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Freedom Status: Partly Free

Aggregate Score: 50/100 (0 = Least Free, 100 = Most Free)

Freedom Rating: 4/7 (1 = Most Free, 7 = Least Free)

Political Rights: 3/7 (1 = Most Free, 7 = Least Free)

Civil Liberties: 5/7 (1 = Most Free, 7 = Least Free)

Quick Facts

Population: 186,500,000

Capital: Abuja

GDP/capita: \$2,640

Press Freedom Status: Partly Free

Net Freedom Status: Partly Free

Ratings Change:

Nigeria's political rights rating improved from 4 to 3 due to increased transparency under the administration of President Muhammadu Buhari, and military gains against the militant group Boko Haram that led to a significant reduction in the group's ability to alter the religious and ethnic composition of the northeast.

OVERVIEW

Nigeria has made significant improvements in the competitiveness and quality of national elections in recent years, though political corruption remains endemic. Militant and extremist groups and security officials consistently violate the human rights of Nigerians, while religious and ethnic bias as well as discrimination against women and the LGBT (lesbian, gay, bisexual, and transgender) community are pervasive.

Key Developments

- Counterinsurgency efforts weakened Boko Haram's capacity to launch attacks in the northeastern regions. However, humanitarian conditions there became increasingly dire, with some 1.8 million people displaced, and many more facing malnutrition.

- Security conditions worsened elsewhere, with the resurgence of militants in the Niger Delta, and increased ethnic and communal clashes in and around the middle belt.
- The administration of President Muhammadu Buhari continued its drive to reduce graft and improve transparency, and announced in June that authorities had recovered \$9 billion in stolen assets since Buhari took office in 2015.
- Rights groups accused Nigerian security forces of committing gross human rights violations with impunity, including extrajudicial killings, arbitrary mass arrests, illegal detentions, and torture of civilians.

Executive Summary

The security situation in Nigeria remained challenging in 2016 due to the ongoing insurgency in the northeast by the militant Islamist group Boko Haram; renewed militancy in the Niger Delta; and intersectorian and communal clashes in and around the middle belt. The counterinsurgency offensive of the Multinational Joint Task Force (MNJTF), which included soldiers from Nigeria, Niger, Cameroon, Chad, and Benin, diminished the capacity of Boko Haram to coordinate large-scale attacks. However, humanitarian conditions in the northeast remained grave. At year's end some 1.8 million people had been internally displaced by the conflict, and many more faced food insecurity. In Borno State, some 50,000 people faced starvation conditions.

Militants in the restive Niger Delta, including a new group called the Niger Delta Avengers, launched a series of attacks on oil installations during the year. In August, amnesty payments to militants, which Buhari had halted previously, were resumed in hopes of curbing the attacks. Furthermore, up to September, about 870 people had died in sectarian and communal clashes, including many involving Fulani herdsman in and around the country's middle belt, according to the Council on Foreign Relations.

Reports from domestic and international advocacy groups indicated that government forces, including the military and police, continued to commit gross human rights violations with impunity, including extrajudicial killings, arbitrary mass arrests, illegal detentions, and torture of civilians.

Buhari's administration continued its fight against corruption by expanding reforms to the oil and security sectors. Several high-ranking military and government officials were arrested on corruption-related charges in 2016, while Buhari's government announced in June that authorities had recovered \$9 billion in stolen assets since Buhari took office in 2015.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights 25 / 40 (+2)

A. Electoral Process 9 / 12

- A1. Is the head of government or other chief national authority elected through free and fair elections?
- A2. Are the national legislative representatives elected through free and fair elections?
- A3. Are the electoral laws and framework fair?

The president is elected by popular vote for no more than two four-year terms. Members of the bicameral National Assembly, consisting of the 109-seat Senate and the 360-seat House of Representatives, are elected for four-year terms. While elections that followed Nigeria's return to a

multiparty system in 1999 were marred by gross irregularities, the 2011 polls marked the beginning of a departure from this trend.

The 2015 presidential and legislative elections were regarded as competitive and generally well conducted by local and international observer organizations. They represented a milestone in the country's democratic development, marking the first time that the opposition gained power at the national level through elections. Although the voting had been postponed by approximately six weeks, with officials citing insecurity in the northeast, the delay did not adversely affect the integrity of the process. Instead it appeared to have given the Independent National Electoral Commission (INEC) more time to improve the distribution of permanent voter cards, pilot a new electronic voter-identification system, and fine-tune its election machinery. However, hundreds of thousands of Nigerians were still prevented from voting, either because they were internally displaced by the Boko Haram insurgency, or because they failed to receive their permanent voter cards in time. There were far fewer election-related deaths in 2015 than there were during the 2011 election cycle.

Buhari, the candidate of the All Progressives Congress (APC), won the presidential contest, defeating incumbent president Goodluck Jonathan of the Peoples Democratic Party (PDP), 54 percent to 45 percent. Jonathan quickly conceded defeat, helping to ensure a peaceful and orderly rotation of power. APC candidates also won a majority in the legislative elections. In the House of Representatives, the APC took 212 of 360 seats, while the PDP won 140, and smaller parties captured the remaining 8. In the Senate, the APC won 60 of 109 seats, while the PDP secured 49. At the state level, the APC captured a majority of the contested governorships.

There were some difficulties surrounding 2016 regional elections. A gubernatorial election in Edo state, originally scheduled for September 10, was postponed for over 2 weeks due to security concerns. Separately, there were over 250 conflict-related deaths during the lead-up to and aftermath of a March rerun of legislative elections in Rivers State.

In December, Buhari swore in six new commissioners to the INEC; he had previously held off on swearing them in to ensure that the 12 commissioners' terms were staggered. Some critics had suggested that vacancies on the INEC had contributed to some regional electoral difficulties.

B. Political Pluralism and Participation 10 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system open to the rise and fall of these competing parties or groupings?

B2. Is there a significant opposition vote and a realistic opportunity for the opposition to increase its support or gain power through elections?

B3. Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?

B4. Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?

Nigeria's multiparty system provides an opportunity for opposition parties to gain power through elections, as demonstrated by the APC's sweeping victory in 2015. Buhari's defeat of Jonathan represented the first time that a sitting Nigerian president was democratically replaced. The vote appeared to reflect the ethnic and religious divisions in the country, with Buhari, a northern Muslim, winning primarily in the northern states, and Jonathan, a Christian from the southern Niger Delta region, gaining an overwhelming majority in the south. However, Buhari's ability to gain support from many non-northern and non-Muslim voters was a significant factor in his success.

Despite the improved elections and peaceful rotation of power, citizens' political choices remain impaired or undermined to some degree by vote buying and intimidation, the influence of powerful domestic and international economic interests on policymaking, and the local domination of either the Nigerian military or Boko Haram militants in regions affected by the insurgency.

Although in 2014, the 36 state legislatures approved proposed amendments to the 1999 constitution, neither Jonathan nor Buhari assented to these changes. In 2016, the National Assembly reopened debate on a series of proposed amendments, including one that would remove the need for presidential assent for constitutional amendments to be adopted.

C. Functioning of Government 6 / 12 (+1)

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government?

C2. Is the government free from pervasive corruption?

C3. Is the government accountable to the electorate between elections, and does it operate with openness and transparency?

Corruption remains pervasive, particularly in the oil and security sectors. However, the Buhari administration has undertaken a series of reforms aimed at reducing graft and improving transparency. Among them were a restructuring of the state-owned Nigerian National Petroleum Corporation (NNPC); the establishment of a committee to investigate procurement fraud in the military; and the May 2016 removal of the fuel subsidy, the administration of which had opened avenues for corruption. The government's efforts led to several officials being charged with corruption and, according to an announcement in June, the recovery of approximately \$9 billion in stolen assets between May 2015 and May 2016. The Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices Commission (ICPC) opened investigations into several high-level current and former officials during the year. The opposition PDP has accused the federal government of political bias in its anticorruption efforts by disproportionately targeting its members.

Buhari signed the 2016 federal budget into law in May – almost 5 months after it was proposed – due to several scandals, including the disappearance of hard copies of the budget from the Senate in January, as well as large discrepancies in budgetary allocations.

Despite the passage of the 2011 Freedom of Information Act, which guarantees the right to access public records, nongovernmental organizations (NGOs) have criticized government agencies for routinely refusing to release information sought through the law. Nevertheless, Nigeria saw improvements in transparency initiatives in 2016, with the NNPC earning praise in August from the Extractive Industries and Transparency Initiative (EITI) for its implementation of the initiative's standards. In July, Buhari appointed Maikanti Kacalla Baru to be the new head of NNPC, in a move that observers saw as a continuation of the corporation's reform efforts under Buhari. In April, after soliciting public input, the government released a development plan it and several international organizations had developed for conflict-damaged northeastern Nigeria.

Additional Discretionary Political Rights Question B 0/0 (+1)

Is the government or occupying power deliberately changing the ethnic composition of a country or territory so as to destroy a culture or tip the political balance in favor of another group?

1. Is the government providing economic or other incentives to certain people in order to change the ethnic composition of a region or regions?

2. Is the government forcibly moving people in or out of certain areas in order to change the

ethnic composition of those regions?

3. Is the government arresting, imprisoning, or killing members of certain ethnic groups in order change the ethnic composition of a region or regions?

In recent years, Boko Haram has been accused of attempting to alter the religious and ethnic composition of the northeast by targeting Christians and moderate Muslims through mass killings, kidnappings, and other human rights abuses. However, in 2016, the Nigerian and allied regional military forces reclaimed most, if not all, of the territory once controlled by the group and limited the group's capacity to launch large-scale offensives. Furthermore, the number of casualties related to the conflict fell by 73 percent compared to 2015, according to figures from the Institute for Security Studies. The developments have significantly diminished Boko Haram's capacity to continue altering the religious composition of the northeast.

Civil Liberties 25 / 40

D. Freedom of Expression and Belief 9 / 16

D1. Are there free and independent media and other forms of cultural expression?

D2. Are religious institutions and communities free to practice their faith and express themselves in public and private?

D3. Is there academic freedom, and is the educational system free of extensive political indoctrination?

D4. Is there open and free private discussion?

Freedom of speech, expression, and the press are constitutionally guaranteed. However, these rights are limited by laws on sedition, criminal defamation, and publication of false news. Sharia statutes in 12 northern states impose severe penalties for alleged press offenses. Government officials also restrict press freedom by publicly criticizing, harassing, and arresting journalists, especially when they cover corruption scandals, human rights violations, or separatist and communal violence. In August 2016, the military announced that freelance journalist Ahmad Salkida, who had been reporting on the Boko Haram insurgency since 2006, was wanted for questioning and could be charged under a terrorism law if he did not provide information. On his return to Nigeria from his home in the United Arab Emirates, Salkida was detained and questioned without a lawyer before being released the following day. Journalists and media entities have also been attacked and intimidated by nonstate actors, including Boko Haram. There were no reports that the government restricted access to the internet.

Religious freedom is constitutionally and legally protected and is generally respected by the government in practice. Nevertheless, in some instances state and local governments have placed limits on religious activities and endorsed a dominant faith, and recent polling has indicated some level of mistrust between various religious communities. In October 2016, police in Kaduna banned the Islamic Movement in Nigeria (IMN), the country's largest Shiite organization. At least 11 people died that month during the annual Ashura processions, an important Shiite rite that some areas in the north had attempted to ban, after clashes erupted between Nigerian police, Sunni mobs, and Shiite participants. Separately, in a victory for religious freedom, high courts in two southwest states, Osun and Lagos, ruled in June and July, respectively, that bans on female Muslim students wearing hijabs in schools were unconstitutional.

Nonstate actors have also attempted to limit religious freedom. Boko Haram has explicitly targeted Christians and moderate Muslims, and their respective houses of worship. Periodic communal clashes between Muslims and Christians have broken out for decades in and around the states of Kaduna and Plateau, often killing hundreds of people and displacing thousands at a time.

The federal government generally respects academic freedom. However, some state governments mandate religious instruction in elementary and secondary curriculums, and student admission and faculty hiring policies are subject to political interference. Boko Haram's assault on secular education included the closure or destruction of primary, secondary, and tertiary institutions. In October, negotiations between government, military, and civil society representatives and Boko Haram led to the release of 21 girls whom Boko Haram had abducted from a school in the town of Chibok in 2014. However, almost 200 of the girls abducted from the Chibok school remained unaccounted for at year's end, and are suspected to be in the custody of Boko Haram.

There was no evidence of government authorities monitoring electronic communications between private citizens.

E. Associational and Organizational Rights 7 / 12

E1. Is there freedom of assembly, demonstration, and open public discussion?

E2. Is there freedom for nongovernmental organizations?

E3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?

The rights to peaceful assembly and association are constitutionally guaranteed. However, federal and state governments frequently ban public events perceived as threatening national security, including those that could incite political, ethnic, or religious tension. Rights groups have criticized federal and state government for banning protests and frustrating protestors associated with various movements throughout the country. These include a September 2016 protest by the IMN in Abuja and various pro-Biafran independence protests in southeastern states. According to a November report issued by Amnesty International, peaceful Biafran independence protesters have frequently faced arrest and violence, including the use of deadly force, at the hands of security forces.

Nigeria has a broad and vibrant civil society. Members of some organizations faced intimidation and physical harm for speaking out against Boko Haram, or encountered obstacles when investigating alleged human rights abuses committed by the military against Boko Haram suspects. Groups operating in the restive Niger Delta region face similar impediments.

Under the constitution, workers have the right to form and join trade unions, engage in collective bargaining, and conduct strikes. Nevertheless, the government forbids strike action in a number of essential services, including public transportation and security.

F. Rule of Law 4 / 16

F1. Is there an independent judiciary?

F2. Does the rule of law prevail in civil and criminal matters? Are police under direct civilian control?

F3. Is there protection from political terror, unjustified imprisonment, exile, or torture, whether by groups that support or oppose the system? Is there freedom from war and insurgencies?

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?

Judicial independence is constitutionally and legally enshrined. The judiciary has achieved some degree of independence and professionalism in practice, but political interference, corruption, and a lack of funding, equipment, and training remain important problems. A number of prominent judges were arrested on corruption-related charges in 2016, while several others were sanctioned by the Nigerian Judicial Council for malpractice. Certain departments, particularly the Court of

Appeals, have frequently rejected election challenges or allegations of corruption against powerful elites, raising doubts about their impartiality.

Despite pressure from international human rights groups, torture has yet to be criminalized. In June 2016, the Senate passed its first reading of an antitorture bill that had already been approved in the House of Representatives. However, the bill had not been passed by year's end. There were numerous allegations of torture, extortion, and bribe taking within the police force in 2016. Amnesty International released a report in September claiming that some members of the Special Anti-Robbery Squad (SARS) carried out a torture, bribery, and extortion racket, in which they tortured suspected criminals and demanded bribes from suspects and their families to secure the suspects' freedom. The Nigerian Police immediately denied the allegations and condemned the report, but the inspector general of police also issued a warning to SARS against committing torture or other violations of due process of the law.

The military has also been widely criticized for pervasive corruption and human rights abuses. In January, the Kaduna State government launched a judicial commission of inquiry into the alleged massacre the previous month of hundreds of Shiite Muslim members of the IMN in Kaduna by the Nigerian military. In July, the commission's nonbinding report was made public; it found the army responsible for the unlawful killing of civilians. The commission called for the prosecution of soldiers who were involved, and for Nigeria's security agencies to improve their monitoring and surveillance of groups like IMN. Meanwhile, international and domestic rights groups continue to condemn the military for extrajudicial killings and other abuses, including acts of torture carried out during counterinsurgency efforts in the northeast. An Amnesty International report released in November accused the security forces of carrying out 150 extrajudicial killings against peaceful pro-Biafra activists between August 2015 and August 2016. In April, the International Criminal Court (ICC) began an investigation of alleged human rights abuses committed by the Nigerian military and Boko Haram. In February, the military announced that it was establishing an office of human rights where Nigerians could lodge complaints about human rights abuses, though its impact remains to be seen.

The multinational offensive against Boko Haram continued during 2016, further diminishing the group's capacity to occupy territory and launch large-scale attacks against military and civilian targets in Nigeria and neighboring countries. However, the insurgency continues to engage in asymmetric warfare, including the use of women and children in suicide attacks against civilian towns in the northeast. Since the start of the year, the conflict has claimed the lives of approximately 2,900 people. This, however, represents a sharp reduction in conflict-related casualties compared to the corresponding period in 2015. According to the International Crisis Group (ICG), about 1.8 million people remained internally displaced in northeast Nigeria in December and 9.2 million residents of the region required humanitarian assistance as of May. Separately, militants in the Niger Delta attacked oil installations in 2016, and sectarian and communal clashes continued to occur in the country's middle belt.

Violent crime in certain areas of Nigeria is a serious problem, as is the trafficking of drugs and small arms. Abductions are common in the Niger Delta and the southeastern states of Abia, Imo, and Anambra. Political figures, the wealthy, and foreigners are most frequently targeted. In September, Margaret Emefiele, the wife of Godwin Emefiele, the governor of the Central Bank of Nigeria, was kidnapped by an armed gang and rescued the following day by security agencies. Nine suspects, including two army members, were arrested in connection with her kidnapping.

Despite constitutional safeguards against ethnic discrimination, many ethnic minorities experience bias by state governments and other societal groups in areas including employment, education, and housing. The government and society continue to discriminate against LGBT (lesbian, gay, bisexual, and transgender) people. An October 2016 report by Human Rights Watch found no

evidence that the 2014 Same Sex Marriage (Prohibition) Act had resulted in any prosecutions, but said that because of the law, LGBT people face increased violence and discrimination from the public and police. In northern states, same-sex relationships can be punished by death under Sharia statutes.

G. Personal Autonomy and Individual Rights 5 / 16

G1. Do individuals enjoy freedom of travel or choice of residence, employment, or institution of higher education?

G2. Do individuals have the right to own property and establish private businesses? Is private business activity unduly influenced by government officials, the security forces, political parties/organizations, or organized crime?

G3. Are there personal social freedoms, including gender equality, choice of marriage partners, and size of family?

G4. Is there equality of opportunity and the absence of economic exploitation?

Freedom of internal movement and foreign travel are legally guaranteed. However, security officials frequently impose dusk-to-dawn curfews in areas affected by communal violence or the Islamist insurgency.

Nigeria's largely unregulated property rights system hinders citizens and private business from engaging in the efficient and legal purchase or sale of land and other types of property. According to the World Bank's Doing Business Report for 2017, Nigeria ranked 169 out of 190 countries; the country showed improvements in credit accessibility and the ease of starting a business, but continued to rank near the bottom of the index with respect to property registration and the ease of paying taxes.

Women's representation in government worsened following the 2015 elections. Women maintained 8 of 109 Senate seats, but in the House of Representatives women currently hold 18 of 360 seats, compared with 24 following the 2011 elections. Of the 37 ministers named to Buhari's cabinet, only 6 were women. This amounted to 16 percent female representation in the cabinet, compared with 31 percent in the previous administration.

Many families choose to send sons to school while daughters become street vendors or domestic workers. Women experience discrimination in employment. Gender discrimination is significant in the states governed by Sharia statutes. Women belonging to certain ethnic groups are often denied equal rights to inherit property due to customary laws and practices. Despite the existence of strict laws against rape, domestic violence, female genital mutilation, and child marriage, these offenses remain widespread, with low rates of reporting and prosecution.

Nigerian organized crime groups are heavily involved in human trafficking. Boko Haram has subjected children to forced labor and sex slavery. Both Boko Haram and a civilian vigilante group that opposes the militants have forcibly recruited child soldiers, according to the U.S. State Department. Meanwhile, as of year's end, several of Nigeria's states had not implemented the 2003 Child Rights Act, which protects children from discrimination based on sex, ethnicity, and other factors. In September 2016, the acting director general of the National Agency for the Prohibition of Trafficking in Persons (NAPTIP), said that some 2 million Nigerian women and children are victims of trafficking each year. He said that since his agency's inception in 2003, 269 people had been convicted of trafficking, including 7 so far in 2016.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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