



# Freedom in the World 2018

## Nigeria *Profile*

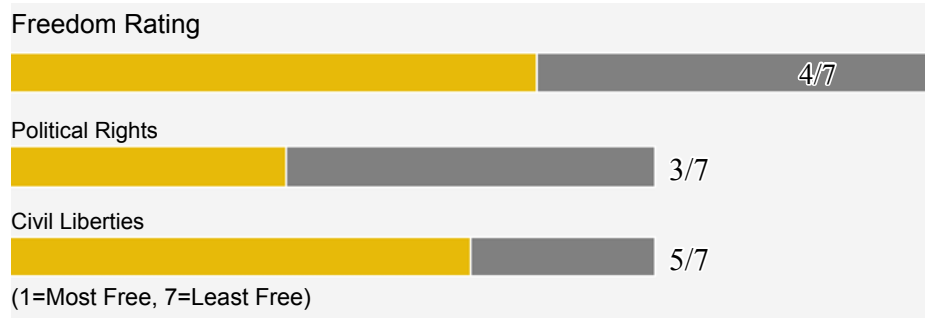
**FREEDOM STATUS:**  
PARTLY  
FREE



Freedom in the World

Scores

Quick Facts



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

## Overview:

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

# Key Developments in 2017:



- Counterinsurgency efforts continued to weaken the militant group Boko Haram, though it was able to mount small-scale attacks on civilian and military targets in the northeast. Humanitarian conditions in the region remained dire, and advocacy groups reported that government forces had engaged in human rights violations with impunity, including extrajudicial killings, arbitrary arrests, illegal detentions, and torture.
- Security conditions worsened elsewhere, with increased sectarian and communal clashes in and around the country's Middle Belt and agitation for the independence of Biafra, a region that comprises several states in the southeast. In September, the government outlawed the separatist group Indigenous People of Biafra (IPOB) as a terrorist organization.
- President Muhammadu Buhari continued his drive to reduce graft, particularly in the energy sector, though this and other policy initiatives were hampered by his undisclosed medical problems and prolonged absences from the country for treatment.
- Both houses of the National Assembly passed bills to amend the 1999 constitution, and at year's end the

proposed changes were being debated by state legislatures. Among other provisions, the bills would allow electoral candidates to run as independents and lower the minimum ages for the presidency and other offices.



# Political Rights and Civil Liberties:

## POLITICAL RIGHTS:

### 25 / 40

#### A. ELECTORAL PROCESS: 9 / 12

**A1. Was the current head of government or other chief national authority elected through free and fair elections?**  
3 / 4

The president is elected by popular vote for no more than two four-year terms. Local and international observer organizations assessed the 2015 presidential election as competitive and generally well conducted, with improvements in voter identification and reductions in election-related violence compared with 2011. 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. Buhari, the candidate of the All Progressives Congress (APC), defeated 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.



**A2. Were the current national legislative representatives elected through free and fair elections? 3 / 4**

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. The 2015 elections, held concurrently with the presidential vote, were similarly considered credible by local and international observer organizations. In the House of Representatives, the APC took 212 seats, while the PDP won 140, and smaller parties captured the remaining 8. In the Senate, the APC won 60 seats, while the PDP secured 49.

**A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4**

The 2015 parliamentary and presidential elections were postponed by about six weeks, due mainly to security concerns, but the INEC was widely lauded for its professionalism and impartiality. The commission has also been praised for its handling of gubernatorial polls and by-elections since 2015. In 2017, observers noted a number of potential obstacles in the INEC's preparations for the 2019 national elections, including delays in filling vacancies among the states' resident electoral commissioners, who must be appointed by the president and confirmed by the Senate.

Both houses of the National Assembly passed a series of proposed amendments to the 1999 constitution during 2017, including provisions to give the INEC the power to deregister political parties under certain conditions and conduct local government elections. The constitutional amendment process was still ongoing at year's end, as two-thirds of the state legislatures must approve the proposed amendments before they can be incorporated into the constitution. In December, several state assemblies began deliberations on the draft changes.



## 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 free of undue obstacles to the rise and fall of these competing parties or groupings?**

**3 / 4**

Nigerians generally have the right to organize in different political parties, though this is occasionally hindered in practice. The proposed amendments to the 1999 constitution include provisions for candidates to run as independents and a reduction in the minimum age thresholds for various public offices, both of which aim to increasing political participation, especially among young people.

A 14-month standoff between two factions vying for control of the PDP was resolved in July 2017, when the Supreme Court declared Senator Ahmed Makarfi to be the party's rightful

chairman. Makarfi then yielded the chairmanship to Uche Secondus after a party convention elected him in December.



**B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 3 / 4**

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, which marked the first democratic transfer of power between rival parties in the country's history. 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.

**B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 2 / 4**

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, and the local domination of either the Nigerian military or illegal armed groups in certain regions of the country.

**B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant**

## **groups) have full political rights and electoral opportunities? 2 / 4**



The legal framework generally provides for equal participation in political life by the country's various cultural, religious, and ethnic groups. However, politicians and parties still often rely on voters' ethnic loyalties, and the interests of a given group may be poorly addressed in areas where it forms a minority or when affiliated parties are not in power.

Women enjoy formal political equality, but restrictive societal norms limit their participation in practice. Women maintained 8 of 109 Senate seats in the 2015 elections, and their share of the 360 seats in the House of Representatives fell from 24 to 18. The criminalization of same-sex sexual activity and a ban on gay advocacy organizations deter LGBT people from openly running for office or working to advance their political interests.

## **C. FUNCTIONING OF GOVERNMENT: 6 / 12**

### **C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4**

Elected officials generally make and implement policy in Nigeria, but their ability to do so is impaired by factors including corruption, poor control over areas of the country where militant groups are active, and the president's undisclosed health problems. Buhari spent about five months abroad during 2017, mostly seeking medical treatment in

Britain. Although Vice President Yemi Osinbajo served as acting president during his absences, they may have caused delays in key executive functions.



The federal budget process suffered from a second consecutive year of dysfunction in 2017. The National Assembly passed the annual budget bill in May, and Osinbajo signed it in June, six months after it was supposed to have taken effect.

## **C2. Are safeguards against official corruption strong and effective? 2 / 4**

Corruption remains pervasive, particularly in the oil and security sectors. The Buhari administration continued its efforts to reduce graft and improve transparency during 2017. The Senate passed the Petroleum Industry Governance Bill—the first of several measures designed to increase transparency and reduce corruption in Nigeria’s oil and gas industries—in May, but the House of Representatives was still considering it at year’s end. Meanwhile, following the December 2016 introduction of a new whistle-blower policy to reward Nigerians who provide information on government corruption, by October 2017 the government had reportedly recovered more than N30 billion (\$83 million) in stolen funds thanks to tips from whistle-blowers. In July, the Senate passed legislation to provide statutory protection to whistle-blowers; the bill was before the lower house at year’s end.

In September, the chief justice ordered the designation of special courts in each state to handle corruption cases, largely to avoid undue delays in adjudication. The Economic and Financial Crimes Commission (EFCC) and the Independent



Corrupt Practices Commission (ICPC) opened new investigations into several high-level current and former officials during the year. While institutional safeguards against corruption at the federal level have increased, the culture of corruption at the state and local level persists. Moreover, the opposition PDP has accused the federal government of political bias in its anticorruption efforts.



### **C3. Does the government operate with openness and transparency? 2 / 4**

The 2011 Freedom of Information Act guarantees the right to access public records, but nongovernmental organizations (NGOs) have criticized government agencies for routinely refusing to release information sought through the law.

## **CIVIL LIBERTIES: 25 / 60**

### **D. FREEDOM OF EXPRESSION AND BELIEF: 9 / 16**

#### **D1. Are there free and independent media? 2 / 4**

Freedoms 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 (Islamic law) 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 September 2017, soldiers participating in a military exercise dubbed Operation Python Dance in Umuahia, Abia State, allegedly entered the offices of the Nigerian Union of Journalists, assaulted journalists, and destroyed their equipment; the soldiers accused the journalists of taking pictures of the exercise without authorization. Journalists and media entities have also been attacked and intimidated by nonstate actors, including Boko Haram.



**D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 1 / 4**

Religious freedom is constitutionally and legally protected and is generally respected by the federal government in practice. Nevertheless, in some instances state and local governments have placed limits on religious activities and endorsed a dominant faith. In September 2017, the Sokoto State government barred the Islamic Movement of Nigeria (IMN), the country's largest Shiite organization, from staging any public processions in the state, citing the possibility of disorder. Authorities in Kaduna State had banned the group in 2016 after a procession led to deadly clashes with Sunni Muslim mobs and police.

Nonstate actors have also attempted to limit religious freedom. Boko Haram has deliberately attacked 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.



**D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4**

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 has included the closure or destruction of primary, secondary, and tertiary institutions. In May 2017, negotiations between the government and Boko Haram led to the release of 82 girls whom Boko Haram had abducted from a school in the town of Chibok in 2014. However, about 100 of the girls originally abducted from the Chibok school remained unaccounted for at year's end, and were thought to be in the custody of Boko Haram. UNICEF estimated that the insurgency had left some 3 million children in northern Nigeria without access to a school.

**D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4**

Nigerians are generally free to engage in discussions on politics and other topics, though expression of critical views on political leaders or sensitive subjects like the military, religion, and ethnicity occasionally leads to arrests or violent reprisals. In August 2017, the military said it had begun monitoring social media for content that amounted to hate

speech or undermined the government, the military, or national security.



## E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 7 / 12

### **E1. Is there freedom of assembly? 2 / 4**

The right to peaceful assembly is constitutionally guaranteed. However, federal and state governments frequently ban public events perceived as threats to national security, including those that could incite political, ethnic, or religious tension. Rights groups have criticized federal and state governments for prohibiting or dispersing protests that are critical of authorities or associated with controversial groups like the IMN and IPOB.

### **E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 2 / 4**

Nigeria has a broad and vibrant civil society sector. Members of some organizations face intimidation and physical harm for speaking out against Boko Haram, or encounter 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. At a hearing in December 2017, domestic rights organizations argued against a draft bill before the National Assembly that would impose intrusive state regulations on NGOs' funding and operations on national security grounds. Sponsors of the

bill claimed, without providing evidence, that NGOs had diverted funds to militant groups.



### **E3. Is there freedom for trade unions and similar professional or labor organizations? 3 / 4**

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? 2 / 4**

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. In October 2017, the National Judicial Council, headed by the chief justice, announced that it was investigating 15 judges for alleged malfeasance.

### **F2. Does due process prevail in civil and criminal matters? 1 / 4**

There have been numerous allegations of extortion and bribe taking within the police force. Federal and state authorities have been criticized for disregarding due process, with prolonged pretrial detention of suspects even after courts ordered their release on bail. IMN leader Ibrahim el-Zakzaky and his wife, who were arrested in December 2015, remained

in incommunicado detention throughout 2017 even though federal court ordered their release in December 2016. In October, authorities began mass arraignment and trials of more than 2,300 Boko Haram suspects, some of whom had already been detained for years. Rights groups raised concerns about due process given the closed proceedings and compressed timetable.



### **F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4**

The military has been repeatedly criticized by local and international human rights groups for extrajudicial killings, torture, and other abuses, including during counterinsurgency efforts in the northeast and operations against separatist movements in the southeast.

In September 2017, soldiers participating in the military exercise Operation Python Dance in Abia State allegedly clashed with members of the IPOB, leaving many wounded and others possibly killed. Some accounts said the confrontation featured a raid on the home of IPOB leader Nnamdi Kanu, who went missing after the incident; the authorities denied having him in custody. The government then formally designated the IPOB as an illegal terrorist organization. Domestic rights groups and some international actors, including the United States, questioned the validity of the classification.

The offensive against Boko Haram continued during 2017, but the group maintained its ability to wage asymmetric warfare,

including the use of women and children in suicide attacks against civilian targets in the northeast. More than 1,800 people were killed in incidents involving Boko Haram in 2017. Separately, hundreds of people were killed in sectarian and communal clashes between herders and farmers in the Middle Belt region in the absence of adequate intervention by federal or state authorities.



Violent crime is a serious problem in certain areas of Nigeria, 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. Various vigilante groups are active, and a bill that would officially recognize the security role of a national organization, the Vigilante Group of Nigeria, passed the two chambers of the National Assembly in October and December. The president had yet to sign it at year's end.

#### **F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4**

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.

Women are subject to widespread societal discrimination regarding matters such as education and employment. Many families choose to send sons to school while daughters become street vendors or domestic workers. Women also face significant legal disadvantages in states governed by Sharia statutes.

The government and society continue to discriminate against LGBT people. Same-sex sexual activity can be punished with prison terms under the penal code, and with death under Sharia statutes in some states. The 2014 Same Sex Marriage (Prohibition) Act outlaws LGBT advocacy organizations and activities as well as any public display of same-sex relationships. Dozens of people were arrested in connection with these laws during 2017, including attendees at a gay wedding and participants in an HIV awareness event.



## G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

### **G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4**

Freedoms of internal movement and foreign travel are legally guaranteed. However, security officials frequently impose dusk-to-dawn curfews and other movement restrictions in areas affected by communal violence or the Islamist insurgency. About 1.7 million people remained displaced by the conflict in northeastern Nigeria as of late 2017.

### **G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 2 / 4**

Nigeria's largely unregulated property rights system hinders citizens and private businesses from engaging in the efficient and legal purchase or sale of land and other types of property. Bribery is a common practice when starting a business and



registering property. According to the World Bank's Doing Business Report for 2018, Nigeria's ranking improved to 145 out of 190 countries, from 169 the previous year; the country showed improvements in credit accessibility, ease of starting a business, ease of paying taxes, and property registration.



Women belonging to certain ethnic groups are often denied equal rights to inherit property due to customary laws and practices.

**G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4**

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. Women and girls in camps for displaced persons have reported sexual abuse by members of the military and other authorities.

**G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4**

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, several of Nigeria's states have not implemented the 2003 Child Rights Act, which protects

children from sexual exploitation and other abuses. The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) continues to rescue trafficking victims and prosecute some suspected traffickers, but its funding is reportedly inadequate, and there have been few prosecutions against labor traffickers.

**Scoring Key: X / Y (Z)****X = Score Received****Y = Best Possible Score****Z = Change from Previous Year****Full Methodology**

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