the new sale will include training for the Nigerian military to minimize civilian harm in air operations. In July, an *Intercept* report revealed possible US involvement in 2017 Nigerian military airstrikes, which the Nigerian authorities said were intended to hit Boko Haram targets but instead killed over 160 displaced persons, most of them children, in a camp in Rann, Borno State.

Foreign Policy

President Buhari condemned the January military coup in Burkina Faso and supported efforts by ECOWAS and the African Union to restore constitutional order in Burkina Faso and other countries on the continent where recent coups have taken place.

In April, Nigeria abstained from voting on a UN General Assembly resolution to suspend Russia from the UN Human Rights Council over allegations of gross human rights violations arising from its invasion in Ukraine. In March, Nigeria voted in favor of another General Assembly resolution highlighting the humanitarian consequences of Russia's military offensive in Ukraine.