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Freedom in the World 2011 - Nigeria

Capital: Abuja

Population: 152,616,000

Political Rights Score: 4 *

Civil Liberties Score: 4 *

Status: Partly Free

Ratings Change

Nigeria's political rights rating improved from 5 to 4 due to increasing efforts at electoral reform, greater opposition leverage to demand transparent elections, and the emergence of a diverse slate of presidential candidates within the ruling People's Democratic Party.

Overview

The death of President Umaru Yar'Adua and the decision of his successor, Goodluck Jonathan, to run for a full term complicated Nigeria's political situation in 2010. As multiple candidates announced their intentions to seek the presidency, time was running short to revise an irregular voter registry ahead of elections scheduled for early 2011. However, the ruling party undertook relevant reforms, and the electoral commission made progress toward ensuring credible balloting. Religious violence continued in the city of Jos, with hundreds of people killed in multiple incidents throughout the year. Despite efforts to improve living conditions for residents of the Niger Delta, militant groups based in the region remained active, extending their reach by detonating car bombs in the capital.

The military ruled Nigeria for much of the period after independence from Britain in 1960. Beginning with the first military coup in 1966, military officers claimed that their intervention was necessary to control simmering tensions among the country's 250 ethnic groups, as well as between religious communities. Muslims, who constitute a majority in the north, make up about 50 percent of the overall population, while Christians, who dominate in the south, account for most of the remaining 50 percent. Ethnic and regional tensions led to the attempted secession of Nigeria's oil-rich southeast as the Republic of Biafra in 1967, which touched off a three-year civil war and a devastating famine that together caused more than one million deaths.

A military-supervised political transition led to the inauguration of a civilian government

in 1979, but the new democratic regime was burdened by factionalism, corruption, and communal polarization. Economic mismanagement and deeply flawed elections triggered another military intervention in 1983, followed by 16 more years of military rule.

After several years under the leadership of General Ibrahim Babangida, the country held a presidential election in June 1993. Moshood Abiola, a Muslim Yoruba from the south, was widely considered the winner, but Babangida annulled the election. A civilian caretaker administration governed briefly until General Sani Abacha, a principal architect of previous coups, took power in November 1993. Abacha's dictatorial regime dissolved all democratic structures and banned political parties, governing through a predominantly military Provisional Ruling Council (PRC). Abiola was jailed in 1994 and ultimately died in detention, just weeks after Abacha's unexpected demise in 1998.

General Abdulsalami Abubakar emerged as the new military leader and presided over a transition to civilian rule. In 1999, Olusegun Obasanjo – a former general who had led a military regime from 1976 to 1979 and spent a number of years in prison under Abacha – won the presidential election on the ticket of the People's Democratic Party (PDP), which also captured the most seats in the National Assembly.

Nigeria made its first transition from one elected government to another when Obasanjo, a southern Christian, won a second term in 2003. The elections were preceded by violence, and observers documented widespread irregularities and fraud. Obasanjo's runner-up, former general Muhammadu Buhari, a northern Muslim and member of the All Nigeria Peoples Party (ANPP), filed a petition to nullify the election results. However, the Supreme Court in 2005 unanimously rejected the challenge, saying the documented fraud was not enough to have changed the vote's outcome.

The April 2007 elections were marred by bloodshed and reports of massive vote-rigging and fraud. International and local election monitors were highly critical of the vote, and opposition parties refused to accept the results, which gave Umaru Yar'Adua, the PDP candidate, 70 percent of the presidential ballots. In the parliamentary vote, the PDP won 85 out of 109 Senate seats and 262 out of 360 lower house seats, while the ANPP took 16 Senate seats and 62 lower house seats. The PDP also led the state elections, capturing 29 out of 36 governorships. The official results drew a raft of legal challenges that were adjudicated by election officials as well as the court system. In December 2008, the Supreme Court delivered its final ruling on the presidential contest, repudiating the opposition complaints and upholding Yar'Adua's victory.

In November 2009, the ailing Yar'Adua left the country to seek medical treatment in Saudi Arabia. The National Assembly in February 2010 provisionally handed power to Vice President Goodluck Jonathan. Yar'Adua returned quietly to Nigeria that month, but died on May 5, allowing Jonathan to formally assume the presidency. In September, Jonathan replaced leaders within the security forces and military in an apparent demonstration of his control. He also promised electoral reform and appointed the widely respected Attahiru Jega to head the Independent National Electoral Commission (INEC).

Jonathan's decision to run in the 2011 presidential election challenged an informal power-sharing arrangement between the north and south initiated by the PDP in 1999. Under the traditional agreement – which called for the presidency to alternate between a northerner and a southerner – the next president should originate from the north, since Yar'Adua, a northerner, did not finish his term. However, Jonathan's constituency pushed for his right to compete in the next election, despite being a southerner. Many well-known political figures, including the northerners Babangida and Buhari, announced their intention to seek the presidency as well. While the presidential and legislative elections were initially scheduled for January 2011, the INEC faced significant difficulties in creating an accurate and valid registry of the approximately 70 million eligible voters, and the polls were postponed until April.

Nigeria's economy is dominated by oil, which accounts for 95 percent of export revenues

and most foreign investment. It is estimated that nearly \$400 billion in oil revenue has been stolen or squandered since independence. Wealth and political power are concentrated in the hands of a narrow elite, and much of the regular violence in the oil-rich yet impoverished Niger Delta region stems from unequal distribution of oil revenue.

Political Rights and Civil Liberties

Nigeria is not an electoral democracy. According to the constitution, 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. However, the International Crisis Group found that the 2007 general elections, "in the view of Nigerians and the many international observers alike, were the most poorly organized and massively rigged in the country's history." Civil society organizations reported numerous, widespread incidents of political harassment and violence surrounding the elections in six Niger Delta states, with the majority committed by PDP supporters or criminal gangs acting on behalf of PDP politicians.

The three major political parties are the ruling PDP; the ANPP, which is the largest opposition party and draws its strongest support from the Muslim north; and the opposition Action Congress (AC) party, formed from smaller groups ahead of the 2007 elections. Although political parties represent a wide array of policy positions and openly engage in debate, they continue to be marginalized by the PDP. Nevertheless, the PDP enacted reforms in 2010 to combat cronyism and favoritism within the party, and the run-up to the 2011 elections featured a variety of viable candidates. Moreover, the appointment of a new, reputedly independent chairman to the INEC served to address opposition complaints that the commission had effectively been an extension of the PDP.

Corruption remains pervasive despite government efforts to improve transparency and reduce graft. The Economic and Financial Crimes Commission (EFCC), the country's main anticorruption agency, often faces politically motivated meddling. Nigeria was ranked 134 out of 178 countries surveyed in Transparency International's 2010 Corruption Perceptions Index.

Freedom of speech and expression is constitutionally guaranteed, and Nigeria has a lively independent media sector. However, state security agents occasionally arrest journalists, confiscate newspapers, and harass vendors, notably when journalists are covering corruption or separatist and communal violence. Local authorities frequently condemn those who criticize them, and cases of violence against journalists often go unsolved. Three Nigerian journalists were killed in separate events in April 2010, and investigations had not yielded results by year's end. Sharia (Islamic law) statutes in 12 northern states impose severe penalties for alleged press offenses. The government does not restrict internet access.

Religious freedom is guaranteed by the constitution, though many Nigerians, including government officials, discriminate against adherents of other religions. Religious violence frequently reflects regional and ethnic differences and accompanying competition for resources. In January 2010, clashes between Muslims and Christians broke out in the city of Jos; at least 200 people were killed, thousands were displaced, and religious buildings were set ablaze before troops were dispatched to address the violence. In March, an additional 700 people were killed near Jos when Muslim and Christian groups clashed again, seeking revenge for the earlier violence. Several ensuing incidents throughout the year killed hundreds more. The discovery of a sizeable arms shipment in October, possibly destined for a third country, heightened fears that an influx of small arms could escalate communal and other violence, especially in the run-up to the 2011 elections.

Academic freedom is generally honored, although government officials frequently pressure university administrators and faculty to ensure special treatment for their relatives and associates. At the state level, policies related to the admission of students

and the hiring of teaching staff are subject to ethnic politics. Nigeria's public education system remains dismal; more than a third of the population is illiterate, and less than 60 percent of school-aged children are enrolled.

Freedoms of assembly and association are generally respected in practice. However, protests are often suppressed by state and private security forces, especially demonstrations organized by youth groups or in the Niger Delta. Human rights groups report that dozens of activists have been killed in recent years and hundreds have been detained. Workers, except those in the military or "essential services," may join trade unions and have the right to bargain collectively. Public health workers strike frequently, and in October 2010, academic staff of tertiary institutions staged a strike in Lagos State over nonpayment of a new salary scale.

The higher courts are relatively competent and independent, but they remain subject to political influence, corruption, and inefficiencies. Certain departments, particularly the Court of Appeals, have often overturned decisions on election challenges or allegations of corruption against powerful elites, raising doubts about their independence.

Ordinary defendants in Nigerian courts frequently lack legal representation and are often ill-informed about court procedures and their rights. Human rights groups have alleged that Islamic courts in the 12 northern states with Sharia statutes fail to respect due process rights and discriminate against non-Muslims. Pretrial detainees, many of whom are held for several years, account for 65 percent of the country's inmates, and few have had access to a lawyer. Children and the mentally disabled are often held with the general prison population. Prison facilities are rife with disease, as they commonly lack water, adequate sewage facilities, and general sanitation.

Security forces commit abuses with impunity, and corruption pervades their ranks. Extrajudicial killings of prisoners have been reported, and torture and general ill-treatment of suspects are widespread. A report issued by Nigerian and U.S. watchdog groups in May 2010 noted that police kill, torture, and rape suspects to force confessions and extort bribes. Police officers who routinely abuse their power are often supported by a chain of command that encourages and institutionalizes graft. Violent crime in certain cities and areas remains a serious problem, and the trafficking of drugs and small arms is reportedly on the rise.

The constitution prohibits ethnic discrimination and requires government offices to reflect the country's ethnic diversity, but societal discrimination is widely practiced, and ethnic clashes frequently erupt. Minorities in the Niger Delta feel particular discrimination, primarily with regard to distribution of the country's oil wealth, and their grievances have fueled militant violence. The government launched an amnesty program in 2009, and some militant factions accepted the offer. However, in January 2010, a spokesperson claiming to represent the main militant group, the Movement for the Emancipation of the Niger Delta (MEND), warned oil companies of future attacks. In their first-ever strike on the capital, Delta militants detonated two car bombs during an independence celebration in October, killing 10 people.

The authorities often engage in forcible evictions to pave the way for development projects. Amnesty International estimated that between 2000 and 2009, more than two million Nigerians had been evicted. According to an Amnesty International report released in October 2010, recent urban development efforts in Port Harcourt included slum demolitions, which threatened to leave as many as 200,000 of the city's most impoverished residents homeless.

Nigerian women face societal discrimination, although their educational opportunities have improved and women hold several key governmental positions. Women throughout the country experience discrimination in employment and are often relegated to inferior positions. In the northern states governed under Sharia statutes, women's rights have suffered particularly serious setbacks. Women in some ethnic groups are denied equal rights to inherit property, and various forms of gender-based violence, including spousal rape, are not considered crimes. Although the federal government publicly opposes

female genital mutilation, it has taken no action to ban the practice. While illegal, human trafficking to, from, and within the country for the purposes of labor and prostitution is reported to be on the rise. According to UNICEF, there are 15 million child laborers in Nigeria, 40 percent of whom are at risk of being trafficked. Forced labor is widespread, and the government makes no effort to combat it. Several organizations have reported on an illegal trade in which pregnant teenagers are promised abortions, only to be held until their babies are delivered and sold. No laws prohibit discrimination against the physically and mentally disabled, and people with disabilities face social stigma, exploitation, and discrimination. Homosexual activity is illegal and punishable by up to 14 years in prison.

** Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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