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2013 Scores

Status: Partly Free
Freedom Rating: 4.5
Civil Liberties: 5
Political Rights: 4

Trend Arrow ↓

Nigeria received a downward trend arrow due to continued rampant corruption, the suppression of civil society during fuel-subsidy protests as well as restrictions on its activity in the north, and limitations on freedom of movement as a result of violence associated with the militant group Boko Haram.

Overview

Human rights conditions worsened in the north of the country in 2012, as the radical Islamist group Boko Haram stepped up its attacks on civilians and the security forces were accused of committing abuses in the course of their counterterrorism efforts. Separately, in January, police reportedly used excessive force in response to strikes and mass protests against a proposed fuel-price increase. Unchecked government corruption has resulted in billions of dollars of lost public revenue over the last decade.

The armed forces ruled Nigeria for much of the period after independence from Great Britain in 1960. Beginning with the first coup in January 1966, military officers consistently claimed that only they could manage simmering tensions among the country's 250 ethnic groups and its different 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 friction 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. 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. While hailed internationally for bringing an end to almost two decades of military dictatorship, the 1999 elections featured numerous instances of voter intimidation and fraud.

Obasanjo was reelected in 2003, but the voting was again marred by fraud and violence. The runner-up, former general Muhammadu Buhari, a northern Muslim and member of the All Nigeria People's Party (ANPP), filed a petition to nullify the results. However, the Supreme Court in 2005 unanimously rejected the challenge.

The April 2007 elections were also marred by bloodshed and reports of massive vote-rigging and fraud. Umaru Yar'Adua, the PDP candidate and Obasanjo's handpicked successor, was credited with 70 percent of the presidential ballots. In the parliamentary vote, the PDP won 85 of 109 Senate seats and 262 of 360 seats in the House of Representatives. The PDP also captured 29 out of 36 governorships. International and local election monitors were highly critical of the vote, and the official results drew public complaints and legal challenges from the opposition. The Supreme Court upheld Yar'Adua's victory in December 2008.

In November 2009, an ailing Yar'Adua left the country to seek medical treatment in Saudi Arabia. The National Assembly provisionally handed power to Vice President Goodluck Jonathan in February 2010. Yar'Adua died in May, allowing Jonathan to formally assume the presidency. In September, Jonathan replaced leaders in the security forces and appointed the widely respected Attahiru Jega to head the Independent National Electoral Commission (INEC).

Presidential, legislative, and gubernatorial elections were held in April 2011. Jonathan won the April 16 presidential contest, defeating Buhari, the Congress for Progressive Change (CPC) candidate, 58.9 percent to 32 percent. The vote divided the country along ethnic and sectarian lines, with Buhari winning the northern states and Jonathan taking the south. Meanwhile, PDP candidates won a reduced majority in legislative elections on April 9 and 26. In the House of Representatives, the PDP claimed 202 of 360 seats, while the Action Congress of Nigeria (ACN) won 66, the CPC took 35, and the ANPP garnered 25. In the Senate, the PDP lost its two-thirds majority, winning 71 of 109 seats; the ACN took 18 seats, and the CPC and ANPP won 7 each. The PDP captured 18 of the 26 contested governorships.

The elections were followed by pro-Buhari protests in parts of 12 northern and so-called Middle Belt states. These degenerated into sectarian riots and retaliatory killings, leaving over 800 people dead and 65,000 internally displaced.

Despite the election-related violence and a high number of dubious official results, most observers deemed the 2011 elections an improvement over those in 2007, citing more orderly polling stations and competent INEC personnel.

Also in 2011, the radical Islamist movement Boko Haram became a serious threat to internal security in Nigeria. Whereas it had previously been restricted largely to northeastern Borno State and focused its attacks on government officials, security forces, and traditional leaders it perceived as complicit with the government, the group increasingly targeted ordinary civilians and moved into new areas. Both the scale and the geographic reach of Boko Haram attacks continued to expand in 2012. In January, coordinated bombings and gunfire in the city of Kano killed some 180 people, and approximately 100 people were killed in Kaduna in June when Boko Haram bombed three churches. There were more frequent, smaller attacks in the states of Borno, Yobe, Gombe, Adamawa, and Bauchi, though these mainly targeted security forces and other government personnel. The escalation of Boko Haram activity was matched by a harsh and somewhat indiscriminate response from the military and police, reportedly including extrajudicial killings and arbitrary arrests.

Nigeria's economy is dominated by hydrocarbons, which account for 95 percent of export revenues and 80 percent of government revenue. 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, since the return of civilian rule in 1999, elections have by and large been chaotic affairs marked by vote rigging and violence. This has been particularly the case in the Niger Delta, where many prominent politicians reportedly sponsor criminal gangs to target opponents, but violence and intimidation are also strategically used by political elites or "godfathers" in other parts of the country.

The ruling PDP, the ACN, and the CPC are currently the largest political parties. The ACN and CPC derive much of their support from regional strongholds (the Yoruba-speaking southwest and Muslim north, respectively), while the PDP enjoys the backing of patronage networks consisting of elites from every section of Nigeria. Other prominent parties include the ANPP and the All-Progressive Grand Alliance. Although the PDP has dominated the political landscape since 1999, its grip on power was weakened following the April 2011 elections. INEC chief Attahiru Jega has won praise for addressing opposition complaints that the commission functioned as an appendage of the PDP.

Corruption remains pervasive, and government efforts to improve transparency and reduce graft have been inadequate. A 2011 report by Human Rights Watch found that the Economic and Financial Crimes Commission, Nigeria's main anticorruption agency, arraigned 30 prominent politicians on corruption charges since it began work in 2002. However, it won only four convictions, resulting in little or no jail time. The body is hampered by political interference, an inefficient judiciary, and its own institutional weaknesses, and is subject to accusations that it targets those who have lost favor with the government. In a sign of ongoing, large-scale graft, an internal Petroleum Resources Ministry report leaked in October 2012 found that \$29 billion in public revenue was lost over the past decade to a natural gas price-fixing scheme. Nigeria was ranked 139 out of 176 countries surveyed in Transparency International's 2012 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. Sharia (Islamic law) statutes in 12 northern states impose severe penalties for alleged press offenses. Media outlets have also been the victims of terrorist attacks. In June 2012, Boko Haram bombed the offices of a major newspaper, *This Day*. The effects of the 2011 Freedom of Information Act remained uncertain in 2012; observers have argued that the measure has yet to be implemented, noting that as of September 2012, no requests for information had been granted by any significant government agency. 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 is frequently intertwined with regional and ethnic differences and accompanying competition for land and resources. In recent years, sectarian clashes have erupted in and around the city of Jos, leaving hundreds dead and displacing thousands more. In terms of terrorism, Christians and their houses of worship have been explicitly targeted by Boko Haram, though Muslims still account for the majority of the group's victims.

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, student admission and faculty hiring policies are subject to ethnic politics. The public education system remains dismal; more than a third of the population is illiterate.

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. In January 2012, labor and other activists led large-scale strikes and protests against official corruption and a government plan to reduce fuel subsidies. The demonstrations were at times met with live fire and excessive force by police and the military, leading to several deaths. In November, at least 100 people were charged with treason for taking part in a Biafran independence march.

The higher courts are relatively competent and independent, but they remain subject to political influence, corruption, and lack of funding, equipment, and training. 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 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 and discriminate against non-Muslims. Pretrial detainees, many of whom are held for several years, account for about 70 percent of the country's inmates, and few have 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 medical services.

Security forces commit abuses with near impunity, and corruption pervades their ranks. Amnesty International has accused military forces currently deployed to quell the terrorist activities of Boko Haram of worsening human rights conditions through extreme, extralegal tactics. In an October 2012 report, Human Rights Watch estimated that Boko Haram attacks accounted for over 1,500 of the roughly 2,800 deaths in the conflict since 2009, suggesting that government forces were responsible for the remainder. In one case during 2012, Amnesty International called for an independent inquiry into the alleged extrajudicial killing of at least 30 young men by security forces in the city of Maiduguri in late October. Many of the tactics used by the military, such as cordon-and-sweep searches, result in other forms of rights abuses in areas where Boko Haram

operates, and security forces have engaged in arbitrary mass arrests of young Muslim men in these areas.

In addition to extrajudicial killings of criminal suspects and prisoners, torture and general ill-treatment of detainees are widespread in Nigeria, and such abuses are reportedly used to force confessions and extort bribes. Corrupt officers 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 by the government and requires government offices to reflect the country's ethnic diversity, but societal discrimination is widely practiced, and ethnic clashes frequently erupt. Ethnocultural groups in the southern Niger Delta area feel particular discrimination, primarily with regard to distribution of the country's oil wealth, and their grievances have fueled militant violence in the region.

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. The northern states' Sharia statutes allow the death penalty for sexual activity between men, but no such sentences have been applied in practice.

Nigerian women's educational opportunities have improved, and women hold several key governmental positions. However, 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. Rape and spousal rape are considered separate offenses, though both have low rates of reporting and prosecution. Domestic violence is common and accepted in most parts of society. Women in some ethnic groups are denied equal rights to inherit property, and various forms of gender-based violence 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. Forced labor is illegal but common, especially bonded labor and domestic servitude, and the government makes very little effort to combat the practice. 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.

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