

Nigeria (33)

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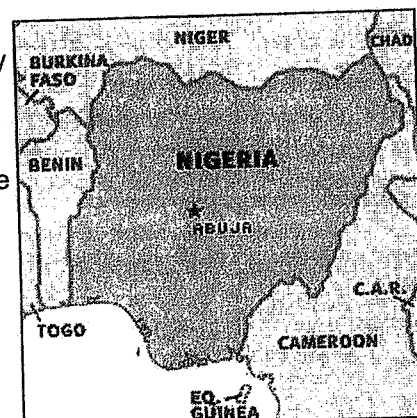
<http://www.hrw.org/wr2k3/africa8.html>**Human Rights Watch World Report 2003**[Table of Contents > Africa >](#)

Nigeria

- [Human Rights Developments](#)
- [Defending Human Rights](#)
- [The Role of the International Community](#)

HUMAN RIGHTS DEVELOPMENTS

2002 was marked by political tension as Nigeria headed towards elections scheduled for 2003. A sharp increase in political violence worsened an already poor human rights situation, characterized by a lack of resolve on the part of the federal government to bring perpetrators of human rights abuses to justice or to enforce accountability at the level of state government authorities in Nigeria's thirty-six states. Little effective action was taken to stem killings in the context of localized disputes between different ethnic groups fighting for political control, or to bring to account members of the security forces (police, military, and the paramilitary mobile police) responsible for numerous extrajudicial executions and other abuses.



President Olusegun Obasanjo faced increasingly vocal criticism from his opponents, culminating in impeachment proceedings initiated against him by the National Assembly in September. The impeachment motion was based on seventeen charges of breaching the constitution, including the massacre of hundreds of unarmed civilians by the Nigerian military in Odi, Bayelsa State, in November 1999, and in Benue State in October 2001 (see below); most of the other charges related to allegations of financial corruption and mismanagement of government funds.

Local elections initially scheduled for May were postponed until August, then postponed again indefinitely, due in part to a lack of preparation, including the absence of an up-to-date voters' register. A voter registration exercise was eventually launched in September but was marred by widespread fraud and rigging, and interference by political party officials. Controversy also surrounded applications for registration by several new political parties. In addition to the three parties already recognized—the ruling People's Democratic Party (PDP), the All Nigeria People's Party (ANPP) and the Alliance for Democracy (AD)—applications from a further three were accepted by the Independent National Electoral Commission (INEC), bringing to six the total to contest the elections. There was a lack of transparency as to the criteria for excluding other parties that had applied, several of which challenged INEC's decision through the courts.

There were a number of assassinations of high-profile politicians. The most prominent was Minister of Justice and Attorney General Bola Ige, shot dead in his home in Ibadan in December 2001. The exact motive for his assassination was not confirmed, but there was overall consensus that it was of a political nature. Some observers believed that his death was linked to a political dispute between the governor and deputy governor of Osun State, Bola Ige's home state; Bola Ige had been perceived as a supporter of the governor. The police launched an investigation and arrested several people. In October 2002, thirteen people were formally charged with murder and conspiracy to murder, and the trial was about to begin.

The prospect of local government, state, legislative, and presidential elections in 2003 created a climate of intense competition and rivalry at all levels, between current political office-holders, their opponents, their respective sponsors, and other would-be candidates. Many resorted to physical violence, threats, and intimidation to deter their opponents. Local and state government officials, as well as their opponents, made widespread use of political thugs, militia and other armed groups, leading to scores of politically-motivated killings. Some of the

worst violence took place within the ruling PDP during its primaries, especially in the south: for example, dozens of people were killed in Nembe, Bayelsa State, in July 2002, and in other areas in the Niger Delta. Plateau State, in central Nigeria, also experienced a high level of violence. Several politicians in other states were also killed for apparently political motives, such as the chairman of the PDP in Kwara State, killed in August 2002, and the vice chairman of the United Nigeria People's Party (UNPP), killed in Kano in September. Neither a draft bill outlawing political violence, nor federal government statements condemning political violence, seemed to produce any effect.

In the southeastern state of Anambra, the chairman of the Onitsha branch of the National Bar Association, Barnabas Igwe, and his wife were killed in September; there was strong, credible evidence that they were targeted for political reasons, because of Igwe's outspoken criticisms of the state governor. He and other critics of the governor had received explicit death threats from Anambra State government officials following public statements in which they had denounced the state government's failure to pay the salaries of government workers and had given the governor an ultimatum to either pay salary arrears or resign.

The vigilante group known as the Bakassi Boys, supported by both the Anambra and Abia state governments in the southeast, continued to carry out serious human rights abuses, including extrajudicial killings, torture, and unlawful detention of alleged criminals. These were documented in a detailed report by Human Rights Watch and the Lagos-based Centre for Law Enforcement Education (CLEEN), launched in Lagos in May. In August, the police raided several of the Bakassi Boys' detention centers in Abia State and released scores of people held there illegally. In September, a similar police operation took place in Anambra State, resulting in scores of arrests of the Bakassi Boys. Many of those detained by the Bakassi Boys, and released by the police, had suffered horrific torture and mutilation.

The O'odua People's Congress (OPC), a Yoruba ethnic militia involved in vigilante activities in the southwest, was responsible for fewer killings than it had been in the previous two years; however, it continued to be active and engaged in violent clashes with the police, as well as with other groups. In January 2002, there was a major clash between the police and the OPC in Owo, in Ondo State, in which the police ambushed a large convoy of OPC members and killed and arrested dozens of them. The OPC had previously been involved in several incidents of violence in Owo in the context of a dispute over a local chieftaincy position.

President Obasanjo put forward to the National Assembly a draft bill outlawing ethnic militia. The wording of the bill was ill-defined and there were fears that, if passed into law, the sweeping powers it would grant to the president could be abused to outlaw a broad range of organizations, including some that might not use or advocate violence, but could be targeted on the basis of their perceived opposition to the government.

The police carried out many extrajudicial executions, often shooting suspected criminals on sight, and, in some cases, killing or injuring other individuals who were not suspected of any crime. The federal government and the inspector general of police promised to address these problems and to stamp out the widespread corruption in the police force. However, some of the initiatives they launched, such as "Operation Fire for Fire," which was intended to tackle the high rate of violent crime, seemed to have the opposite effect and resulted in further shootings of suspects by the police, many of them fatal. The police force itself stated that at least 225 criminal suspects had been shot dead between March and June 2002.

The police were frequently involved in arbitrary arrests and detentions, often motivated by attempts to collect bribes. Some of these problems could be attributed to the very poor working conditions of the police, including low rates of pay, insufficient resources and equipment, and inadequate training—all of which culminated in an unprecedented police strike in January. The public continued to have very little confidence in the police to maintain law and order. Likewise, the justice system failed to deliver on many counts. Perpetrators of human rights abuses were rarely successfully prosecuted. It was estimated that more than two thirds of detainees in prisons and detention centers around the country were held awaiting trial, sometimes without charge, in some cases for several years. Conditions of detention remained very poor and ill-treatment and torture of detainees were widespread.

No action was taken to prosecute those responsible for ordering and carrying out the October 2001 massacre of more than two hundred civilians and widespread destruction by the military in several towns and villages in Benue State. A commission of inquiry, set up to study the conflicts in Benue, Taraba, Plateau, and Nasarawa states, began holding hearings in May. However, no criminal investigation into the military massacre was even begun. Senior government and military officials, including President Obasanjo himself, refused to acknowledge that the

actions of the military in Benue constituted a grave human rights violation; instead, they continued to justify the operation. President Obasanjo publicly dismissed a detailed report by Human Rights Watch on the Benue massacre, published in April, and gave no indication that he would order any criminal investigation into these events.

Inter-communal violence continued in many parts of the country. There were several outbreaks of violence in Plateau State, where scores of people were killed between May and July in several local government areas. In February, more than seventy people were killed in Idi-Araba, an area of Lagos, in clashes between the Yoruba and Hausa ethnic groups; the OPC was reported to have been involved in the violence. The police were typically absent or overstretched during such disturbances, or else intervened once most of the violence had subsided; in some cases, their participation aggravated the situation as they were seen to be taking sides. In many cases, local politicians and other influential figures in the local communities appeared to be responsible for fuelling inter-communal violence and mobilizing youths to fight.

There were continuing tensions in the oil-producing areas of the Niger Delta, often aggravated by the actions of multinational oil companies. Local communities were resentful of the absence of significant benefits for ordinary people from the continuing exploitation of natural resources, most of the profits being siphoned off by politicians. Communities staged several protests at oil facilities to demand a greater share of resources and better employment and infrastructure for the local population. For ten days in July, several hundred women occupied Chevron's Escravos terminal, demanding the oil company address their grievances. In October Human Rights Watch published a report describing the ongoing human rights problems connected with oil production, including extrajudicial executions and other abuses by the security forces deployed in the Delta, and the role of oil companies in exacerbating inter-communal disputes.

In many of the northern states, the increasingly widespread application of shari'a (Islamic law) in criminal cases led to the imposition of sentences amounting to cruel, inhuman and degrading punishments, often after unfair trials. Due process was rarely observed. Defendants, many of whom came from poor and uneducated backgrounds, were not informed about their rights and often did not have access to legal representation. Judges and other court officials were poorly trained. January 2002 saw the first execution since shari'a began to be extended to cover criminal law in 1999: A man tried in Katsina State was hanged after being found guilty of murdering a woman and her two children. He was not represented by a lawyer and had not appealed the sentence. Several other people were sentenced to death by stoning, although the sentences were not carried out. These included two women sentenced for adultery. One of them, Safiya Hussein in Sokoto State, had her conviction set aside by the appeal court. However, the other, Amina Lawal in Katsina State, had her death sentence confirmed by the appeal court. A couple (a man and a woman) were also sentenced to death by stoning for adultery in Niger State, while a man found guilty of raping a child faced the same sentence in Jigawa State. Defendants tried by shari'a courts faced a range of other sentences, including floggings and amputations, some of which were carried out. President Obasanjo publicly stated that he was not in favor of sentences of death by stoning, but did not take any action to prevent such sentences from being handed down. In March, newly-appointed Minister of Justice Kanu Agabi wrote to the governors of the states which apply shari'a, asking them to review its application on the grounds that it was unconstitutional and discriminatory against Muslims. However, none of the governors are known to have followed his request.

In addition to the discrimination against women evident in some of the sentencing by shari'a courts (for example, in the cases of Safiya Hussein and Amina Lawal, the men allegedly involved in the adultery were acquitted), women across Nigeria suffered a range of other serious abuses. Trafficking of women, as well as children (both girls and boys), for prostitution and labor, remained a serious problem. Nigeria was a critical country for the human trafficking trade, as a receiving country, as a country of origin, and as a transit route for traffickers. Initiatives set up by the government to try to stem the trade seemed to have little effect. Women also suffered discrimination in terms of inheritance rights, especially in the southeast, and were made to undergo humiliating widowhood rites. However, a number of states took measures to end this discrimination; Oyo became the third state to adopt a law granting widows inheritance rights. Female genital mutilation remained widespread, although several states have adopted laws prohibiting it.

The Human Rights Violations Investigation Commission, known as the Oputa Panel, set up in 1999 to investigate human rights abuses committed under previous Nigerian governments since 1966, presented its final report to the government in May. President Obasanjo undertook to implement its recommendations; however, by October, neither the commission's report nor its recommendations had been made public, nor had the government announced details of how it would implement the recommendations.

JOS: A City Torn Apart, 12/01

[Back to Top](#)

[Table of Contents > Africa](#)