

# NIGERIA

## COUNTRY ASSESSMENT

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#### **1. SCOPE OF DOCUMENT**

**1.1** This assessment has been produced by the Country Information and Policy Unit, Immigration and Nationality Directorate, Home Office, from information obtained from a wide variety of recognised sources. The document does not contain any Home Office opinion or policy.

**1.2** The assessment has been prepared for background purposes for those involved in the asylum / human rights determination process. The information it contains is not exhaustive. It concentrates on the issues most commonly raised in asylum / human rights claims made in the United Kingdom.

**1.3** The assessment is sourced throughout. It is intended to be used by caseworkers as a signpost to the source material, which has been made available to them. The vast majority of the source material is readily available in the public domain.

**1.4** It is intended to revise the assessment on a six-monthly basis while the country remains within the top 35 asylum-seeker producing countries in the United Kingdom.

## 2. GEOGRAPHY

**2.1** The Federal Republic of Nigeria is the fourth largest and most populous country in Africa. Benin borders Nigeria to the west, Niger to the north, Cameroon to the east and the Bight of Benin to the south. The terrain varies from coastal swamps in the south, through tropical forests and savannah to semi-desert in the north. The highest regions are the Jos plateau (1200-2000 metres above sea level) and mountains along the border with Cameroon. Nigeria is the most populous African nation, in 1999 its population was estimated to be 120 million, but as the last census was in 1991 estimates vary considerably. **[1][2][4]**

## 3. ECONOMY

**3.1** Nigeria is the leading sub-Saharan oil producer, 1.84 million barrels of oil per day, and oil accounts for 98.6% of all exports. Nigeria has a vast but largely unfulfilled economic potential. As a result annual income per head in Nigeria is amongst the lowest in the world at \$375, and two thirds of the population live on less than a dollar per day. Institutionalised and pervasive corruption, has hindered economic development. General Abacha, a former head of state, siphoned off an estimated personal fortune of \$4.3bn. **[2]**

**3.2** Driven by rising oil prices and high levels of government spending, growth in real GDP grew by 3.89% in 2001, up from 3.83% in 2000. But poor budgetary controls and inadequate monetary management contributed to rising inflation that reached an estimated 21.8% by March 2002. Inflation had led to an unsustainable disparity between the official and parallel exchange rate for the currency, the Naira. The poor economic performance has also reflected fundamental structural problems in the Nigerian economy. The key factors include corruption, the poor state of infrastructure, especially in the power sector, and the independence of state governments, which has made implementation of national economic policy difficult. These problems have prevented diversification of the economy from the hydrocarbon sector. One area of relative success in structural reform has been privatisation programme. However the timetable suffered a significant set backs with the collapse in early 2002 of the flagship sale of the national telecomms carrier NITEL. **[2]**

**3.3** Nigeria is a highly indebted country owing approximately \$28bn to external creditors. The overwhelming majority of this debt (\$22bn) is owed to official bilateral creditors, other governments, which are members of the Paris Club. The United Kingdom is by far the largest official creditor, being owed approximately \$6 billion. The remainder is owed in roughly equal amounts to private creditors and multilateral institutions (the World Bank and African Development Bank). Nigeria and the International Monetary Fund (IMF) approved a one-year Standby Arrangement on 4 August 2000, however, this lapsed by mutual consent in October 2001 due to inadequate performance on some of the major areas for economic reform. In March 2002, Nigeria and the IMF agreed they would not pursue a further formal programme until after the next presidential election in 2003. Nigeria cannot come to the Paris Club of official creditors for a programme of debt rescheduling or relief until such time as an IMF programme is in place and a satisfactory track record of reform is established. **[2]** For further information on geography and the economy, refer to Europa yearbook source. **[1]**

## 4. HISTORY

**4.1** President Sani Abacha died in office on 8 June 1998. On 20 July 1998, his successor General Abdulsalami Abubakar, the military head of state, announced a detailed plan leading to the restoration of a democratic, civilian government by 29 May 1999. He emphasised democracy, respect for human rights and the early withdrawal of the military from politics. He created an Independent National Electoral Commission (INEC), which announced a timetable for elections beginning with local elections on 5 December 1998 and culminating in presidential elections on 27 February 1999. The turnout for the local elections was good, and there was no violence. Following these, INEC gave full registration to three parties, the Peoples Democratic Party (PDP), the All Peoples Party (APP) and the Alliance for Democracy (AD). The PDP and APP both have a national support base, but the AD's support is predominantly from the Yoruba in the six south-west states. **[2][187]**

**4.2** The local elections, State Assembly and Gubernatorial elections on 9 January 1999 and National Assembly

elections on 20 February 1999 were all judged credible by monitors. PDP had the best results throughout the elections. AD and APP therefore agreed to field a joint candidate for the Presidential elections. Olusegun Obasanjo (PDP) with 62% of the vote won the presidential election. Chief Olu Falae, the joint AD and APP candidate, gained 37% of the vote. Local and international monitors witnessed irregularities in the poll, but judged that the result broadly reflected the view of the Nigerian people. [2][188]

**4.3** President Obasanjo was sworn in on 29 May 1999 and the National Assembly held its first session on 3 June 1999. As required by the new constitution, one Minister from each of the 36 states was appointed to the Cabinet. The President also appointed a group of Special Advisers to assist the Presidency. [2] For further information on history, refer to Europa yearbook source. [1]

## **5. STATE STRUCTURES**

### **THE CONSTITUTION**

**5.1** The 1999 Constitution was based closely on the 1979 Constitution. Basic political rights are enshrined in Chapter IV of the 1999 Constitution. They include the right to personal liberty, the right to a fair trial, the right to freedom of expression and of the press, and the right to dignity of the human person. Under the Abubakar regime in the second half of 1998, the Provisional Ruling Council, the military body that had ruled Nigeria under General Abacha, stopped exercising judicial power and also ceased to deny the courts the authority to review its actions. [3][14][15]

**5.2** The 1999 Constitution prohibits torture and the mistreatment of prisoners. The Constitution protects individual rights before the judiciary, including a presumption of innocence, the right to be present, to confront witnesses, to present evidence, and to be represented by legal counsel. However these have been undermined by a lack of respect for the rule of law. [3]

**5.3** The President has set up a Commission to review the Constitution. It holds public hearings around the country and it has now reported to the President. The National Assembly set up a parallel Commission, which is still touring the country taking evidence. [2][176]

### **CITIZENSHIP AND NATIONALITY**

**5.4** The 1999 Constitution set out the requirement for Nigerian citizenship in Chapter III. Citizenship by birth would appear to be acquired by birth in Nigeria, with one parent or one grandparent being a Nigerian citizen. Citizenship by decent would be acquired by a person born outside Nigeria, with one parent being a Nigerian citizen. [7]

**5.5** There are provisions to acquire citizenship by both naturalisation and registration. The President has the power to make regulations regarding citizenship, but these must be in accordance with Chapter III. [7]

### **POLITICAL SYSTEM**

**5.6** Nigeria is a democratic federal republic. Local, parliamentary and presidential elections have been held, and the handover to the elected civilian President Olusegun Obasanjo took place on 29 May 1999 without incident. The President subject to the confirmation of the Senate nominates the cabinet. Although the Constitution allows the free formation of political parties, only three parties were registered with the INEC. The Constitution requires parties to have membership in two-thirds of the country's 36 states. [3]

**5.7** The Justice Minister Bola Ige was murdered on 23 December 2001. The Minister was a political ally of President Obasanjo, and the motive for his murder remains unclear. He was killed by a number of gunmen in Ibadan. The police have vigorously investigated this crime, and a number of arrests have been made. A senior aide to the chief justice was found dead two weeks after the murder, Mr S. Awonusi's body was found not far from the central mosque in Abuja. There is nothing to indicate that the two killings were related. [8][9][10]

**5.8** President Obasanjo has recently faced impeachment enquiries regarding his period in office. His Government

has been accused of corruption, abuse of power, and a failure to prevent violence within Nigeria; a charge supported by some outside observers. These charges are widely seen as a political ploy prior to elections next year. [11][12]

**5.9** The Government has also faced criticism over the registration of voters for state and national elections, but is now attempting to rectify this. This failure to register eligible voters appears to be due to organisational difficulties, rather than an attempt to undermine the democratic process. As a result state elections have been repeatedly delayed. This process should be completed before presidential election, which must be held before President Obasanjo's term of office ends in May 2003. [13]

## JUDICIARY

**5.10** Under the Constitution, the court system is composed of federal and state trial courts, state appeals courts, the Federal Court of Appeal, and the Federal Supreme Court. There are also Shari'a (Islamic) and customary (traditional) courts of appeal for each state and for the federal capital territory (Abuja). The lower courts include magistrate or district courts, customary or traditional courts, Shari'a courts, and for some specified cases, the state high courts. The nature of the case usually determines which court has jurisdiction. In principle customary and Shari'a courts have jurisdiction only if both plaintiff and defendant agree. However, in practice fear of legal costs, delays, and distance to alternative venues encouraged many litigants to choose the customary and Shari'a courts over the regular venues. [3]

**5.11** The extension of Shari'a law in many northern states has generated a public debate on whether Shari'a punishments such as amputation for theft, caning for fornication and public drunkenness constituted "torture or inhuman or degrading treatment" as stipulated in the Constitution. Caning as a punishment is available under Nigerian common law, the Northern Nigerian Penal Code, and Shari'a law and has not been successfully challenged in the court system as a violation of the cruel and inhuman punishment clause of the 1999 Constitution. While the expanded Shari'a laws do not apply to Christians, the Christian minority, especially in Zamfara and Sokoto States, was subjected to many of the social provisions of the law. [3]

**5.12** Criminal justice procedures call for trial within three months of arraignment for most categories of crimes. Understaffing of the judiciary, inefficient administrative procedures, petty extortion, bureaucratic inertia, poor communication between police and prison officials, and inadequate transportation continued to result in considerable delays in bringing suspects to trial, often stretching to several years. [3]

**5.13** Trials in the regular court system are public and generally respect constitutionally protected individual rights in criminal cases, including a presumption of innocence, and the right to be present, to confront witnesses, to present evidence, and to be represented by legal counsel. However, there is a widespread perception that judges are easily bribed or "settled," and that the courts cannot be relied on to render impartial judgements. Most prisoners are poor and cannot afford to pay the costs associated with moving their trials forward, and as a result they remain in prison. Wealthier defendants employ numerous delaying tactics and, in some cases, use bribes to persuade judges to grant numerous continuances. This, and similar practices, clogged the court calendar and prevented trials from starting. Many courts are understaffed, and personnel are paid poorly. Judges frequently fail to appear for trials, often because they are pursuing other means of income. In addition court officials often lack the proper equipment, training, and the will to perform their duties, again due primarily to their inadequate pay and poor conditions. [3]

**5.14** Decree 63 of 26 May 1999 repealed many of the decrees that impinged on human rights including Decree 2. [142] The 1999 Constitution enshrined basic political rights including the right to a fair trial. [3] President Obasanjo has committed his government to a review of human rights abuse under previous military governments. He has also taken action against those who have been accused of human rights abuses committed during the Abacha regime. Colonel Ibrahim Yakassai has been prosecuted for the killing of pro-democracy activists in Lagos. In November 1999 the case against Hamza-Al-Mustapha, Mohammed Abacha, Mohammed Rabo Lawal, Lateef Shofalan and Mohammed Aminu for the murder of Kudirat Abiola was moved to Lagos High Court. Former Lagos Police Commissioner James Danbaba, General Bamaiyi and Colonel Yakuba have been charged with attempting to murder of newspaper publisher Alex Ibru on 2 February 1996. Other prominent security officials from the Abacha era are being investigated or have been detained, including Brigade General Ibrahim Sabo former Director of Military Intelligence, who has been detained because of his suspected involvement in the torture of people while working for the Abacha regime. [3][178]

**5.15** Decree 33 of 1990 remains in operation. This decree allows for the detention of a Nigerian who has brought the country into disrepute. This decree is aimed at those who traffick in illicit drugs, and is subject to Judicial oversight. However, this decree allows for the detention of people, who may have already completed a sentence abroad, upon their return to Nigeria. This measure is a response to the serious drug trafficking problem that exists in Nigeria. The problem of the illicit drug trade, is one that the Nigerian authorities are attempting to address. [5]  
[6]

## LEGAL RIGHTS/DETENTION

**5.16** The Federal Nigeria Police Force (NPF) is tasked with law enforcement. The Constitution prohibits local and state police forces. Internal security is the duty of the State Security Service (SSS). The SSS's profile has declined under the present Government. Prior to May 1999, special paramilitary anticrime squads called "Rapid Response Teams" operated in every state. Under President Obasanjo the military personnel dispatched to these units returned to their barracks, but the units remained intact in most states, staffed by regular policemen and with a reduced role and a less menacing presence. The Obasanjo Government lessened its reliance on the army to quell internal disorder. The degree of civilian control over the Rapid Response Teams and the national police force has expanded since the return to civilian rule. Despite these new controls, members of the security forces, including the police, anti-crime squads, and the armed forces are still accused of committing serious human rights abuses. [3]

**5.17** The Constitution prohibits arbitrary arrest and detention; however, security forces generally did not observe these prohibitions. Police and security forces continued to use arbitrary arrest and detention. Police and security forces are empowered to make arrests without warrants if they believed that there was reason to suspect that a person had committed an offence; they often abused this power. Under the Fundamental Rights Enforcement Procedures Rules of the Constitution, police may arrest and detain persons for 24 hours before charging them with an offence. The law requires an arresting officer to inform the accused of charges at the time of arrest and to take the accused persons to a station for processing within a reasonable amount of time. By law police must provide suspects with the opportunity to engage counsel and post bail. However, police generally did not adhere to legally mandated procedures. Suspects routinely were detained without being informed of the charges, denied access to counsel and family members, and denied the opportunity to post bail forailable offences. Detainees often were kept incommunicado for long periods of time. The provision for bail often was arbitrary or subject to extra-judicial influence. In many parts of the country, there was no functioning system of bail, so many suspects were held in investigative detention for sustained periods of time. Numerous suspects alleged that police demanded payment before they were taken to court to have their cases heard. If family members attend court proceedings, police often demand an additional payment. [3]

## DEATH PENALTY

**5.18** Nigeria retains the death penalty, and both the civil court system and the Shari'a system has passed this sentence. In 2001, at least 4 death sentences were passed by High Courts and the Supreme Court confirmed 24 on appeal. Most followed convictions for murder and some dated back for more than a decade. [127]

**5.19** There are reports that at least three death sentences were passed by lower courts under new penal legislation and codes, including new codes of criminal procedure, and in several states in northern Nigeria based on Shari'a law. The new laws introduced a mandatory death penalty for adultery not previously punishable by death and allowed the application of the death penalty for other sexual offences on a discretionary basis. In some states there was no requirement for defendants in capital cases to be legally represented in court. While non-Muslims may also face punishment for sexual intercourse between members of the same sex, child abuse and adultery under the federal Penal Code for Northern Nigeria, in such cases this would not attract the death penalty. [127]

**5.20** Shari'a courts, which are lower courts in the hierarchy of the Nigerian judicial system, were given jurisdiction to hand down death sentences, a power formerly reserved to the High Courts. Previously, the lower courts used Shari'a legal concepts only to determine cases in civil and personal matters. The provisions, in the new legislation, that guaranteed constitutional rights of appeal to the higher federal courts remains unclear. Rules of evidence and procedure used in criminal matters in the Shari'a courts differed from those applied in the Magistrates' Courts, and discriminated against women. [127]

## INTERNAL SECURITY

**5.21** Nigeria is a major regional power, and as such is a prominent member of the Economic Community of West African States and contributes a large military contingent to its monitoring force in Liberia and Sierra Leone (ECOMOG). There is a longstanding dispute with the Cameroon over the Bakassi peninsula, which lies to the extreme south of their shared border. [1][24] The issue was decided before the International Court of Justice in The Hague in October 2002. The court decided that Cameroon had sovereignty over the Bakassi peninsula. Nigeria has stated that it will reject this judgement. [25]

**5.22** During General Abubakar's time as the Head of State the security situation improved as the programme for transition to civilian rule started. The main exceptions were in some areas of the Niger Delta where disaffected Ijaw youths have become more militant in their demands for a share of the area's oil wealth. [3] Unrest in the Niger Delta still continues under the civilian government, and efforts to address this by legislation have met with limited success. The Niger Delta Development Commission has now been established. [97]

## **PRISONS AND PRISON CONDITIONS**

**5.23** Conditions in prison and places of detention remained harsh and life threatening. Most prisons were built 70 to 80 years ago and lack functioning basic facilities. Lack of potable water, inadequate sewerage facilities, and severe overcrowding resulted in unhealthy and dangerous sanitary conditions. Many prisons held 200 to 300% more persons than they were designed to hold. The Government acknowledged the problem of overcrowding as the main cause of the harsh conditions common in the prison system. According to government sources, approximately 45,000 inmates were held in a system of 148 prisons and 83 satellite prisons, with a maximum designed capacity of 33,348 prisoners. Some human rights groups estimate a higher number of inmates, perhaps as many as 47,000. Several times in 2000, authorities attempted to ease congestion in some smaller prisons. The Governor of Kano State for example, in honour of the feast of Eid-El-Kabir in March 2000, released 159 prisoners, 52 of these were pre-trial detainees held without charge. Those released were provided with travel funds to return to their homes. During 2001, the Governor of Kaduna State, on the recommendation of a state court judge, made a similar release of prisoners. In December 2001, five teenagers were released from Suleja prison, in Niger State, through the help of local NGO's. [3]

**5.24** Lengthy pre-trial detention remained a serious problem. According to the Constitution, persons charged with offences have the right to an expeditious trial; however, in practice this right was not respected. In March 2001, the Chairman of the National Human Rights Commission (NHRC) visited Owerri Prison in Imo State. According to reports, 90% of those in prison were awaiting trial. Multiple adjournments in some cases had led to serious delays. Serious backlogs, endemic corruption, and undue political influence continued to hamper the judicial system. Many of the pre-trial detainees held without charge had been detained for periods far longer than the maximum allowable sentence for the crimes for which they were being held. Police cited their inability to transport detainees securely to trial on their scheduled trial dates as one reason why so many of the detainees were denied a trial. [3]

**5.25** In 2000 President Obasanjo directed the Ministry of Justice to create a judicial administration committee to address the questions of overcrowding, prison conditions, and rehabilitation. The NHRC began working with the Ministry of Justice and the Legal Resources Consortium during 2001 to draft a new Prison Bill to conform to the minimum standard rules of prisons practice and provisions of the United Nations. The NHRC has also urged the Federal Government and police not to detain persons in civil cases. During 2001, the Government allowed international and domestic NGO's, including Prisoners Rehabilitation and Welfare Action (PRAWA), and the International Committee of the Red Cross (ICRC), regular access to prisons; however, it did not allow them continuous access to all prisons. PRAWA and the ICRC published newsletters on their work. The Government admits that there are problems with its incarceration and rehabilitation programmes and worked with groups such as these to address those problems. However, groups such as Rotary International report difficulties at the local level in gaining access to prisons and jails to do rehabilitation programmes. [3]

**5.26** In November 2000 the Nigerian authorities re-affirmed their commitment to reforms, and announced that funds had been provided for this purpose. However, the sum needed to address this problem is estimated to be 17 Billion Naira, and for this reason it can only be funded over an extended period. [167][168] The Nigerian Government remains committed to improving prison conditions, and it is reported that 2.4 Billion Naria has been spent on the first phase of a prison reform programme started in 1999. This programme is intended to address staff training and inmate rehabilitation. [60]

**5.27** In practice women and juveniles are held with male prisoners, especially in rural areas. The extent of abuse

in these conditions was unknown. In most cases, women accused of minor offences are released on bail; however, women accused of serious offences are detained. There is no formalised procedure regarding the separation of detainees and convicted prisoners, and the method of confinement solely depends on the capacity of the facility; as a result, detainees are often housed with convicted prisoners. [3]

## **MILITARY**

**5.28** Multinational oil companies and Nigerian oil producing companies subcontract police and soldiers from area units particularly to protect the oil facilities in the volatile Niger Delta region. Local youths claimed that these groups engaged in extrajudicial killings and other human rights abuses, in some cases with the support of foreign oil companies. [3] There have been calls from states in the South for state controlled police forces, as opposed to the present federal controlled system, the reason given was that improved security would increase investors' confidence. However, this could also reflect a desire to set up police forces loyal to the local area. [165]

**5.29** National police, army, and security forces committed extrajudicial killings and used excessive force to quell several incidents of ethnic and religious violence during 2001. The Government did not use lethal force to repress non-violent, purely political activities, but lethal force has been used when protests or demonstrations were perceived as becoming violent or disruptive, or in the apprehension and detention of suspected criminals. State anti-crime task forces remained the most frequent human rights offenders. However, in most cases in which abuses were committed, security forces were not held accountable for excesses, deadly use of force or the deaths of persons in custody. Security forces operated with impunity in the apprehension, illegal detention, and sometimes execution of criminal suspects. Since taking office, President Obasanjo has preferred to let the police deal with civil disturbances, sending in military reinforcements only when the police were unable to restore order. However, the Government deployed the army numerous times during 2001 to restore order after civil unrest, and the army committed numerous abuses while performing this role, in part due to a lack of training. [3]

**5.30** The most significant example of army indiscipline, occurred in October 2001, when soldiers killed approximately 200 unarmed civilians, primarily ethnic Tiv, and caused considerable destruction in the town of Zaki Biam and a number of other villages in Benue State. This was in retaliation for the killing of 19 soldiers. The army had been originally deployed to restore order between Tiv and Jukun communities in the state, who have been engaged in long running ethnic disputes. The Federal High Court in Makurdi, capital of Benue State, called for the removal of these forces in March 2002. [29][30]

**5.31** More than 1,000 people died as a result of massive explosions that followed a fire at an army ammunition dump in Lagos on 27 January 2002. Most of those who died were killed as they fled the explosions, some being drowned in an attempt to cross a canal. There were violent clashes in Lagos, in the period of heightened tension following this fire, with Yorubas attacking resident Hausa. Army units were deployed both in Lagos, to restore order, and in cities in the north of the country to prevent retaliatory violence. [18][19][20]

**5.32** The army was also deployed during a police strike on 1 February 2002. There have been reports that some elements in the army sympathise with the police's call for an improvement in conditions, and a call for the armed forces to strike was circulated in March 2002. [21][22]

## **MILITARY SERVICE**

**5.33** There is no conscription in Nigeria, but university graduates are required to do civilian service for one year. This does not involve military training, and relates to civilian community project work, outside of a person's home state, and it is not known if there is any punishment for failure to perform this. [23]

## **POLICE**

**5.34** Nation-wide there has been an increase in crime. In Lagos in particular, there has been a serious breakdown in law and order. There have been frequent clashes between the police and armed criminal gangs. There have been reports that a number of soldiers may be involved in crime, and the availability of weapons has also contributed to this increase. The police have been accused of being heavy handed in their response. However, the perceived inability of the police to deal with this violence has encouraged the formation of vigilante groups in Lagos and elsewhere, who have been responsible for the murder of a number of suspected criminals. [3]

**5.35** Vigilante groups such as the O'odua People's Congress (OPC) are common. This may reflect the mistrust that society at large has in the police. Most of these groups are also linked to tribal or ethnic groups, and this adds a political and ethnic dimension to their activities (see section on OPC). In Anambra State, the state government supported the extrajudicial activities of the vigilante group known as the Bakassi Boys, although they have recently arrested some members. Like most vigilante groups, the Bakassi Boys kill suspected criminals rather than turn them over to police; however, in some cases, the Bakassi Boys have chosen to cut off the hands or arms of perpetrators, rather than killing them outright. They also were accused of harassing and threatening political opponents of the state government. **[3]**

**5.36** The leader of the Bakassi Boys Gilbert Okoyo was arrested in March 2001 in connection with the death of a police officer. **[166]** The police have taken effective action against this group, but have been accused of being heavy-handed. **[31][32]** There have also been calls for the Government to take direct control of Anambra State in light of the activities of the Bakassi Boys, and the disorder that their activities have caused. **[33]**

**5.37** The police are widely seen as being undisciplined, badly trained and poorly led, and unable to deal with the level of violent crime that they have to face. This may in part be due to low moral, due to underinvestment and neglect during the period of military rule. There have been local attempts to address these problems, by a more open approach to the general public, better training, and the use of appropriate equipment when dealing with crime, for example the issuing of rubber bullets to quell riots. In August 2001 President Obasanjo held a high-level meeting on national security involving the army, police and state governors who had been calling for the setting up of vigilantes to take up the fight against crime. **[143][144][145]**

**5.38** Despite Government commitment to improvements, conditions for the police remain poor, and arrears in pay resulted in a one-day strike on 1 February 2002. President Obasanjo responded by releasing funds to meet the welfare needs of the police. He also sacked the head of the police service Musliu Smith, and a number of other senior officers. The police have threatened to resume industrial action, if they do not see a sustained improvement. **[61][62]**

**5.39** There are also reliable reports that some police officers have been involved in violent crime. In April 2001 three police officers were sentenced to death for their part in the robbery and murder of bus passengers at an illegal roadblock; these sentences have yet to be carried out. **[3]** Poor discipline, pay and conditions are sighted as reasons for these crimes, but where they have come to light the Nigerian authorities have investigated, and where possible instigated criminal proceedings. **[146][147]**

## **MEDICAL SERVICES**

**5.40** There is a Basic Health Service Scheme in Nigeria that aims to provide primary health care for the whole population. However, the quality and provision of care is still dependent on the ability of the patient to pay and long term care may not be covered by this scheme. There have recently been moves to introduce a National Insurance scheme, but details of this are still being worked out. **[34][35][36][37][49]** There is also provision for basic psychiatric care, but it appears to be confined to the major towns. **[38][39]**

**5.41** Sickle Cell Anaemia is a very common condition in Nigeria. This illness has many complications, the main ones being respiratory and circulation problems. The severity of its symptoms varies from case to case, and it is characterised by acute attacks of ill health and lethargy which are referred to as a "crisis". This condition is usually diagnosed in childhood, often before the sufferer is a year old. This condition can be life threatening, and limit the ability of a patient to lead a normal life. There are provisions for its treatment in Nigeria, but patients are usually expected to meet some of the costs of this care. **[40][41][42]**

**5.42** Diabetes is also common in Nigeria, there are no reliable statistics regarding its prevalence, but estimates are that 2% of the population have this condition. A larger number may also have this condition, but in these cases it remains undiagnosed. Diabetes can be life threatening, and, among other complications, is associated with renal problems and hypertension. Treatments for Diabetes are available, but again this is based on the ability to pay. **[47][48]**

**5.43** One of the complaints of Doctors in their four-month strike in late 2000, was the decline in the health service, as well as in their pay and conditions. The erosion of the health service has been attributed to its neglect by the military government. This decline in the health service, has led to many Doctors leaving the country for posts



overseas, which in turn has led to problems relating to level of experience, retention of staff and training in the profession. [43][44] There was further industrial action in May and June 2001, because of a perceived failure by the government to address the issues raised in the earlier strike. [50]

**5.44** HIV and AIDS are growing problems in Nigeria. The estimation of the population affected is over 5%, or over 2.6 million people. [2][45][52] President Obasanjo has made tackling AIDS a priority of his government, and has instituted an education and treatment campaign to address this problem. The Nigerian government and voluntary bodies are attempting to address this problem. [45][46] The Department of International Development is helping with the fight against AIDS/HIV, and will provide funds for this purpose over the next few years. [2]

**5.45** The Nigerian authorities have shown a determination to address the AIDS/HIV problem. They have actively sought to obtain appropriate drugs, at affordable prices, subsidise their cost and organise effective treatment programmes. However, the scale of the epidemic means that there are many problems to be addressed, and in places there appears to be few people coming forward for treatment. [51][52][53][54]

## PEOPLE WITH DISABILITIES

**5.46** The Government has called for private business to institute policies that ensured fair treatment for persons with disabilities, but has not enacted any laws requiring greater accessibility to buildings or public transportation, nor did it formulate any policy specifically ensuring the right of persons with disabilities to work. In August 2001, the Federal Government established vocational training centres in Abuja to provide training to beggars with disabilities. [3]

## EDUCATIONAL SYSTEM

**5.47** Public schools continued to be inadequate, and limited facilities precluded access to education for many children. The Constitution's general provisions call for the Government, "when practical," to provide free, compulsory, and universal primary education; however, despite the President's commitment to compulsory education, compulsory primary education rarely was provided, particularly in the north. Girls are discriminated against in access to education for social and economic reasons. The literacy rate for males is 58% but only 41% for females. Rural girls are even more disadvantaged than their urban counterparts. Only 42% of rural girls are enrolled in school compared with 72% of urban girls. In the north, Muslim communities favour boys over girls in deciding which children to enrol in secondary and elementary schools. In the south, economic hardship also restricts many families' ability to send girls to school and, instead, they are directed into commercial activities such as trading and street vending. [3][186]

## STUDENT CULTS

**5.48** Student cults, secret societies based on student fraternities, have been responsible for many crimes in Nigerian universities. In September 2001 there was a serious outbreak of cult-related violence in Enugu State University of Science, when 8 students were killed in clashes. Police were deployed to investigate this incident. [173]

**5.49** Despite the efforts of the Government to address this problem, cult related violence still occurs. There have been further violent incidents in Enugu State in June 2002, when rival groups clashed, and these have resulted in a number of deaths. However, local police and the university authorities have taken action to investigate incidents of violence, and arrest and punish those responsible. [174][175]

## V HUMAN RIGHTS

### [A. INSTRUMENTS OF THE STATE](#)

### [B. ACTUAL PRACTICE WITH REGARD TO HUMAN RIGHTS](#)

## C. GENERAL ASSESSMENT

## D. SPECIFIC GROUPS

### **5. HUMAN RIGHTS: INSTRUMENTS OF THE STATE**

#### **POLITICAL SYSTEM**

**5.1.** Nigeria is a democratic federal republic. Local, parliamentary and presidential elections have been held, and the handover to the elected civilian president Olusegun Obasanjo took place on 29 May 1999 without incident. The cabinet is nominated by the president; subject to the confirmation of the Senate.

**5.2.** Although the Constitution allows the free formation of political parties, only three parties were registered with the INEC. The Constitution requires parties to have membership in two-thirds of the country's 36 states. In anticipation of the 2003 election INEC began preparing a draft electoral law for the National Assembly to consider in the next legislative session. Public forums were held during 2000, in all 36 states and the federal capital territory of Abuja to solicit citizens' views on the draft law. Over 10,000 citizens participated in these public fora; however, the draft law was not subject to any real public debate outside of this exercise. The new law is designed to specify the requirements of party formation and registration. The draft Bill is being considered by the National Assembly. [3]

#### **THE CONSTITUTION**

**5.3.** The 1999 Constitution was based closely on the 1979 constitution. Basic political rights are enshrined in Chapter IV of the 1999 Constitution. They include the right to personal liberty, the right to a fair trial, the right to freedom of expression and of the press and the right to dignity of the human person. Under the Abubakar regime in the second half of 1998, the PRC government stopped exercising judicial power and also ceased to deny the courts the authority to review its actions. [3][38][141]

**5.4.** The 1999 Constitution prohibits torture and the mistreatment of prisoners. The Constitution protects individual rights before the judiciary, including a presumption of innocence, the right to be present, to confront witnesses, to present evidence, and to be represented by legal counsel. However these have been undermined by a lack of

respect for the rule of law. [3][37][141]

**5.5.** The President has set up a Commission to review the Constitution. It held public hearings around the country and it has now reported to the president. The National Assembly set up a parallel Commission, which is still touring the country taking evidence; it is due to report in a few months. [264]

#### **THE JUDICIARY**

**5.6.** Under the Constitution, the court system is composed of federal and state trial courts, state appeals courts, the Federal Court of Appeal, and the Federal Supreme Court. There are also Sharia (Islamic) and customary (traditional) courts of appeal for each state and for the federal capital territory (Abuja). The lower courts include magistrate or district courts, customary or traditional courts, Sharia courts, and for some specified cases, the state high courts. The nature of the case usually determines which court has jurisdiction. In principle customary and Shari'a courts have jurisdiction only if both plaintiff and defendant agree. However, in practice fear of legal costs, delays, and distance to alternative venues encouraged many litigants to choose the customary and Sharia courts over the regular venues. [3]

**5.7.** The extension of Sharia law in many northern states has generated a public debate on whether Sharia punishments such as amputation for theft, caning for fornication and public drunkenness constituted "torture or...

inhuman or degrading treatment" as stipulated in the Constitution. Caning as a punishment is available under Nigerian common law, the Northern Nigerian Penal Code, and Sharia law and has not been successfully challenged in the court system as a violation of the cruel and inhuman punishment clause of the 1999 Constitution. In March in Zamfara State, Malam Buba Bello Jangebi's hand was amputated after he was convicted of cattle rustling in a Sharia court. Jangebi chose not to appeal his sentence. In September a Sokoto Shar'a court handed down a sentence of amputation for a thief; the sentence had not been carried out by year's end. The first sentence handed down by Zamfara's Sharia courts, was for the caning of a pregnant unwed mother and her boyfriend; both had confessed to fornication. In September Bariya Ibrahim Magazu, a 17-year old-girl, was sentenced to 100 lashes for engaging in fornication and 80 additional lashes for naming in court but not being able to prove who the possible father of the unborn child was. Magazu's sentence was suspended until 3 months after the birth of her child. Her sentence was reduced to 100 lashes and carried out on 19 January 2001, despite the efforts of local NGOs and protest from the international community. [3][158] In August two motorcycle taxi drivers were caned for carrying Muslim female passengers in violation of the law in Zamfara State. [3]

**5.8.** Although the expanded Sharia laws technically do not apply to Christians, the Christian minority, especially in Zamfara and Sokoto states, was subjected to many of the social provisions of the law. These include the separation of the sexes in public transportation vehicles, a law that was repealed after two weeks, and in health facilities, the segregation by gender of school children, and bans on the selling of alcohol. [3]

#### **i. Past Practise**

**5.9.** Trials in the regular court system are public and generally respect constitutionally protected individual rights as outlined in the 1979 Constitution. General Abacha formally restored this Constitution on 21 November 1993 and hence it underpinned civil law decisions and a proportion of criminal work. However, the provisions of the 1979 Constitution have been overridden in specific areas by presidential decrees. On 5 September 1994 General Abacha extended these areas with new decrees that affected the judiciary directly. Decree No.11 of 1994 tightened Decree No.2 of 1984 and was itself supplemented by the removal of habeas corpus thereby theoretically enabling the indefinite detention without trial of those deemed a security risk. The retroactive Decree No.12 of 1994 granted the Abacha Government power to promulgate its existing and future decrees without binding judicial scrutiny. [1][3]

**5.10.** The State Security (Detention of Persons) Decree No. 2 of 1984 which allowed the government to detain a suspect indefinitely without bringing them to trial has been condemned by international observers, including the U N Working Group on Arbitrary Detention. In 1996 the Working Group declared a number of detentions carried out under the decree to be arbitrary, and requested that the government take steps to remedy the situation. In July 1996 the government announced some amendments to Decree No. 2. A panel was also established to review cases of detention. However the main clause in Decree No. 2 preventing the courts questioning the legality of a detention order remains in place. The Abubakar administration pledged to review Decree 2 and not to make use of it or any other draconian decrees that impinge on the rights of the Nigerian people. This Decree was annulled in May 1999, and there were no reports of Decree 2 being used during General Abubakar period as president, and the Provisional Ruling Council (PRC) repealed it on 28 May. [1][3][39]

**5.11.** Those involved in Nigeria's legal system were concerned by the Abacha Government's appointment of military or special tribunals which circumvented the regular judicial process. These tribunals were allocated greater resources and better paid staff, which led to a decline in the number of competent judges and staff to work in the ordinary courts. Decree No.1 of 1984 first established a parallel system of special tribunals with sole jurisdiction over certain offenses, such as coup plotting, corruption, armed robbery, and illegal sale of petrol. An amendment in 1991 outlined that only sitting or retired civilian judges may chair tribunals hearing non-military cases. [39]

**5.12.** A seven man Special Military Tribunal was set up by General Abacha to try the 26 people suspected of involvement in the alleged coup plot of December 1997. The trial was held behind closed doors and sentenced six people to death although these sentences were later commuted to prison terms under the Abubakar administration, and the Provisional Ruling Council ordered their release in March 1999. [40] [93]

**5.13.** Trials in the court system are public and generally respect individual rights written into the constitution, including the right to be present, to present evidence and to be represented by legal counsel. However there is a

view that judges can be bribed, and that courts cannot always be relied upon to be impartial. Most prisoners are poor and cannot afford to pay the costs associated with moving their trials forward, and as a result they remain in prison. Wealthier defendants employ numerous delaying tactics and in many cases used financial inducements to persuade judges to grant numerous continuances. This, and similar practices, clogged the court calendar and delay trials. [3]

## ii. Present Position

**5.14.** Decree 63 of 26 May 1999 repealed many of the decrees that impinged on human rights including Decree 2. [189] The 1999 constitution enshrined basic political rights including the right to a fair trial. [141] President Obasanjo has prepared a code of conduct signed by his ministers and advisors reminding them of the need for probity and accountability in public life. On 10 June 1999 it was reported that all legislation that was not in accordance with the 1999 Constitution and the spirit of democracy had been repealed. On 24 June 1999 a new head of the Civil Service was appointed, and President Obasanjo took the opportunity to remind Civil Servants of the need for impartiality and respect for the rule of law. There have been no reports of interference in the actions of the Judiciary by President Obasanjo's administration. [142][143][144][145]

**5.15.** President Obasanjo has committed his government to a review of human rights abuse under previous military governments. He has also taken action against those who have been accused of human rights abuses committed during the Abacha regime. Colonel Ibrahim Yakassai has been prosecuted for the killing of pro-democracy activists in Lagos. In November 1999 the case against Hamza-Al-Mustapha, Mohammed Abacha, Mohammed Rabo Lawal, Lateef Shofalan and Mohammed Aminu for the murder of Kudirat Abiola was moved to Lagos High Court. Former Lagos Police Commissioner James Danbaba, General Bamaiyi and Colonel Yakuba have been charged with attempting to murder of Newspaper publisher Alex Ibru on 2 February 1996. Other prominent security officials from the Abacha era are being investigated or have been detained, including Brigade General Ibrahim Sabo former Director of Military Intelligence, who has been detained because of his suspect involvement in the torture of people while working for the Abacha regime. [3][194]

## LEGAL RIGHTS/DETENTION

**5.16.** Police and security forces are empowered to make arrests without warrants if they believed that there was reason to suspect that a person had committed an offense; they often abused this power. Under the Fundamental Rights Enforcement Procedures Rules of the Constitution, police may arrest and detain persons for 24 hours before charging them with an offense. The law requires an arresting officer to inform the accused of charges at the time of arrest and to take the accused persons to a station for processing within a reasonable amount of time. The police are required by law to provide suspects with the opportunity to engage counsel and post bail. However, they generally do not adhere to legal procedures. Suspects have often been detained without being informed of the charges, denied access to counsel and family members, and denied the opportunity to post bail for bailable offences. There was no functioning system of bail, so many suspects were held in investigative detention. Numerous suspects alleged that police demanded payment before they were taken to court to have their cases heard. If family members attend court proceedings, police demands an additional payment. [3]

**5.17.** Police and security forces continued the practice of placing relatives and friends of wanted suspects in detention without criminal charge to induce suspects to surrender to arrest, although this was done much less frequently than under previous military regimes. There were calls by human rights groups for the police to end the practice. [3]

**5.18.** The Government repealed the State Security (Detention of Persons) Decree of 1984 (Decree 2), which allowed for prolonged arbitrary detention without charge. However, the police and security forces continued to use arbitrary arrest and detention. Prolonged pretrial detention remains a major problem. The judiciary is subject to political influence, and is hampered by corruption and inefficiency. [3]

**5.19.** The Internal Affairs Minister Sunday Afolabi in a visit to Ekuje on 6 July 1999 acknowledged the delay in court hearings, and the importance of prison reform. However, prison conditions remain poor, and corruption and neglect are common. The Obasanjo government has embarked on a program of prison reforms. [145][146][147]

[190]

## THE SECURITY SERVICES

**5.20.** The Federal Nigeria Police Force (NPF) is tasked with law enforcement. The Constitution prohibits local and state police forces. Internal security is the duty of the State Security Service (SSS). The SSS's profile has declined under the Obasanjo regime. Until the advent of the civilian administration in May 1999, special paramilitary anticrime squads called "Rapid Response Teams" operated in every state. Under Obasanjo the military personnel dispatched to these units returned to their barracks, but the units remained intact in most states, staffed by regular policemen and with a reduced role and a less menacing presence. The Obasanjo Government lessened its reliance on the army to quell internal disorder. The degree of civilian control over the Rapid Response Teams and the national police force has expanded since the return to civilian rule. Despite these new controls, members of the security forces, including the police, anti-crime squads, and the armed forces are still accused of committing serious human rights abuses. **[3]**

**5.21.** Multinational oil companies and Nigerian oil producing companies subcontract police and soldiers from area units particularly to protect the oil facilities in the volatile Niger Delta region. Local youths claimed that these "militias" engaged in extrajudicial killings and other human rights abuses, in some cases with the support of foreign oil companies. **[3]** There have been calls from states in the South for state controlled police forces, as opposed to the present federal controlled system, the reason given was that improved security would increase investors confidence. However, this could also reflect a desire to set up police forces loyal to the local area. **[247]**

**5.22.** The army peacefully transferred power to a civilian government on 29 May 1999. One hundred and fifty Senior officers, who held post under the military regime, have been obliged to retire from military service. President Obasanjo has attempted to maintain good relations with the military, citing the need for improved barracks in his speech on taking office, and attending a dinner for retiring military officers. In a speech at the National War College on 24 July 1999, President Obasanjo described the military as being one of Nigeria most important institutions, with a duty to defend the country and serve the nation. On 17 August 1999 the Defence Minister Theophilus Danjuma stated that the government wish to reform and re-structure the army. President Obasanjo has also announced his intention to reform and re-professionalise the armed

forces. The international community is assisting with this especially in peacekeeping training. **[148][149][150][151][154]**

## POLICE

**5.23.** Abubakar attempted to look into the issue of how police powers are exercised. A seminar aimed at finding solutions to conflicts that arise from the exercise of police powers and the protection of fundamental rights of the citizen took place in Abuja at the end of July 1998. It was organised by the Constitutional Rights Project, the National Human Rights Commission and the Nigerian Police. The seminar emphasised the importance of curtailing police excesses on crowd control, checkpoints and police stations. **[41]** In September 1998 Abubakar ordered the compulsory retirement of 10 top police officers for misconduct. Fifteen other officers were also retired. The Office of the Inspector General of Police said those compulsorily retired had earlier faced a disciplinary committee that had recommended them for immediate retirement. **[42]**

**5.24.** The United Nations report of 14 January 1999, praised the ending of Operation Sweep, a controversial military operation set up to deal with crime in Lagos. **[129]** A Rapid Response Squad has replaced this, these are police units dealing with the growing problem of gang related crime. There has been an increase in criminal activity countrywide, following the return to civilian rule, and the withdrawal of military unit from law enforcement duties. However, many Nigerians believe that the police cannot control this crime wave. As a result of this perception, vigilante groups have been formed, and in June it was reported that twenty suspected robbers were killed in vigilante attacks. **[152][153][155][156]**

**5.25.** The Police Minister has publicly told his force the need to respect human rights. He also announced increased funding for the police force. In February 2000, the Nigerian government announced plan to recruit 40 000 police officers. According to a recent report, 33,000 officers have been recruited. **[245]** On 28 February 2000

Tell magazine reported that the conditions for police officers, their equipment and terms of employment remained poor. As a result moral is low, and the standard of officers recruited is not as high as it could be. The underlying reasons for these problems, and the neglected of the police force over a long period, was given as the dominance of the military in political and social affairs. This has resulted in erosion of the role of the police in society generally. The problems are serious, and it is accepted that it will take a lot of effort to bring the police up to the level of efficiency that the Nigerian government would like. However they have started to address some of the problems. [195][196]

**5.26.** Vigilante groups such as the OPC are common. This may reflect the mistrust that society at large has in the police. Most of these groups are also linked to tribal or ethnic groups, and this adds a political and ethnic dimension to their activities (see section on OPC). In Anambra State, the state government supported the extrajudicial activities of the vigilante group known as the Bakassi Boys, although they have recently arrested some members. Like most vigilante groups, the Bakassi Boys kill suspected criminals rather than turn them over to police; however, in some cases, the Bakassi Boys have chosen to cut off the hands or arms of perpetrators, rather than killing them outright. They also were accused of harassing and threatening political opponents of the state government. [3] The leader of this group Gilbert Okoyo was arrested in March 2001 in connection with the death of a police officer, there is no information as yet as to any charges that he may face. [248]

## PRISON CONDITIONS

**5.27.** Conditions in prisons remained harsh and life threatening. Most prisons were built 70 to 80 years ago and lack functioning basic facilities. Lack of potable water, inadequate sewage facilities, and severe overcrowding resulted in unhealthy and dangerous sanitary conditions. Disease is pervasive, and chronic shortages of medical supplies were reported. Prison inmates were allowed outside their cells for recreation or exercise only irregularly and many inmates had to provide their own food. Only those with money or whose relatives brought food regularly had sufficient food; petty corruption among prison officials made it difficult for money provided for food to reach prisoners. Poor inmates often relied on handouts from others to survive. Beds or mattresses were not provided to many inmates, forcing them to sleep on concrete floors, often without a blanket. Prison officials, police, and security forces often denied inmates food and medical treatment as a form of punishment or to extort money from them. Harsh conditions and denial of proper medical treatment contributed to the deaths in detention of numerous prisoners. A human rights organization estimated in 1999 that at least one inmate died per day in the Kiri Kiri prison in Lagos alone. According to the same nongovernmental organization (NGO), dead inmates promptly are buried in mass graves on the prison compounds, usually without their families having been notified. A nationwide estimate of the number of inmates who die daily in the country's prisons is difficult to obtain because of poor (if not non-existent) record keeping by prison officials. A number of NGO's alleged that prison conditions were worse in rural areas than in urban districts. In practice women and juveniles are held with males, especially in rural areas. The extent of abuse in these conditions is unknown. [3][26][43]

**5.28.** Lengthy pre-trial detention remained a serious problem. According to the Constitution, persons charged with offenses have the right to an expeditious trial; however, in practice this right was not respected. Serious backlogs, endemic corruption, and undue political influence continued to hamper the judicial system. Estimates of the percentage of pretrial detainees held without charge in the prison population range from 33% to 65 % of the estimated 44-47,000 detainees. Many prisons held 200% to 300% more persons than they were designed to hold, and many of the pretrial detainees held without charge had been detained for periods far longer than the maximum allowable sentence for the crimes for which they were being held. Police cited their inability to securely transport detainees to trial on their scheduled trial dates as one reason why so many of the detainees were denied a trial. [3]

**5.29.** The Government acknowledged the problem of overcrowding as the main cause of the harsh conditions common in the prison system. According to government sources, approximately 45,000 inmates were held in a system of 148 prisons (and 83 satellite prisons) with a maximum designed capacity of 33,348 prisoners. Some human rights groups estimate a higher number of inmates--perhaps as many as 47,000. The Controller-General of prisons estimated that two-thirds of prisoners are detainees awaiting trial who have not been charged) and further admitted that the number of such inmates increased by 83% in the first half of the year. In May the Yobe state Attorney-General and Commissioner for Justice, Alhaji Audu Mohammed Lawson, announced publicly that 287 inmates were awaiting trial and that at least two prisons, in Gashua and Potiskum, were at full capacity. Local officials blamed the lack of functioning police transport vehicles for the overcrowding since the state had no other means to transport prisoners to court securely. [3]

**5.30.** The authorities have attempted to ease congestion in some smaller prisons. For example, in honor of the Eid-El-Kabir holiday in March 2000, the Governor of Kano State released 159 prisoners, 52 of whom were pretrial detainees held without charge. Those released also were provided with travel funds to return to their homes. In September 2000, President Obasanjo directed the Ministry of Justice to create a judicial administration committee to address the questions of overcrowding, prison conditions, and rehabilitation. Throughout the year, the Government allowed both international and domestic NGO's occasional access to prisons; however, it did not allow them continuous access to all prisons. Prisoners Rehabilitation and Welfare Action and the International Committee of the Red Cross (ICRC) have regular access to the prisons and publish newsletters on their work. The Government admits that there are problems with its incarceration and rehabilitation programs and worked with groups such as these to address those problems. However, groups such as Rotary International report difficulties at the local level in gaining access to prisons and jails to do rehabilitation programs. [3] In September 2000 the authorities state that they would set up a Judicial Committee on prison congestion, and that they intended to introduce a phased reform program addressing issues relating to, education, health, prison building and accommodation. In November the Nigerian authorities re-affirmed their commitment to reforms, and announced that funds had been provided for this purpose. However, the sum needed to address this problem is estimated to be 17 billion Naira, and for this reason it can only be funded over an extended period. [249][250]

## HEALTH AND SOCIAL WELFARE

**5.31.** The low national income per capita of Nigeria has impeded adherence to the economic and social aspects of the Covenant on Economic Social and Cultural Rights. Indeed the socio-economic structure of education, social services, health and environmental programmes has deteriorated since its ratification by the Nigerian Government in July 1993. Illiteracy, malnutrition and inadequate health care continue to affect large sections of the Nigerian population. A high infant mortality of 1,259 per 100,000 live birth has been reported for the 1991 to 1997 period. Pollution, neglect, corruption and underdevelopment are also major problems in the Niger Delta region, and these have led to unrest and resentment of the foreign oil companies working there. [3][129][157]

**5.32.** There is a Basic Health Service Scheme in Nigeria that aims to provide primary health care for the whole population. However, the quality and provision of care is still dependent on the ability of the patient to pay and long term care may not be covered by this scheme. [1] One of the complaints of Doctors in their four-month strike in late 2000, was the decline in the health service, as well as in their pay and conditions. The erosion of the health service has been attributed to its neglect by the military government. This decline in the health service, has led to many Doctors leaving the country for posts overseas, which in turn has led to problems relating to level of experience, retention of staff and training in the profession. [251][252]

**5.33.** HIV and AIDS are growing problems in Nigeria. The estimation of the population affect is over 5%. [253] [265] President Obasanjo has made tackling AIDS a priority of his government, and has instituted an education and treatment campaign to address this problem. The Nigerian government and voluntary bodies are attempting to address this problem, and in a visit to Nigeria in August 2000, former US president Clinton announced that funds would be provided to assist in the treatment of AIDS and other health care matters. The government has set up a National Action Committee to look at possible treatments, and increase education and AIDS awareness. [253][254][255] The present Nigerian Government has committed itself to reforming national health care, ensuring access to care for all, but these efforts are hampered by the neglect of health care provisions by previous governments. [158] The Department of International Development is helping with the fight against AIDS/HIV, and will provide funds for this purpose over the next few years. [265]

**5.34.** Sickle Cell Anaemia is a very common condition in Nigeria this illness has many complications, the main ones being respiratory and circulation problems. The severity of its symptoms varies from case to case, and it is characterised by acute attacks of ill health and lethargy which are referred to as a "crisis". This condition is usually diagnosed in childhood, often before the sufferer is a year old. This condition can be life threatening, and limit the ability of a patient to lead a normal life. There are provisions for its treatment in Nigeria, but patients are usually expected to meet some of the costs of this care. [1][44]

**5.35.** Diabetes is also common in Nigeria, there are no reliable statistics regarding its prevalence, but estimates are that 2% of the population have this condition. A larger number may also have this condition, but in these cases it remains undiagnosed. Diabetes is life threatening, and, among other complications, is associated with renal problems and hypertension. Treatments for Diabetes are available, but again this is based on the ability to pay, and the cost can be prohibitive. [256][257]

## 6. HUMAN RIGHTS: ACTUAL PRACTICE WITH REGARD TO HUMAN RIGHTS

### GENERAL INTRODUCTION

#### i. The Abacha era: November 1993 - 8 June 1998

**6.1** The Abacha period in Nigeria -November 1993 until June 8 1998 was marked by severe human rights abuses. The procedures of the Aziza Special Military Tribunal investigating the alleged March 1995 conspiracy contravened most rights of a defendant and fair trial standards enshrined in the Constitution and international obligations. Likewise the seven person Special Military Tribunal set up to try the 26 people who were brought to trial for their alleged part in the December 1997 coup plot contravened most rights enshrined in the constitution. The Tribunal was headed by army General Victor Malu rather than a judge and was held behind closed doors.

**6.2** The Auta Tribunal hearings into the death of 4 Ogoni tribal leaders in May 1994, violated many judicial principles and culminated in the arbitrary execution of 9 Ogonis, including Ken Saro-Wiwa. A UN General Assembly resolution condemning, in particular, these executions after a flawed judicial process and urging a return to democratic rule in Nigeria was adopted in December 1995. **[45] [46]**

#### ii. Abubakar era

**6.3.** General Abubakar took several steps to improve the poor human rights record in Nigeria. 7 He released most of the political prisoners in Nigeria, including leading pro-democracy and human rights activists Dr Frederick Fasehun who is the Acting Chairman for the Campaign for Democracy and Chief Olu Falae a leading member of the National Democratic Coalition (NADECO).

**6.4.** Many of those released had been held without charge or trial under the State Security (Detention of Persons) Decree, No. 2 of 1984. Three others had been arrested following pro-democracy protests in May 1998, Olisa Agbakoba, a human rights lawyer who was involved with the United Action for Democracy, Chief Ayo Opadokun, a lawyer and NADECO Secretary General and Olusegun Maiyegun, a leading member of the Committee for the Defence of Human Rights and the Campaign for Democracy. **[47] [48]**

**6.5.** In early September 1998 the 20 Ogoni political prisoners who had been in detention since 1994 for the murder of 4 Ogoni chiefs (the same charges as the late Ken Saro-Wiwa) were released after a High Court judge in Port Harcourt dropped all the charges. Their release was unconditional. **[49]** In March 1999 it was announced that most of the coup plotters imprisoned after unfair trials would be released. These included those imprisoned after the 1990, 1995 and 1997 coup plots, and most of these were release in late March. **[93]**

**6.6.** It was announced on 17 September 1998 that treason charges against fifteen of those accused of involvement in the 1995-7 bomb attacks had been dropped. Amongst those against who charges have been dropped are Professor Wole Soyinka, Chief Anthony Enahoro, Lt. General (rtd) Alani Akinrinade and Dr Amos Akingbe. They have since returned to Nigeria for various periods. **[50]**

#### iii. Current human rights situation

**6.7.** President Obasanjo created a panel to investigate human rights abuses between January 1966 and 28 May 1999, and to identify the people responsible. The panel has been sworn in under Justice Oputa, and has received approximately 11000 petitions. The panel has held public hearings throughout the country. **[134][191]**

## 7.HUMAN RIGHTS: GENERAL ASSESSMENT

### SECURITY SITUATION



**7.1.** Nigeria is a major regional power, and as such is a prominent member of the Economic Community of West African States and contributes a large military contingent to its monitoring force in Liberia and Sierra Leone (ECOMOG). There is a longstanding dispute with the Cameroon over the Bakassi peninsula, which lies to the extreme south of their shared border. The issue is currently before the International Court of Justice in The Hague. **[51]**

**7.2.** Under General Abacha, the deteriorating economic, political and social conditions have in the past contributed to a relatively unstable internal security situation. Despite the arrest of a number of suspects, more generally government ineffectiveness has been manifest in the contemporary prevalence of lawlessness centred on cities such as Lagos where violent street crime and armed robberies are commonplace. Official recognition of the scale of the problem came during May 1996 when 4,000 extra police and soldiers were deployed in Lagos. The alleged coup attempt of December 1997, although not causing major disruption in Nigeria's main cities was another indication of the perceived instability of Nigeria's power base under the late General Abacha.

**7.3.** During General Abubakar time as Head of State the situation become more stable, as the programme for transition to civilian rule started. The main exception has been in some areas of the Niger Delta where disaffected Ijaw youths have become more militant in their demands for a share of the area's oil wealth. **[3]** Unrest in the Niger Delta still continues under the civilian government, and efforts to address this by legislation have met with little success. The Niger Delta Development Commission. Has now been established. **[137]**

## **FREEDOM OF ASSEMBLY/OPINION**

### **i. The situation under General Abacha 17 November 1983 - June 8 1998**

**7.4.** Nigeria has acceded to the International Covenant on Civil and Political Rights. However political activity was proscribed by the PRC on 18 November 1993. Political debate was sanctioned within the forum of the NCC from its inauguration in June 1994. However during Abacha's period these rights were not respected, political activity was curtailed, and pro-democracy activists were detained. **[52][53][54]**

### **ii. The situation under General Abubakar 9 June 1998-29 May 1999**

**7.5.** General Abubakar set Nigeria on the path to transition from military dictatorship to a civilian government. Prospective political parties were invited to register with the INEC for recognition. Nine parties fulfilled the criteria for registration. Guidelines announced by the INEC were designed to ensure political parties were not based solely in one region. **[55]** Parties were not allowed to form along tribal lines. Some of the new parties that have been formed include former Abacha supporters and associates, such as the All People's Party. **[56]**

**7.6.** Local, parliamentary and presidential elections went ahead as planned. Although there were reports by international monitors of some irregularities, they concluded that the results reflected the wishes of the Nigerian people. General Obasanjo was inaugurated president on 29 May 1999. **[95] [96] [97] [98] [99] [100] [101] [102] [103]**

**7.7.** In June 1998 Abubakar released the trade union leaders imprisoned by Abacha. In August 1998 he repealed decrees which had prevented Trade Unions from striking or organising on a national level which had been passed in 1994. The new decree signed by Abubakar also gave a legal backing to the reconstitution of the Academic Staff Union of Universities, which had been banned in 1996. The government also abrogated the decrees outlawing the Nigeria Labour Congress (NLC) which had been passed by Abacha, the National Union of Petroleum and Natural Gas Workers and Petroleum and Natural Gas Senior Staff Association of Nigeria. **[59] [60]**

**7.8.** From August 17 to 21 1998 the International Labour Organisation undertook a direct contacts mission to Nigeria. They had previously been unsuccessful at obtaining permission for such a visit from the Abacha administration. The direct contacts mission had meetings with trade unions. Their conclusion was that there had been many positive developments since June 1998, including the release of trade union leaders, the repeal of many restrictive trade union decrees including decrees 9 and 10 which had dissolved the NUPENG and PENGASSAN Unions, as well as the re-opening of dialogue at international level. The direct contacts mission recommended that Nigeria consolidate the progress made so far by continuing to repeal the remaining of the restrictive decrees, in order to bring the legislation into greater conformity with freedom of association principles and standards. **[92]**

### iii. The present situation

**7.9.** The Constitution provides the right to assemble freely and associate with other persons, and to form or belong to any trade union or other association for the protection of their interests. However, several statutory restrictions on the right of association and on trade unions remained in effect despite repeals of parts of the military-era anti-labour decrees. Only a single central labour federation (the Nigerian Labour Congress) is permitted, and the Government recognizes only 29 trade unions. Trade unions must be registered formally by the Federal Government, and a minimum of 50 workers is required to form a trade union. Non-management members of senior staff are prevented from joining trade unions, and senior staff associations are denied a seat on the National Labour Advisory Council. The International Labour Organisation (ILO) Committee of Experts has repeatedly cited several of these restrictions; however, the Government had not addressed these problems by year's end. Workers, except members of the armed forces and employees designated as essential by the Government, may join trade unions. Essential workers include members of the armed forces and government employees in the police, customs, immigration, prisons, federal mint, central bank, and telecommunications sectors. Employees working in a designated export-processing zone may not join a union until 10 years after the start-up of the enterprise. [3]

**7.10.** In August the Government decertified the maritime workers union on the grounds that the union had not scheduled internal elections in accordance with its charter's requirement. In September the Government issued directives requiring maritime workers to register with specific contracting firms. As a result this historically powerful union was weakened; however, it continued to challenge the Government's action during the year. [3]

**7.11.** Workers have the right to strike; however, certain essential workers are required to provide advance notice of a strike. Essential services being defined, as including banking, postal services, transportation, firefighting, public health, and utilities. There were several strikes throughout 2000. The most important strike occurred in June 2000, following a government decision to increase fuel prices by 50 %. The Nigerian Labour Congress (NLC) called a general strike that was widely observed, resulting in significant economic disruption. Following negotiations, the fuel price increase was reduced. The strike action damaged relations between the NLC and the Government. The oil worker unions National Union of Petroleum and Natural Gas Workers (NUPENG) and the Petroleum and Natural Gas Senior Staff Association of Nigeria (Pengassan) successfully went on strike in September over wages in order to force oil marketing companies to negotiate. The oil workers' wage demands were triggered in part by the Government's announcement of public sector salary increases in May. The oil worker unions also called wildcat strikes over issues including the firing of one company's tanker truck drivers who sought to affiliate with NUPENG, and, the raiding of a NUPENG office during civil unrest in the Delta. Academic and teacher unions went on strike several times during the year over nonpayment of wages and poor working conditions, as did doctors in Ibadan. [3] On 14 December the Nigeria's National Association of Resident Doctors ended a four-month strike after officials pledged to meet its demands. The doctors started their action on 13 September to demand higher pay, welfare packages and better working conditions. The strike paralysed activities in several government-owned hospitals. [251][252]

**7.12.** In July 2000 Lagos public sector workers went on strike to protest the state government's refusal to pay a higher minimum wage. On 5 July the protests turned violent when police used tear gas to disperse workers demonstrating outside of the Lagos State Secretariat complex. One person reportedly died in the violence, although the reason for the death was unclear. The workers accepted a compromise package offered by the state; however, the local union leadership continued to press for more pay at year's end. [3]

**7.13.** There are no laws prohibiting retribution against strikers and strike leaders, but strikers who believe that they are victims of unfair retribution may submit their cases to the Industrial Arbitration Panel (IAP) with prior approval of the Labour Ministry. The IAP's decisions are binding on all parties but may be appealed to the Nigerian Industrial Court (NIC). Union representatives have described the arbitration process as cumbersome and time consuming and as an ineffective deterrent to retribution against strikers. The NLC and labour unions are free to affiliate with international bodies; however, prior approval from the Minister is required. The NLC has affiliated with the Organization of African Trade Unions. [3]

**7.14.** The Constitution provides for the right to associate freely with other persons in political parties, trade unions, or special interest associations, and the Government generally respected this right in practice. However, there were exceptions during the year 2000. In July Lagos state police used tear gas to disperse a demonstration by striking public sector workers. One person died from the violence. On 13 April 2000, Lagos State police prevented approximately 1,000 members of the Movement for the Actualization of Sovereign State of Biafra from

staging a rally and raising the Biafran flag. [3]

## **MEDIA FREEDOM**

### **i. The situation under Abacha -November 1993- 8 June 1998**

**7.15.** Nigeria has a long tradition of a vibrant and independently minded press. The Abacha administration cracked down on those involved with reporting which was critical of the regime. This resulted in the arrest and detention of a number of journalists, particularly those perceived to have written anything critical of Abacha. Hence high profile journalists or editors critical of the Abacha or the government, or overtly political in the content of their work may have faced harassment and persecution during the Abacha era. [61]

### **ii. The situation under General Abubakar 9 June 1998-29 May 1999**

**7.16.** General Abubakar released most political prisoners who had been detained under the Abacha regime, including the journalists Chris Anyanwu, Ben Charles Obi, George Mbah and Kunle Ajibade. In March 1999 the Diet editor Niran Malaolu was freed. [93] The press generally operated with fewer restrictions, and without the intimidation that characterised Abacha's rule. However there were still some minor incidents of harassment of the press during Abubakar regime. [87] [115]

### **iii. The situation under the present government**

**7.17.** The present civilian government has introduced a bill to abolish the 1962 official secrets act, which severely curtails press freedom, and has called for the responsible use of press freedom. [160][161] The press remains active and is able to freely investigate and report, for example, the News magazine recently exposed the speaker of the Nigerian House of Representatives Mr Ibrahim Salisu Buhari as being unqualified for his position, and as a result he resigned on 22 July 2000. This is one example of the press being permitted to investigate politicians. [162] [163]

**7.18.** The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights; however, there were problems in some areas. Although there is a large and vibrant private domestic press that is frequently critical of the Government, the Government also owns or controls many publications. [3]

**7.19.** On May 26, 1999, in the last days of Abubakar regime, Decree 60 was signed into law and created the Nigerian Press Council which was charged with the enforcement of professional ethics and the sanctioning of journalists who violated these ethics. The Nigerian Press Council immediately was criticized by the media as "an undisguised instrument of censorship and an unacceptable interference with the freedom of the press." Decree 60 attempted to put control of the practice of journalism into the hands of a body of journalists who were appointed by and received payment from the Government. In 1999 the NUJ, the professional association of all Nigerian journalists, and the Newspaper Proprietors Association of Nigeria (NPAN) rejected the creation of the Press Council. The NPAN called the decree unconstitutional and a violation of press freedom, because there were already enough laws concerning the operation of the press. The decree, which virtually made members of the council employees of the Government, also contained a number of provisions inimical to the operation of a free press. Among other provisions, Decree 60 gave the Press Council the power to accredit and register journalists and the power to suspend journalists from practicing. Decree 60, required that publications be registered by the council annually through a system entitled "Documentation of Newspapers." In applying for registration, publishers were expected to submit their mission statements and objectives and could be denied registration if their objectives failed to satisfy the Council. The penalties for practicing without meeting the Council's standards were a fine of 250,000 Naira or imprisonment for a term not to exceed 3 years. The decree also empowered the Council to approve a code of professional and ethical conduct to guide the press and to ensure compliance by journalists. Under the decree, publishers were expected to send a report of the performance of their publications to the Council; failure to do so was an offense that carried a fine of 100,000 Naira. The council has not yet begun operating, but it maybe introduced at some future date, and many journalists see the existence of such a decree as a significant limitation on freedom of the press. The Nigerian Press Council (NPC) continued after Obasanjo's inauguration, and in 1999 former Minister of Information Dapo Sarumi expressed the view of the new civilian Government that the council would continue to operate, and said, "It is in line with journalists' demands." [3]

**7.20.** During 2000, there were cases of threats against and attacks on the press. In January police beat, arrested and detained Igha Oghole, a journalist with Radio Benue, Makurdi, after he insisted on conducting a scheduled interview with the police commissioner rather than interviewing his subordinate. In March 2000, 50-armed policemen entered the International Press Center (IPC) in Ogba, Lagos and arrested 4 journalists who they held for 5 hours and then released without charge. The police subsequently claimed that the attack was not directed at journalists but was to find members of a militant faction of the OPC, who had engaged in battles with the police. The police claimed that they were acting on information that militant members of the OPC were planning to address a press conference at the center. In March members of the NPF seized most of the print run of the 4 March 2000 edition of the Kaduna-based newspaper Today as well as its Hausa language affiliate newspaper, Ayaqu, and sealed off their offices. The police justified their action on the grounds that the publications carried headlines that could have engendered violence in the Sharia dispute. [3]

**7.21.** On 4 April 2000, an armed detachment of SSS sealed off for several hours the premises of Leaders and Company, the publishers of This Day newspaper in order to search the grounds for what the Government described as "subversive and incriminating documents" and to arrest the editor-in-chief, Nduka Obaigbena. Obaigbena was not on the premises at the time and was not arrested. The charges against him were dropped 1 week later, but Obaigbena was told to cease investigations of Obasanjo's national security adviser, Aliyu Gusau. In August police and security agents again sealed off the premises of This Day newspaper and ordered the staff to leave the premises. [3]

**7.22.** State governments have also threatened and detained journalists who have criticized their policies. According to the country's Media Rights Agenda, since May 1999 there were nine cases of arrests and detentions of journalists and vendors; state security personnel were the perpetrators in all of these incidents. In March Ebonyi state police detained two journalists with the Ebonyi Times, Emmanuel Okike-ogah and Ogbonaya Okorie, for publishing what the State Government described as "seditious articles in an unregistered newspaper." The articles claimed that the governor of Ebonyi State had bribed state legislators into approving a list of commissioners. Also in March, police in Aba, Abia state, arrested and detained Ademola Adegbamigbe of The News magazine, and a professional photographer who Adegbamigbe had hired to assist him, while covering the civil violence following the introduction of Sharia law in the north. On March 2 in Kaduna State, police raided the offices of the Nigerian Tribune in Ibadan after the publication of an article on Islamic law, and Zamfara State seized copies of the Nigerian Tribune, the Guardian, and Vanguard after they published articles critical on Sharia law. [3]

**7.23.** In January in Abuja, FCT police accompanied Yusuf Mamman, an Alliance for Democracy (AD) faction leader, to the AD headquarters in Abuja to prevent a rival faction leader, Adamu Song, from holding a press conference. Police attempted to seize the videocamera of an Africa Independence Television cameraman and the digital camera of a "This Day" newspaperman. Mamman asked police to arrest Song for "invading" AD offices; however, they failed to do so following the press conference. Police routinely are involved in political disputes under the guise of breach of the peace or assault. Nothing was ever done about the potentially improper use of the police in this case. [3]

**7.24.** There are two national, government-owned daily newspapers in English, the New Nigerian and the Daily Times. The New Nigerian publishes an additional Hausa edition. Several states own daily or weekly newspapers that also are published in English. They tend to be poorly produced, have limited circulation, and require large state subsidies to continue operating. Several private newspapers and magazines have begun publication since the inauguration of the civilian government. Five major daily newspapers, one newsmagazine, and several sensational evening newspapers and tabloid publications had begun publication at year's end. [3]

**7.25.** Journalists and editors of state media reportedly no longer fear suspension for their editorial decisions, although some self-censorship lingered. State broadcasters and journalists remain important tools for civilian governors; these officials use the state-owned media to showcase the state's accomplishments and to stress the extent to which their states are in political accord with the Government. [3]

**7.26.** Since the May 1999 elections, foreign journalists who sought to enter the country to cover political developments generally have been able to obtain visas, and many of the obstacles that previously frustrated foreign journalists were removed. Officials within the Ministry of Information became more accommodating to requests from foreign journalists. [3]

## Television and radio

**7.27.** As newspapers and television are relatively expensive and literacy is not universal, radio remains the most important medium of mass communication and information. There is a national radio broadcaster, the Federal Radio Corporation of Nigeria, which broadcasts in English, Hausa, Yoruba, Igbo, and other languages. Fifty-one state radio stations broadcast in English and local languages. For many years, the Government prohibited nationwide private radio broadcasting, but the Abacha regime granted broadcasting rights to local and regional private radio stations in 1994. There were six private radio stations operating at the beginning of the year. Several of these stations continue to struggle with financial difficulties, including Raypower FM, which ceased operations in September. The National Broadcasting Commission (NBC) issued no new private radio licenses during 2000. Ten applications are still awaiting NBC approval at year's end. **[3]**

**7.28.** The National Television Station, NTA, is federally owned, while 30 states also operate television stations. There are nine privately owned television stations that broadcast domestic news and political commentary. There are two private satellite television services. The 1993 Press Law requires local television stations to limit programming from other countries to 40 %. The 1993 Press Law also restricts the foreign content of satellite broadcasting to 20%, but the Government does not restrict access to, or reception of, international cable or satellite television. The Government did not restrict Internet access, although unreliable and costly digital telephone service limited access and hindered service providers. All Internet service providers were privately owned. **[3]**

**7.29.** In October 1999, the NBC, in cooperation with the Information Ministry, revoked the licenses of 20 private radio and television broadcasters for nonpayment of license fees. The Director General of NBC cited Decree 38 of 1992, which mandates the commission to revoke a license where the prescribed fee was not paid on the due date. Several major domestic broadcasters as well as affiliates of international broadcasters such as Voice of America and the British Broadcasting Corporation were among those affected. They were reported to owe a total of 70 million Naira. All 20 of the broadcasters paid the delinquent fees and continued broadcasting. While private television and radio broadcasters remained economically viable on advertising revenues alone, despite the restrictions that the Government imposed on them, government-sponsored broadcasters complained that government funding and advertising were inadequate for their needs. **[3]**

**7.30.** The Political Parties Registration and Activities Decree No 35 of 1998 was passed to ensure equal allocation of time and similarity of subject matter in political broadcasts by registered parties leading up to and during the period of the elections during the transition process. All stations were directed to set up a complaints committee to examine complaints and appeals from political parties. **[105]**

## **FREEDOM OF RELIGION**

**7.31.** The Constitution provides for freedom of religion, including freedom to change one's religion or belief, and freedom to manifest and propagate one's religion or belief in worship, teaching, practice, and observance. However, the Government restricted these rights in practice in certain respects, but only to maintain order, for example where a religious meeting may cause unrest. **[3]**

**7.32.** The Constitution prohibits state and local governments from adopting an official religion; however, it also provides that states may elect to use Islamic (Sharia) customary law and courts. About half of the population is Muslim, mostly living in the north of the country, about 40 % Christian, mostly living in the south of the country, and about 10 % practice traditional indigenous religion or no religion. Since independence, the jurisdiction of Sharia courts has been limited to family or personal law cases involving Muslims, or to civil disputes between Muslims and non-Muslims who consent to the courts' jurisdiction. However, the Constitution states that a Sharia court of appeal may exercise "such other jurisdiction as may be conferred upon it by the law of the State." Some states have interpreted this language as granting them the right to expand the jurisdiction of existing Sharia courts to include criminal matters. Christians have alleged that, the adoption of an expanded Sharia law in several states, the continued use of state funds to fund the construction of mosques, teaching of Alkalis (Muslim judges), and pilgrimages to Mecca (Hajj), Islam has been adopted as the de facto state religion of several northern states. However, state funds also are used to fund Christian pilgrimages to Jerusalem. In general states with a clear Christian or Muslim majority explicitly favor the majority faith. This is also the case in transaction between individuals and the local government, such as the awarding of contracts for example. There have also been accusations of that religious minorities in some States have been denied access to services and police protection in the areas where they live. The Constitution permits the Federal Government to establish a Federal Sharia Court of Appeal, but it has yet to established such court. **[3]**

**7.33.** The Government continued to enforce a ban on the existence of religious organizations on campuses of primary schools, although individual students retain the right to practice their religion in recognized places of worship. Many states allow the teaching of Koranic or Biblical knowledge in primary and secondary schools; however, in almost all states with religious minorities, there are reports that students are forced to take classes that violate their religious principles. Islam is a mandatory part of the curriculum in public schools in Zamfara and other northern states, to the exclusion of Christianity. State authorities claim that students are permitted to decline to attend these classes or to request a teacher of their own religion to provide alternative instruction. In practice the dominant religion of the state is taught in the school, and students cannot use these other mechanisms. There are reports that Christianity is taught in the same manner in Enugu and Edo states, and that Muslim students cannot access Koranic teaching in the public schools. **[3]**

**7.34.** Traditional religious beliefs are widespread in Nigeria, some of these are described as witchcraft or Ju-Ju. Nigerians are generally free to follow these traditional beliefs, but where these practices may have resulted in criminal activity, the Nigerian police have investigated them. As these practices are often secret and take a wide variety of forms, it is very difficult to obtain reliable information regarding the nature of these religious beliefs. **[198]**

**7.35.** The traditional leader of Nigerian Muslims was dethroned by the government in April 1996 and investigated in connection with his business affairs. The removal of Ibrahim Dasuki as Sultan of Sokoto and his replacement by Mohammed Maccido was a cause of celebration in Sokoto. **[62]** There is a history of religious tension between Muslims and Christians particularly in Northern states, most notably Kano, Kaduna and Katsina. **[63]**

**7.36.** On 12 September 1996 radical Muslim leader Ibrahim El ZakZaky was arrested with other leaders. El ZakZaky's supporters were involved in a number of acts of violence protesting at his detention between 1996 and the end of 1998 when he was released from detention. **[64] [106]** Although El ZakZaky was finally released at the end of 1998, his supporters continued to cause disturbances. In late 1998 some supporters were convicted and sentenced to between five and eight years imprisonment in northern Nigeria following the occupation of a university campus in which a security guard was killed. The Federal Government continued to settle property claims by Muslim Brotherhood leader Ibrahim El Zakzaky for compensation for his home and mosque, which were razed by law enforcement in 1997. All 96 of the Muslim Brotherhood followers jailed under the previous regime were released during 2000. **[3]**

#### **i. The introduction of Sharia law, and subsequent events.**

**7.37.** Nigeria's Constitution enshrines Nigeria as a secular state. Sharia Law has existed in Nigeria for many years, and the Constitution contains provision for Sharia courts to deal with issues of family law. However, on 27 October 1999 Zamfara State announced that they would introduce Sharia Law for criminal cases. This legislation contains provision that non-Muslims will not be subject to Sharia Law, but this has not assuaged the concerns of the Christian communities, who fear discrimination. Other northern states, with predominantly Muslim communities, have introduced, or are considering similar legislation. Zamfara's legislation came into force on 27 January 2000. Niger and Kebbi States signed similar laws in early February and Kano later the same month. The legislation cannot be formally introduced for at least three months after signature. There is a question over whether the introduction of the Sharia penal code is constitutional; this will have to be resolved by the Nigerian courts. **[199][206][227]** Ten States have now introduced the Sharian penal code: Zamfara Niger, Sokoto, Kebbi, Kano, Jigawa, Yobe, Katsina, Borno and Bauchi. Kaduna State has introduced a penal code that contains some elements of Sharia law. **[197]**

**7.38.** Violent riots broke out on 21 and 22 February 2000 in Kaduna, following a demonstration by the Christian community against the imposition of the Sharia penal code in Kaduna State. It is not clear who started the violence, but the situation quickly deteriorated into serious violence with Christians and Muslims burning each other's properties, businesses and places of worship. Hundreds of people were reported to have been killed during this violence. **[200][201] [227]**

**7.39.** Retaliatory violence against Muslim communities broke out in Abia, Imo and Akwa Ibom States when some of the bodies of the Kaduna victims were returned to their home states. Over four hundred people were killed. **[200] [202] [206] [227]** In late May there was further rioting in Kaduna, following a demonstration where Christians clashed with Muslim youths. This violence lasted for two days and it is reported that three hundred people were killed. Security forces restored order, and this violence was limited to the Kaduna area. **[228][229]** The immediate cause of this violence is unclear, but it is not thought to be directly related to Sharia.

**7.40.** Following the Kaduna riots in February, President Obasanjo called a crisis meeting of the National Council of States, a body which includes the President, Vice-President, former Heads of State and the governors of all the States. After this meeting, Vice-President Abubakar announced that the introduction of Sharia would be suspended. However, some of the States have not implemented this, and Zamfara State carried out the first judicial amputation under Sharia on 23 March 2000, and further sentences have subsequently been carried out. **[204] [205] [207] [227]**

**7.41.** An inter-religious council covering all northern Nigeria has been established to try and reduce tensions. Similar organisations have also been set up by individual States. On 4 April 2000 the governors of all 19 northern states agreed to establish a panel of Christian and Muslim leaders to examine how Sharia Law can operate under Nigeria's existing penal code. A human rights group, Human Rights Law Service (HURILAWS), is supporting a challenge to the constitutionality of the introduction of Sharia in Zamfara by residents of the State, a previous challenge by the same organisation was dismissed. **[203] [206] [207] [227]**

## **ETHNIC GROUP**

**7.42.** There are over 250 ethnic groups with different languages and dialects in Nigeria, which accounts for her cultural diversity. In descending order the Muslim Hausa-Fulani centred on the north, the Yoruba centred on the south-west, and the predominately Christian Ibo (or Igbo) centred on the south-east are the largest ethnic groups comprising around 70% of the population. Yet no single tribe encompasses a majority of the population. There is no federal policy of discrimination against any of Nigeria's ethnic groups and legislation is designed not to favour one group over another. This is largely respected provided that a group does not pursue secessionist demands.

**7.43.** An alleged dominance in the military and government is occasionally levelled at Hausa-Fulanis, with the converse claim that other ethnic groups are discriminated against. Ibos formed the Biafran rebels during the 1967-70 civil war but have since regained prominence in the professions and commerce, and became government ministers, without encountering government repression. **[1]**

**7.44.** Violent clashes between the Hausa and Yoruba tribes occurred in Shagamu, A Yoruba dominated town, on 17 July 1999, it is reported that at least sixty people have been killed. This violence followed the death of a Hausa woman, who was killed when she was found watching a Yoruba religious ceremony, which was forbidden to outsiders. The Nigerian authorities deployed police reinforcements in the towns. **[164] [165]** This violence spread when Hausas fled to Kano, and the local population attacked Yorubas resident there. The violence was brought under control after a few days. **[166][167][168][169][174]**

**7.45.** There were reports of confrontations between two communities in the Osun state city of Ile-Ife (the home of the senior Yoruba traditional leader the Ooni of Ife). This was triggered on 16 August 1997 by the relocation of the local government headquarters from Modakeke to Oke-Igbo. This sudden outbreak of violence in Ife is similar to that which has affected Warri since March 1997 following relocation of local government headquarters there. **[66]** The violence in Warri has continued throughout 1998 and 1999. Killings have occurred in clashes between the Itsekiris and Ijaw ethnic groups in early 1999. **[170]** A serious ethnic clash between Fulani and Karimjo people erupted at Karim Lamido in Taraba State during April 1996. Approximately 80 people were killed in the violence and 20 people were arrested as soldiers and police restored order. **[65] [67]**

**7.46.** It is reported that twenty-eight people were killed in three separate ethnic clashes in Taraba State on 24 and 25 June 1999. Tivs fought with Fulanis, Kutebs fought with Jukuns and Wurukum farmers with Fulani herdsman, these conflicts are reported to be caused by land disputes. Clashes between Tiv and Jukuns in Benue and Taraba States continued throughout 1999 resulting in the deaths of several hundred people, this violence stems from long standing land disputes between these two groups. **[3][171]**

**7.47.** In the riots following the death of Moshood Abiola in July 1998 there was an indication that some of the violence took on an ethnic dimension. Abiola's tribe the Yoruba majority based in south west Nigeria attacked the Hausas from the north who have been politically dominant in the past by keeping a tight grip on the military. Estimates of the number killed vary but estimates put it at between 50 and 100. **[68]**

**7.48.** In clashes between Ijaw and Ilaje in Ondo State and Western Delta State during July and August 1998, hundreds were reportedly killed. There have been renewed clashes between these two tribes in July and August 1999, with three hundred people being reported killed, the army were sent to the region to restore order, a

significant move in light of the withdrawal of military forces under Abubakar. [172] [173]

## **FREEDOM OF MOVEMENT**

**7.49.** The Constitution entitles citizens to move freely throughout the country, and to reside where they wish. In general, the Government respected this right, but the police occasionally restricted this right by setting up roadblocks and checkpoints where security and law enforcement officials routinely engaged in extortion, violence, and excessive use of force. An example of the occurred in March 2000, when the Governor of Niger State allegedly instructed state police to install roadblocks to prevent southerners from returning to their homes. The southerners, particularly Igbo traders, were attempting to return home because they feared violent reprisals in response to the deaths of Hausas in Aba and Owerri. [3]

**7.50.** The Constitution also prohibits the denial of exit or entry to any citizen, and the Government generally respected this law; however, the law also provides that women are required to obtain permission from a male family member before having an application for a passport processed. Some men take their wives' and children's passports and other identification documents with them while traveling abroad to prevent their family from leaving the country. [3]

## **8: HUMAN RIGHTS: SPECIFIC GROUPS**

### **POLITICAL GROUPS/PRO DEMOCRACY GROUPS/HUMAN RIGHTS ASSOCIATIONS**

**8.1.** Under the Abacha regime political parties were declared legal on 27 June 1995. However only five parties qualified for registration, and all of these supported Abacha's bid for the Presidency in the cancelled elections of August 1998.

**8.2.** Under General Abubakar most of the political prisoners who were detained by General Abacha were released. These include: Dr Beko Ransome-Kuti, the leader of the Campaign for Democracy who was serving 15 years for involvement in the 1995 coup attempt, NADECO activists that were imprisoned under General Abacha Chief Olabiyi Durojaye, who had been in detention without charge since 1996, and Olu Falae. [19][69]

**8.3.** General Abubakar had talks with opposition parties/pressure groups including NADECO prior to the elections on how to manage the transition to civilian democratic rule. Political parties and human rights groups are now free to operate without fear of harassment, and many of those who have been released have participated freely in the process of transition to democracy. All charges have been dropped against 15 political exiles abroad and Abubakar has asked them to return to help with the process of transforming Nigeria into a democracy. Many exiles are reported to have returned home Air Commodore Dan Suleiman, Vice Chairman of NADECO and Wole Soyinka, and none appear to have been harassed on their return. [3] [70]

### **O'ODUA PEOPLE'S CONGRESS**

**8.4.** However, the Nigerian government has taken action against groups thought to be pursuing an agenda of independence for their particular ethnic group. The O'odua people's Congress (OPC) are a Yoruba group, led by Dr Frederick Fasheun. It was affiliated to JACON and widely believed to advocate an independent Yoruba state (although Fasheun has denied this). In early November 1998 it was reported that 5 members of the OPC were killed by police in Lagos. They were allegedly attacked by the police after finishing a meeting. Further clashes between police and OPC youths took place in February and early March 1999 following attacks, by elements of the OPC, on police stations in Lagos and Ogun State.

**8.5.** The OPC are believed to have triggered riots in Lagos port, in which a number of people were reported to have been killed. [107][192] On 9 September 1999 there was a serious riot at the port of Lagos, and it was reported that militants linked to the OPC were involved. The cause of this violence was an attempt by sacked workers to return to work, which was supported by the militants, but opposed by other workers. There was also an ethnic element to this violence as the rioters also sought to secure Yoruba domination over business conducted in the port. After several hours of fighting between the rival groups the police restored order, but it is reported that



sixteen people were killed. [208]

**8.6.** In November 1999 in and around Lagos there were clashes between the OPC and Hausas over market trading, which resulted in the deaths of at least twenty seven people, and a vigorous police response. On 25 November 1999 President Obasanjo ordered that police shoot OPC members on sight if they did not surrender, as a result the police adopted a confrontational line with the OPC. There were also clashes between OPC and Ijaws in Lagos at around the same time. [209][210]

**8.7.** The OPC has also split into two factions, one under the leadership of Dr Frederick Fasheun and the other under the leadership Mr Ganiyu Adams, and these factions clashed in January 2000, resulting in at least six deaths. In another incident in January 2000 a senior police officer in Lagos was kidnapped and killed by OPC members attempting to free a member accused of robbery. This incident resulted in a crackdown by the police in which one hundred people were killed, and over two hundred OPC members detained on criminal charges. The Adams faction has been identified as being involved in most of this criminal activity, and has also acted as a vigilante organisation in Lagos. On 13 January 2000 President Obasanjo complained about the Governor of Lagos Bola Tinubu's handling of these incidents in a letter. His comments were met with a robust defence from the Governor of his administration. The Nigerian government has set up an ad hoc Senate committee to investigate both factions of the OPC, and present proposals as to how this organisation should be dealt with in the future. [211][212][213][214][215][216]

**8.8.** The Committee for the Defense of Human Rights reports that 302 OPC members were arrested in January following clashes with the police in Lagos. Of those detainees, 95 were released during the year. The remaining detainees were not been able to obtain legal representation and either could not make bail or were not eligible for bail due to the charges brought against them. [3]

**8.9.** In August 2000, after a number of violent clashes, including attacks on the police, the Nigerian police announced a crackdown on OPC members involved in these crimes. The attitude of the public, in the Lagos area, to the OPC is ambivalent, as they are seen as attempting to impose order in areas where the police have been unsuccessful, and some Yorubas sympathise with their aims, if not their methods. The Nigerian police have targeted their action against members of the OPC involved in violence, and ordinary members generally appear to be able to express their views without harassment. [230][231][232]

**8.10.** The OPC continues to be involved in occasional acts of violence. Dr Frederick Fasheun was briefly detained in November 2000, but was later released without being charged. This was following an upsurge in violence against the Hausa community in Lagos in October, in which over a hundred people died. In the same month the OPC protested against the expulsion of Nigerians from Libya. The OPC appears to be generally able to pursue its political objective without interference from the authorities. However, if any its members are involved in violence, the authorities have acted to curb this violence, and bring those suspected of responsibility to trial. An example of the OPC freedom to operate is that Dr Fasheun is taking action against the Nigerian authorities over President Obasanjo's actions regarding the OPC, especially his directive that its members should be shot on sight (see paragraph 8.6 above). However, OPC members have been detained, where at all possible, and only then when suspected of committing a crime. [3][259][260]

## **MINORITIES/ETHNIC GROUPS**

### **THE OSONI**

**8.11.** Many of the minority tribes of the Niger Delta have in recent years expressed their discontent over their local environmental, economic and social infrastructure problems. Much of the ethnic unrest has centred on Ogoniland, a densely populated area of approximately 400 square miles in Rivers State near to but not encompassing Port Harcourt. Along with some other ethnic groupings in the Niger Delta the estimated 500,000 Ogonis live in one of the most polluted parts of Nigeria. Most of the pollution is the result of intensive exploitation of the area's oil reserves. Many Ogonis accuse transnational oil companies (in particular Shell) and Nigeria's Federal military Government of responsibility for their plight. [71]

**8.12.** During the last few years the Ogonis have been involved in occasionally violent disputes with other local minority groups. This situation was heightened by demands from the Ogoni political movement founded in 1990, the Movement for the Survival of the Ogoni People (MOSOP). In particular MOSOP has campaigned for political

autonomy and a greater share of oil revenue in compensation for the environmental degradation allegedly caused by on-shore oil production in Ogoniland. Although MOSOP initially appeared to command strong support among the Ogoni it was clear by 1993 that some of its leaders were more disposed to compromise with the federal Military Government and the authorities of Rivers State than others. The opposing faction was led by the renowned author Kenule ("Ken") Saro-Wiwa, who became MOSOP's President in June 1993. MOSOP demands became more uncompromising from 1993 onwards under his leadership. There is some evidence that some MOSOP activists and particularly those of its youth wing the National Youth Council of Ogoni People (NYCOP) resorted to intimidation of their fellow Ogonis. In April 1994, spurred by this escalation in unrest, the Abacha Government deployed an "Internal Security Unit" inside Ogoniland comprised of large numbers of police and military.

**8.13.** On 21 May 1994 a meeting was held at the Palace of Gbenemene of Gokana (a traditional ruler) in Giokoo. A number of Saro-Wiwa's opponents attended. The meeting was attacked by a large mob and four chiefs were killed. In the days and weeks after the killings a large number of people were arrested by the security forces. Among those arrested in late May were Saro-Wiwa, Ledum Mitee and Dr Kiobel. Fifteen members of the Ogoni ethnic minority were brought to trial before the Ogoni Civil Disturbance Special Tribunal for their alleged roles in the killings of the four Ogoni chiefs. On 31 October 1995, the Tribunal announced guilty verdicts and death sentences for Saro-Wiwa and eight other activists. The PRC confirmed this decision on 8 November 1995 and all nine were executed on 10 November 1995. **[1][72][73]**

**8.14.** MOSOP and NYCOP activists were subjected to harassment and persecution by the Nigerian authorities during the Abacha regime. After Abubakar became head of state in June 1998 the situation in Ogoniland improved. In early September 1998, 20 Ogoni political prisoners who had been in detention since 1994 for the murder of 4 Ogoni chiefs (the same charges as the late Ken Saro-Wiwa) were released after a High Court judge in Port Harcourt dropped all the charges. Their release was unconditional. **[74]**

**8.15.** General Abubakar withdrew the Internal Security Task Force from Ogoniland in the Rivers State of the Niger Delta. Free movement is now possible after years of restriction on travel in the area. Many Ogoni exiles have been able to return, and MOSOP have been able to hold rallies once again. Shell was driven from Ogoniland in 1993 after MOSOP activists sabotaged installations demanding compensation for pollution. MOSOP says Shell must meet their demands before they will permit its return. Abubakar promised reform of a commission which was set up to develop oil-producing areas but which local people believe has been ineffectual. **[75]**

**8.16.** President Obasanjo has attempted to deal with some of the underlying problems in Niger Delta region, and on 12 July 1999 he presented a bill to the National Assembly proposing to set up a development fund for the region together with a Commission to oversee development. **[175]** The oil companies operating in the region would contribute to this fund. This was rejected by MOSOP on 4 August 1999, after a meeting at Bori in Ogoniland, the proposals, in their opinion, would make the situation worse, and they believe that the proposed Commission would be a tool of the central government and not act in the interest of local people. **[176]** On 14 August 1999 it was reported that Ogoni leaders and MOSOP had attended a meeting with Royal Dutch Shell (RDS), the company that was forced out of the Ogoni region in 1993. This meeting was seen as a sign that both the Ogonis and RDS wished to reach an accommodation regarding the future development of the region. RDS has said that it will only return to the region with local approval, and in interim has offered to sponsor development projects. **[177]**

**8.17.** In April 2000 there were violent confrontations in K-Dere between rival factions of MOSOP, over a road building project in that village. Amnesty International has accused the police of using this violence as a means of harassing and detaining Ogoni activists. A house belonging to Ledum Mitee, the president of one of MOSOP's faction, was destroyed. He was also detained in connection with this violence and bailed, but there are charge still outstanding against him. **[233][234][235][236]** In May Nwibari Obani claimed leadership of a rival faction of MOSOP. Ledum Mitee has challenged the legitimacy of his election. **[237]** In July MOSOP reiterated its opposition to RDS operating in the region, and accused it of attempting to re-start operations clandestinely, without addressing the concerns of the local people or paying compensation. **[238]**

**8.18.** In February 2001, following the Oputa Panel hearings in Port Harcourt, the relatives of the 4 chiefs killed in 1994 signed an agreement with MOSOP, pledging themselves to the organisation. During the hearings, MOSOP and Shell also agreed to hold further talks. These have not yet started. **[266]**

### **General situation in the Niger Delta**

**8.19.** The situation in the Niger Delta during the latter part of 1998, and early 1999 has become increasingly volatile. Disaffected youths were involved in taking oil workers hostage and sabotaging pipelines, they have accused the oil companies of indifference to their economic plight and demanding compensation from the oil companies for the environmental impact of their operations. [86] Many Ijaw youths have been arrested for involvement in criminal activity, although concern has been expressed by some Ijaw groups that innocent Ijaws have also been arrested. [108] During 1999 the Security Forces operating in the Delta were again accused of using excessive, and sometime lethal force on a number of occasions, which has been a long-standing problem in the area. [3][104]

**8.20.** President Obasanjo has attempted to address the situation in the Niger Delta, on 25 June he negotiated a cessation of hostilities between the Itsekiris, Ijaw and Urhobos, and has proposed legislation to assist in the regions development (as detailed above). [178] However, the Ijaw, Urhobo, Isoko and Ndokwa communities have rejected this initiative, and the Ilaje community has requested amendments. [179][180] There have also been ethnic clash in the region is between Ilaje and Ijaw communities in Ondo State. [181][182] The National Assembly has passed the Niger Delta Development Commission Bill. [137]

**8.21.** In early November 1999 there were clashes between Ijaws of the Egbesu cult and the OPC in Ajegunle district of Lagos. The OPC, were acting in support of the Ilajes, a Yoruba sub-group tribe in the Delta State, who have been involved in a violent conflict with the Ijaw for the past two years. Fifteen people were reported to have been killed in this violence and over fifty-six arrested. [217] Twelve policemen were reported to have been killed by Ijaw youths, in retaliation for the large number of Ijaws arrested by the police during the Lagos riots. [218] On 20 November 1999 in response to this incident, the Nigerian armies were order by the civilian governor to surround the town of Odi in Bayelsa State. This was the town in which the policemen were killed, and where it was believed that the Ijaws responsible were hiding. The military came under fire and over-reacted, severely damaging the town. It is not known how many people were killed, but the local residents claim that over 500 died. Over 2000 people were detained, but it is not known if those responsible for the deaths of the police officer were among those detained or killed. An inconclusive investigation was launched into this incident. President Obasanjo later apologised for the excessive force used by the military, but no action has yet to be taken against any of the soldiers involved. [3] [219] [220] President Obasanjo visited Odi in March 2001, but did not offer more apologise or assistance. [267]

**8.22.** On 1 February 2000 a peace agreement was reached between the Ijaw and Itsekiri. The Delta State Government were commended for its part in brokering this peace agreement, and it is hope that this agreement may result in a general peace in the Warri region. [221]

**8.23.** Disruption of oil production and kidnapping of employees of oil companies has continued in the region, most of those kidnapped are released unharmed after a short period of time. Oil pipeline have also been vandalised, either by local people or by criminals intent on stealing oil. These incidents have resulted in a number of recent explosions and fires, which have killed or injured many local people. The Nigerian government is attempting to address this problem and has expressed its intentions to deploy security force to protect pipelines. [3][183][184] [239][240]

**8.24.** In September 2000 MOSOP called on the Nigerian government to drop charges against those accused of damaging pipelines, stating that lack of pipeline maintenance, rather than organised criminal activity was the cause of this problem. MOSOP stated that the oil companies failure to abide by international standards had resulted in pipeline leakage, and that their activities they were responsible for this problem. [241]

## **WOMEN**

**8.25.** Freedom from discrimination based on gender is specifically provided for by the 1999 Constitution. Customary and religious discrimination against women persist in many communities and the police do not usually intervene in domestic disputes, except where alleged physical abuse exceeds customary norms. This failure to provide adequate legal protection, was criticised in a recent report by World Organisation against Torture a Swiss based organisation. [185] Women are not barred from seeking redress through the courts, although the expense precludes many. There are no legal impediments relating to either female employment or political participation, although women frequently have to encounter prejudice in male dominated fields such as law and politics. While some women have made considerable individual progress, both in the academic and business world, women remain underprivileged. Although women are not barred legally from owning land, under some customary land tenure systems only men can own land and women can gain access to land only through marriage or family. In

addition many customary practices do not recognize a women's right to inherit her husband's property, and many widows were rendered destitute when their in-laws take virtually all of the deceased husband's property. Widows are subjected to unfavorable conditions as a result of discriminatory traditional customs and economic deprivation. "Confinement" is the most common rite of deprivation to which widows are subjected, this practise occurs predominately in eastern Nigeria. [3]

**8.26.** President Obasanjo has been criticised by women's groups for his failure to appoint more women to ministerial posts, and there appears to a perception of institutionalised discrimination against women in Nigerian society. [186] Women are underrepresented in government and politics, although there were no legal impediments to political participation or voting by women. Men continued to dominate the political arena. NGO's continued to protest the underrepresentation of women in the political process, and women were underrepresented in the civilian government. In President Obasanjo's first cabinet, only 6 women were appointed as ministers out of a total of 56 positions. There were 3 women among the Senate's 109 members, and only 12 women were elected to the 360-member House of Representatives. Women's rights groups pushed local, state, and the Federal Government (and local levels as well) to adopt a 30% affirmative action program; however, these efforts were unsuccessful. [3]

**8.27.** Reports of abuse are common, especially those of wife beating. Police normally do not intervene in domestic disputes, which seldom are discussed publicly. The Penal Code permits husbands to use physical means to chastise their wives as long as it does not result in "grievous harm," which is defined as loss of sight, hearing, power of speech, facial disfigurement, or other life threatening injuries. A Women's rights group has estimated that spousal abuse occurs in 20% of relationships. In more traditional areas of the country, courts and police are reluctant to intervene to protect women who accuse their husbands formally if the level of alleged abuse does not exceed customary norms in the areas. Rape and sexual harassment continue to be problems. Prostitution is rampant, particularly in urban areas. A number of states, including most northern states that have begun the enforcement of Sharia law, have begun to enforce existing laws or to introduce new laws to combat prostitution. Katsina, Jigawa, and Edo states have recently criminalized prostitution but it is not illegal in Lagos State; however, authorities can use statutes that outlaw pandering as a justification for arresting prostitutes. The adoption of Sharia-based legal systems by northern states has led to the strong enforcement of laws against prostitution for both adults and children. Southern states, like Edo, also are criminalizing prostitution and raising the legal age for marriage from 16 to 18. There is an active market for trafficking in women to Europe, and elsewhere. In some parts of the country, women continue to be harassed for social and religious reasons. Purdah, the Islamic practice of keeping girls and women in seclusion from men outside the family, continued in parts of the far north. [3]

**8.28.** A growing problem is the cross border trafficking of Nigerian women for the purpose of forced prostitution in Europe. Mrs Titi Abubakar, wife of the Vice-President Atiku Abubakar, has set up the Women-trafficking and Child Labour Eradication Foundation (WOTCLEF). This organisation intends to combat this trade and help rehabilitate victims of this traffic who have been deported back to Nigeria, by providing vocational training, and financial assistance to set up businesses at the end of this training. The Nigerian authorities are aware of this exploitation and are attempting to stop this trade, they are also seeking international assistance to address this problem. [243] Human Rights Watch recently reported that according to women's rights organizations, hundreds of women and young girls migrated to Europe in response to job offers as domestic workers or waitresses. Upon arrival, many were forced into prostitution in order to pay off debts. In addition, there is evidence that Nigerian crime syndicates may use indebtedness, threats of beatings and rape, physical injury to the victim's family, arrest, and deportation to persuade those forced into sex work from attempting to escape. While the government deplores this trade, and is looking at ways to prevent it, the police reported that the women's families often condoned their entry into the trade. The Nigerian police attempts to stem the trafficking of persons include extended jail sentences and public humiliation; however, such actions focused primarily on victims, and traffickers have not been punished. Awareness campaigns, often conducted by NGO's and others, have only recently have begun to generate widespread attention. [3]

**8.29.** There are no legal provisions barring women from testifying in a civil court of law. However the testimony of women is given less weight in a Muslim Sharia court, and this may have implications in States where a Sharia legal code has been introduced. However, as this code is still being introduced, it long term effects remain to be seen. [3]

**8.30.** In July 2000, it was reported that the UNICEF representative for Nigeria had praised Nigeria's efforts to improve the lot of women. She cited the appointment of women to ministerial posts and the encouragement of

girls to enrol in school. The Legal Defence and Assistance Project, an NGO of lawyers and human rights workers also commended the Nigerian government's efforts to address women's rights. [242][244]

### **i. Female Genital Mutilation (FGM)**

**8.31.** The government publicly opposes female genital mutilation (FGM). Nigeria co-sponsored a resolution at the Fourth World Health Assembly urging states to eliminate harmful health practices, including FGM. In 1984, a Nigerian National Committee was founded to campaign against FGM and it has subsequently obtained the collaboration and limited financial support from the Ministries of Health, Education and Information. The Ministry of Health and non-governmental organisations has sponsored public awareness and education projects informing communities of the health hazards associated with FGM. FGM is a traditional practice within local communities, and consequently it has proved difficult for federal government to effectively confront. However, the cultural nature of the practice in Nigeria determines that the mothers of young daughters are able to veto treatment if they oppose it. Communities from all of Nigeria's major ethnic groups and religions practise FGM, although adherence is neither universal nor nationwide. A 1985-6 survey found that it was not practised at all in 6 of the 19 states surveyed. [3][76][242]

**8.32.** The Nigerian Government does not approve of FGM, but there are no federal laws banning this practise, and it has taken no legal action to curb it. As this is view by some communities as a long-standing tradition, the government may have difficulty in discouraging FGM, while being seen to respect the traditions of the groups involved. Anti-FGM groups, because of the inability to take action at the federal level, are attempting to challenge FGM at the state and local government area (LGA) level. Edo State banned FGM in October 2000. Ogun, Cross River, Osun, Rivers, and Bayelsa states also banned FGM during the year. However, the punishments imposed are minimal, in Edo State the punishment is a 1,000 Naira fine and 6 months imprisonment. In addition once a state legislature criminalizes FGM, NGO's have found that they must convince the LGA authorities that state laws are applicable in their districts. [3]

**8.33.** The Women's Centre for Peace and Development (WOPED) estimated that at least 50% of women are mutilated. Studies conducted by the U.N. Development Systems and the World Health Organization estimated the FGM rate at approximately 60 % among the nation's female population. However, according to local experts, the actual prevalence may be as high as 100% in some ethnic conclaves in the south. While practiced in all parts of the country, FGM is more predominant in southern and eastern areas. Women from Northern states are less likely to be mutilated; however, those affected are more likely to undergo the severe type of FGM known as infibulation. WOPED believes that the practice is perpetuated because of a cultural belief that uncircumcised women are promiscuous, unclean, unsuitable for marriage, physically undesirable, or potential health risks to themselves and their children, especially during childbirth. The National Association of Nigerian Nurses and Midwives, The Nigerian Women's Association, and the Nigerian Medical Association worked to eradicate the practice and to train health care workers on the medical effects of FGM; however, contact with health care workers remains limited. Nevertheless, most observers agree that the number of women and girls who are subjected to FGM is declining. [3]

## **CHILDREN**

**8.34.** Public schools continued to be inadequate, and limited facilities precluded access to education for many children. The Constitution's general provisions call for the Government, "when practical," to provide free, compulsory, and universal primary education; however, despite the President's commitment to compulsory education, compulsory primary education rarely was provided, particularly in the north. Girls are discriminated against in access to education for social and economic reasons. The literacy rate for males is 58% but only 41% for females. Rural girls are even more disadvantaged than their urban counterparts. Only 42% of rural girls are enrolled in school compared with 72% of urban girls. In the north, Muslim communities favour boys over girls in deciding which children to enroll in secondary and elementary schools. In the south, economic hardship also restricts many families' ability to send girls to school and, instead, they are directed into commercial activities such as trading and street vending. While the Government increased spending on children's health in recent years, it seldom enforced even the inadequate laws designed to protect the rights of children. Cases of child abuse, abandoned infants, child prostitution, and physically harmful child labour practices remained common throughout the country. [3] Although the law forbids the imprisonment of children, it is reported that children are regularly detained with criminals. (See section on prisons above)

**8.35.** The Government only occasionally criticized child abuse and neglect, and it made little effort to stop

customary practices harmful to children, such as the sale of young girls into marriage. There were credible reports that poor families sell their daughters into marriage as a means of supplementing their income. Young girls often are forced into marriage as soon as they reach puberty, regardless of age, in order to prevent the "indecent" associated with premarital sex. [3]

**8.36.** As referred to above, UNICEF have urged the new Nigerian government to adopt a draft bill on children's rights drafted in 1993, which made provisions for support of education, the elimination of child labour and early marriage. This bill also proposed a ban on FGM and skin scarification or tattoos, which are used by some tribal groups to show affiliation. [159] Private and government initiatives to stem the growing incidence of child employment continue but have not been effective. UNICEF operated a program in Kaduna that sought to remove young girls from the streets where they hawked petty goods and relocate them to an informal educational setting. UNICEF reported that despite the narrow focus on young girls, the program only began to address the problem during the year. In conjunction with the ILO, the Government formulated a national program of action in support of child rights, survival, protection, development, and participation. In August a formal agreement between the ILO and the Labour ministry established the program; however, it has yet to show results due to logistical problems and changing personnel in the Ministry. [3]

**8.37.** The ILO reported that, based on a nationwide survey of child trafficking, approximately 19 % of school children and 40 % of street children have been trafficked for forced labor. The economic strategies that underlie child trafficking may be reflected in the fact that families who employ them also pay their school fees. Child traffickers also take advantage of a cultural tradition of "fostering" under which it is culturally accepted to send one's child to live and work with a family in an urban center for educational and employment purposes. Often the children in these situations only work and do not get any formal education. They are forced to serve as domestics or to become street hawkers selling nuts, fruits, or other items. According to reports from the media and the ILO, there is also an active trade in child labourers, some are sent to Cameroon, Gabon, Benin, and Equatorial Guinea to work in agricultural enterprises, others are coerced into prostitution. Authorities also have identified a trade route for traffickers of children for labour through Katsina and Sokoto to the Middle East and East Africa. The eastern part of the country and some southern states such as Cross River and Akwa Ibom have been the focus of trafficking of children for labour and, in some cases, it is claimed for human sacrifice. The country remains a destination point for the trafficking of Togolese children to serve as domestic or agricultural workers. The Government is investigating allegations of the collusion of customs officials in trafficking. Some of the returnees have alleged that immigration officials actively connive with syndicates; however, there were no arrests of immigration officials for trafficking offenses during the year. The Assistant Inspector General of Police is investigating allegations of the collusion of customs officials in trafficking. [3]

**8.38.** There have also been reports of young Nigerian women been trafficked to the continent through the United Kingdom, to mostly Italy, to be exploited for the purposes of prostitution. This abuse is increasing in some European countries. Some of these girls, who have been rescued, complain that violence, intimidation, threats against them or their families, and the use of voodoo practises, have all being used to control them. The United Kingdom authorities are attempting to address this problem, by taking action against those involved in this trade. [261][262]

## STUDENT CULTS

**8.39.** Student cults, secret societies based on student fraternities, have been responsible for many crimes in Nigerian universities. However, the Nigerian police have made efforts to investigate these crimes, and convict cult members involved.

**8.40.** Following the murder, by cult members, of students at Obafemi Awolowo University in July 1999, the Nigerian authorities took action to suppress these cults. In August 1999 the Nigerian government ordered Chancellors to eradicate cults from their campus. The government said that it would hold Chancellors responsible for failures to maintain order amongst their students. The universities have since been having some success in encouraging students to renounce cult membership. [222][223][224][225]

**8.41.** On 10 March President Obasanjo commented on a report from Justice Okoi Itam into the events at Obafemi Awolowo University, he re-affirmed his governments commitment to eradicating student cults, which he described as undermining both education institutions and society in general. Justice Itam stated that the government must provide funds to implement the recommendations of his report, and also deal with the problem of Cults in both Federal and State educational institutions. He also reminded University authorities that they should monitor their

students and staff for cult related activities. [226]

## HOMOSEXUALS

**8.42.** Male homosexual conduct is prohibited by Nigerian law. Homosexuals can be subject to prosecution. The penalty for convicted homosexual behaviour varies from 3 months to 3 years imprisonment or a fine and/or corporal punishment. The justice system considers homosexual behaviour with a varying degree of statutory punishment.

**8.43.** Homosexual males in Nigeria are likely to face discrimination and occasional violence if they are overt about their sexual orientation, but not on an organised or systematic scale. Society is not openly hostile but homosexuals can be subject to ridicule. There are some areas in Nigeria where it is possible to live openly as a homosexual - such as in a large city like Lagos. There have been instances of homosexuals being subjected to violence, but they usually keep themselves to themselves and are usually left alone. [109]

## THE OGBONI

**9.1.** There are many cults in Nigeria. Probably the best known is the Ogboni. The Ogboni are a secret society of the Yoruba tribe, and it is therefore hard to obtain reliable information about them. [110] [111] As a secret society it has been banned in Nigeria, and its power curtailed. However this ban is hard to enforce, and it is still active and alleged to be involved in satanic practices. [111] [112]

**9.2.** The title Ogboni is only conferred on the elders, i.e. senior members of the society. These are usually men but women, usually six in number, were traditionally included to represent the interests of women in the community. Membership of the society is usually, but not always, passed through patrilineal descent. [110] [111]

**9.3.** The Ogboni traditionally played a significant role in Yoruba religion and society, and were involved in the installation of new kings. Historically an Ogboni could be said to have combined the powers of a local magistrate, with those of a member of the local government and a religious leader. [110] [111]

**9.4.** The Ogboni engaged in animal sacrifice. There is no firm evidence to suggest that they engaged in human sacrifice. However, in the event that a king abused his power they could compel him to commit suicide. They could also impose sanctions against other members of the community if they believed that these were justified. The Ogboni are reputed to threaten its members with death should they break their oath of secrecy regarding its rituals and beliefs. It is still regarded as being a powerful organisation throughout Nigeria. [110] [111] [112]

**9.5.** It is believed that the Ogboni is a purely Yoruba cult, but there are a number of Yoruba sub tribes who also may be involved. [110]

### The Reformed Ogboni Fraternity (ROF)

**9.6.** This was founded in 1914, and is not a religious organisation, although the members believe in God. The ROF is not a secret organisation, it is not banned, and is open to men and women regardless of race, colour, creed, religion, or political opinion.

**9.7.** The ROF is an indigenous African organisation that promotes African culture, advocates charitable and good works, believes in the brotherhood of man and self-improvement. It disassociates itself from cults, specifically the Ogboni, and does not participate in politics. However, it should be noted that members of the ROF can also be Ogboni, due to their position within Yoruba society, as was the case with the late leader **Sir Adetokunbo Ademola**, which may imply that the reputation of the Ogboni as a sinister cult has been exaggerated. [113]

## MONITORING

**9.8.** International human rights organisations are active in Nigeria and regularly reported allegations of human rights abuses.

**9.9.** General Abubakar attempted to improve relations with the international community while Head of State, and

appeared to be more receptive to criticisms about human rights issues than his predecessor. He addressed the United Nations General Assembly, and allowed a UN Special Rapporteur to visit Nigeria in November 1998. [77] In August 1998 a direct contacts mission from the International Labour Organisation was allowed to visit Nigeria. [92] There are no reports of the present government obstructing or preventing the activities of international human rights organisations in Nigeria.

## **INTERNAL FLIGHT**

**9.10.** Individuals who fear persecution by non state entities, for example, those involved in tribal disputes, problems with cult membership, religious difficulties and so forth, the option of internal flight is a real possibility in Nigeria, taking into account its size and population (for details see section on geography).

## **6. HUMAN RIGHTS**

### **6A. HUMAN RIGHTS ISSUES**

#### **OVERVIEW**

**6.1** The Abacha period in Nigeria, November 1993 until 8 June 1998, was marked by severe human rights abuses. The procedures of the Aziza Special Military Tribunal investigating the alleged March 1995 conspiracy contravened most rights of a defendant and fair trial standards enshrined in the Constitution and international obligations. Likewise the seven person Special Military Tribunal, set up to try those allegedly involved in a coup plot in December 1997, contravened most rights enshrined in the Constitution. During his period in office, General Abubakar took several steps to improve the poor human rights record in Nigeria. He also released most of the political prisoners in Nigeria. [1][2][3]

**6.2** President Obasanjo created a panel to investigate human rights abuses between January 1966 and 28 May 1999, and to identify the people responsible. The panel has been sworn in under Justice Oputa, and has received approximately 10,000 petitions. The panel has held public hearings throughout the country. [3][95][96] President Obasanjo has appeared before this panel to assist with questions regarding his presidency during the 1970's. Other former military rulers have shown little regard for this body, and have failed to appear when summoned. The present Nigerian authorities appear to respect the intentions of the panel, and to co-operate with it. [3][78]

#### **FREEDOM OF SPEECH AND THE MEDIA**

**6.3** Nigeria has a long tradition of a vibrant and independently minded press. The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights. However, there were problems in some areas. [3]

**6.4** On 26 May 1999, in the last days of Abubakar regime, Decree 60 was signed into law and created the Nigerian Press Council which was charged with the enforcement of professional ethics and the sanctioning of journalists who violated these ethics. The Nigerian Press Council immediately was criticised by the media as "an undisguised instrument of censorship and an unacceptable interference with the freedom of the press." Decree 60 attempted to put control of the practice of journalism into the hands of a body of journalists who were appointed by and received payment from the Government. [3]

**6.5** In 1999 the Nigerian Union of Journalists (NUJ), the professional association of all Nigerian journalists, and the Newspaper Proprietors Association of Nigeria (NPAN) rejected the creation of the Press Council. The NPAN called the Decree unconstitutional and a violation of press freedom, because there were already enough laws concerning the operation of the press. The Decree, which virtually made members of the Council employees of the Government, also contained a number of provisions inimical to the operation of a free press. Among other provisions, Decree 60 gave the Press Council the power to accredit and register journalists and the power to suspend journalists from practising. Decree 60 required that publications be registered by the Council annually through a system entitled "Documentation of Newspapers." In applying for registration, publishers were expected to submit their mission statements and objectives and could be denied registration if their objectives failed to



satisfy the Council. The penalties for practising without meeting the Council's standards were a fine of 250,000 Naira or imprisonment for a term not to exceed 3 years. The Decree also empowered the Council to approve a code of professional and ethical conduct to guide the press and to ensure compliance by journalists. Under the Decree, publishers were expected to send a report of the performance of their publications to the Council; failure to do so was an offence that carried a fine of 100,000 Naira. The Nigerian Press Council has opened an office and hired staff in Abuja, but has yet to take any official action. [3]

**6.6** There are two national, government-owned daily newspapers in English, the New Nigerian and the Daily Times. The New Nigerian publishes an additional Hausa edition. Several states own daily or weekly newspapers that also are published in English. They tend to be poorly produced, have limited circulation, and require large state subsidies to continue operating. Several private newspapers and magazines have begun publication since the inauguration of the civilian government. Five major daily newspapers, one newsmagazine, and several sensational evening newspapers and tabloid publications had begun publication at year's end. [3]

**6.7** As newspapers and television are relatively expensive and literacy is not universal, radio remains the most important medium of mass communication and information. There is a national radio broadcaster, the Federal Radio Corporation of Nigeria, which broadcasts in English, Hausa, Yoruba, Igbo, and other languages. Fifty-one state radio stations broadcast in English and local languages. There are six private radio stations operating. [3] In February 2002, Nigeria's government granted television broadcast licences to five new television companies. The National Broadcasting Commission (NBC) approved Silver Bird, Monarch, Nagarta Communications, Unity TV and Chrome-Choffan Communications. The announcement came a day after the government said it had granted licences to 16 private radio stations. [63]

**6.8** The National Television Station (NTA) is federally owned, while 30 states also operate television stations. There are nine privately owned television stations that broadcast domestic news and political commentary. There are two private satellite television services. The law requires local television stations to limit programming from other countries to 40%. The 1993 Press Law also restricts the foreign content of satellite broadcasting to 20%, but the Government does not restrict access to, or reception of, international cable or satellite television. The Government does not restrict Internet access, although unreliable, and costly digital telephone service limited access and hindered service providers. All Internet service providers were privately owned, and access is not restricted. [3]

**6.9** During 2001, the NBC threatened to take private television and radio stations off the air when the stations refused to pay 2.5% of their gross income to the NBC; the Independent Broadcasters Association of Nigeria (IBAN) challenged the fees in court. In October President Obasanjo set the annual fee for the broadcasters at \$1,300 (150,000 naira). During 2001, the NBC also prevented the commissioning of the Here and There television station in Oyo State, ruling that the original licence had expired. The NBC also challenged expansion plans by African Independent Television (AIT), a part of Daar Communications, claiming that AIT's global and terrestrial licences do not allow them to act as a network. [3]

**6.10** While private television and radio broadcasters remained economically viable on advertising revenues alone, despite the restrictions that the Government imposed on them, government-sponsored broadcasters complained that government funding and advertising were inadequate for their needs. [3]

**6.11** The Political Parties Registration and Activities Decree No 35 of 1998 was passed to ensure equal allocation of time and similarity of subject matter in political broadcasts by registered parties leading up to and during the period of the elections during the transition process. All stations were directed to set up a complaints committee to examine complaints and appeals from political parties. [79]

## **JOURNALISTS**

**6.12** Editors have reported that government security personnel sometimes visit or call to demand information about a story or source; however, journalists and editors no longer fear suspension or imprisonment for their editorial decisions. State broadcasters and journalists remain important tools for civilian governors; these officials use the state-owned media to showcase the state's accomplishments and to promote their own political fortunes. During 2001, there were a few cases of threats against and attacks on the press. In April 2001 police beat a photographer and destroyed the film in his camera when he attempted to photograph a suspect leaving the Lagos High Court. In May 2001, Imo State security personnel raided newspaper stands where they seized and burned publications that carried stories on activities of Movement for the Actualisation of the Sovereign State of Biafra

(MASSOB). In June 2001, police arrested, detained, and charged with libel Nnamdi Onyeuma, editor of the weekly magazine Glamour Trends, in connection with a story alleging that President Obasanjo received a \$1 million (115 million naira) allowance for each of his many foreign trips. Onyeuma was released on bail and is awaiting court action. [3]

**6.13** Governors from Kano, Imo, and Zamfara States have been involved in disputes with journalists and publicly threatened the media. State governments have also threatened and detained journalists who have criticised their policies. In 2000 Ebonyi State police detained for approximately 2 weeks two journalists with the Ebonyi Times, Emmanuel Okike-ogah and Ogbonaya Okorie, for publishing what the state government described as "seditious articles in an unregistered newspaper." Also in 2000, police in Aba, Abia State, arrested and detained for 2 days Ademola Adegbamigbe of The News magazine, and a professional photographer who Adegbamigbe had hired to assist him, while covering the civil violence following the introduction of Shari'a law in the north. [3]

**6.14** Since the May 1999 elections, foreign journalists who sought to enter the country to cover political developments generally have been able to obtain visas and many of the obstacles that previously frustrated foreign journalists were removed. Officials within the Ministry of Information became more accommodating to requests from foreign journalists. [3]

## FREEDOM OF RELIGION

**6.15** The Constitution provides for freedom of religion, including freedom to change one's religion or belief, and freedom to manifest and propagate one's religion or belief in worship, teaching, practice, and observance. However, the Government restricted these rights in practice in certain respects, but only to maintain order, for example where a religious meeting may cause unrest. [3]

**6.16** The Constitution prohibits state and local governments from adopting an official religion; however, it also provides that states may elect to use Islamic (Shari'a) customary law and courts. About half of the population is Muslim, mostly living in the north of the country, about 40% Christian, mostly living in the south, and about 10% practice traditional indigenous religion or no religion. Since independence, the jurisdiction of Shari'a courts has been limited to family or personal law cases involving Muslims, or to civil disputes between Muslims and non-Muslims who consent to the courts' jurisdiction. However, the Constitution states that a Shari'a court of appeal may exercise "such other jurisdiction as may be conferred upon it by the law of the State." Some states have interpreted this language as granting them the right to expand the jurisdiction of existing Shari'a courts to include criminal matters. Christians have alleged that through the adoption of an expanded Shari'a law in several states, the continued use of state funds to fund the construction of mosques, teaching of Alkalis (Muslim judges), and pilgrimages to Mecca (Hajj), Islam has been adopted as the de facto state religion of several northern states. However, state funds also are being used to fund Christian pilgrimages to Jerusalem. In general, states with a clear Christian or Muslim majority explicitly favour the majority faith. This is also the case in transactions between individuals and the local government, such as the awarding of contracts for example. There have also been accusations that religious minorities in some states have been denied access to services and police protection in the areas where they live. The Constitution permits the Federal Government to establish a Federal Shari'a Court of Appeal, but it has yet to set up such a Court. [64]

**6.17** According to the Constitution, students are not required to receive instruction relating to a religion other than their own; however, public school students throughout the country were subjected to mandatory Islamic or Christian religious instruction. Islamic studies are mandatory in public schools in Zamfara and other northern states, to the exclusion of Christianity. State authorities claim that students are permitted to decline to attend these classes or to request a teacher of their own religion to provide alternative instruction; however, in practice the dominant religion of the state is taught in the school, and students cannot use these other mechanisms. There are reports that Christianity is taught in the same manner in Enugu and Edo States, and that Muslim students cannot access Koranic teaching in the public schools. During 2001, Christian Association of Nigeria (CAN) leaders volunteered to place teachers of Christianity in Zamfara and Sokoto State schools, where students alleged that they were being forced to take courses in Islamic religious knowledge in order to graduate. Governors of both states accepted the offer of assistance and stated that they had not been aware of the problem; however, CAN did not provide any teachers in either state during 2001. They indicated that schools in rural areas may not have qualified teachers of Biblical or Christian education classes, and that students in such schools have a right to opt out of Koranic knowledge classes, which otherwise would be required. The Government continued to enforce a 1987 ban on religious organisations on campuses of primary schools, although individual students retain the right to practice their religions in recognised places of worship. [3]

**6.18** On 12 September 1996 radical Muslim leader Ibrahim El ZakZaky was arrested with other leaders. El ZakZaky's supporters were involved in a numbers of acts of violence protesting at his detention between 1996 and the end of 1998 when he was released from detention. **[80][81]**

## RELIGIOUS GROUPS

**6.19** Religious differences often correspond to regional and ethnic differences. The northern region and much of the middlebelt are overwhelmingly Muslim, as are the large Hausa and Fulani ethnic groups of that area. Many southern ethnic groups are predominantly Christian. Consequently it is often difficult to distinguish between religious conflict, and ethnic conflict. Religious tensions often underscored what were predominantly ethnic confrontations. **[64]**

**6.20** Traditional religious beliefs are widespread in Nigeria, some of these are described as witchcraft or Ju-Ju. Nigerians are generally free to follow these traditional beliefs, but where these practices may have resulted in criminal activity, the Nigerian police have investigated them. As these practices are often secret and take a wide variety of forms, it is very difficult to obtain reliable information regarding the nature of these religious beliefs. **[148][149][150]** There have been isolated reports of ritualistic killings, which do not appear to be linked to organised traditional religious practices. When such rare events occur, they are investigated as crimes, and action taken against the perpetrators. There does not appear to be any widespread support for these practices, or their perpetrators. Such actions are viewed as criminal, and are investigated and dealt with in an appropriate manner. **[151][152]**

## SHARI'A LAW

**6.21** Nigeria's Constitution enshrines Nigeria as a secular state. Shari'a Law has existed in Nigeria for many years, and the Constitution contains provision for Shari'a courts to deal with issues of family law. On 27 October 1999 Zamfara state announced that they would introduce Shari'a Law for criminal cases. **[107][115]** As of April 2002, 12 northern states have adopted variations of Shari'a law, these are Zamfara, Sokoto, Kebbi, Niger, Kano, Katsina, Kaduna, Jigawa, Yobe, Bauchi, Borno, and Gombe. Adherence to the new Shari'a provisions is compulsory for Muslims in some states and optional in others. **[3]** Zamfara State carried out the first judicial amputation under Shari'a on 23 March 2000, and further sentences have subsequently been carried out. **[113][114][116]**

**6.22** Violent riots broke out on 21 and 22 February 2000 in Kaduna, following a demonstration by the Christian community against the imposition of the Shari'a penal code in Kaduna State. It is not clear who started the violence, but the situation quickly deteriorated into serious violence with Christians and Muslims burning each other's properties, businesses and places of worship. Hundreds of people were reported to have been killed during this violence. **[108][109][110]** Retaliatory violence against Muslim communities broke out in Abia, Imo and Akwa Ibom States when some of the bodies of the Kaduna victims were returned to their home states. Over four hundred people were killed. **[108][109][111][115]** There was further rioting in Kaduna in May 2000, but it is not reported to have been linked to religion. **[2]**

**6.23** Following the Kaduna riots in February 2000, President Obasanjo called a crisis meeting of the National Council of States, a body which includes the President, Vice-President, former Heads of State and the governors of all the states. **[113][114][116]** In August 2002, both the Muslim and the Christian community in Kaduna signed a declaration to refrain from violence. The introduction of a form of Shari'a that addressed the concerns of both communities was cited as a reason for progress in achieving this agreement and building trust. **[117]**

**6.24** An inter-religious council covering all northern Nigeria was established to try and reduce tensions. Similar organisations have also been set up by individual states. On 4 April 2000 the governors of all 19 northern states agreed to establish a panel of Christian and Muslim leaders to examine how Shari'a Law can operate under Nigeria's existing penal code. **[2][112][115][116]**

**6.25** However, in spite of these attempts at reaching an agreement, there is still a lack of trust between the Muslim and Christian communities in the north, which can lead to outbreaks of violence. In August 2001 there was renewed fighting between Christians and Muslims in Bauchi State over plans by the local government to introduce strict Islamic law. Violence also occurred in Tafawa Balewa between two communities, the mainly Christian Kutaru and the predominantly Muslim Zwall; 15 people are reported to have been killed while many

more have been injured. This new unrest follows an outbreak of violence in Tafawa Balew in June and July 2001 when fighting between Christian Jarawas and Sayawas and Hausa-Fulani Muslims left more than 400 people dead and more than 22,000 displaced. The tense situation was just being brought under control when the later clashes erupted. The root cause of many of these clashes, are long-standing interethnic rivalries over land and resources. [16][17]

**6.26** Some northern states have administered punishments such as amputations and caning. On 3 May 2001, the government of Zamfara State amputated the hand of a convicted bicycle thief. The victim voluntarily submitted to the full Shari'a proceedings, including amputation, and chose not to appeal the decision. In early July 2000, a sentence of amputation was carried out against a convicted thief. In January 2001, Zamfara State officials caned 14 year old Bariya Magazu for fornication because she bore a child out of wedlock. She reportedly was forced by her father to provide sexual favours to three men to whom he owed debts. Instead of prosecuting the three men for statutory rape, the court required Ms Magazu to produce four witnesses to corroborate her testimony. As she was unable to comply with the court directions, the Shari'a court handed down a sentence of 100 lashes for fornication and 80 additional lashes for bearing false testimony. Ms Magazu appealed and the sentence was temporarily suspended; however, the judge eventually imposed a reduced sentence of 100 lashes. She continued her appeal contesting the propriety of her conviction under Islamic law, and this is still pending. Other convicted Muslim criminals in Shari'a law states were subjected to public caning for various offences, such as petty theft, consumption of alcohol, and engaging in prostitution. As an example of the range of offences that this code covers, in August 2000, two motorcycle taxi drivers were caned for carrying Muslim female passengers in violation of the law in Zamfara State. Indigent persons without legal representation were more likely to have their sentences carried out immediately upon being sentenced. [3]

**6.27** The first execution under the present Shari'a law criminal code was carried out on 3 January 2002, The man, convicted of murder, was hung in Katsina prison. [119][120] The case of Safiya Husseini Tungar Tudu has attracted national and international attention. She has been convicted of adultery, and is facing the death penalty, but was acquitted in March 2002. [119][120][121][122][123]

**6.28** There have been a number of other occasions when the death sentence has been passed on individuals, and the court procedure and the judgement has given cause for concern both within Nigeria, and the international community. Prominent cases include Amina Lawal, who was convicted of adultery, and she has been sentenced to death by stoning in Katsina State. This judgement has been upheld on appeal. Ado Barranda, a man convicted of raping a 9 year old girl, has also been sentenced to death by stoning in Jigawa State, he has not sought to appeal against this sentence. [118][124][125] Attahiru Umar was sentenced to death by stoning for a homosexual act with a seven-year-old boy in Kebbi State. These sentences have yet to be carried out, and have been challenged on the basis that they are unconstitutional. [126][127]

**6.29** Non-Muslims are not subject to Shari'a statutes. However, many aspects of the Shari'a code directly effects the lives of Christians living in the states where the code has been introduced. The Christian minorities in Shari'a states, especially in Zamfara, have been affected by many of the social provisions of the laws, such as the separation of the sexes in public transportation vehicles and bans on the sale of alcohol and alcohol consumption. Niger State has also enforced a ban on the selling of alcohol. In Zamfara State, Christian associations have arranged private transportation services for Christian females so that they are not forced to wait for female only transportation provided by the Zamfara State government. Sokoto State's transportation system is run completely by private operators. Sokoto State governor Dalhatu Bafarawa said that the state couldn't compel private operators to carry female passengers if doing so violates their religious convictions. In Zamfara State school children continued to be segregated by gender in schools. The Governor of Zamfara also disbursed public funds to refurbish mosques and pronounced that only persons with beards would win government contracts. There is a long tradition of separating schoolchildren by gender in the north; this practice was codified in Kebbi and Sokoto States in May 2000. [64]

**6.30** In Zamfara, laws proposed during 2001, included a dress code for women that bans short skirts and trousers, and the mandatory closing of shops on Fridays. The CAN branch in Zamfara State has protested about these new laws to the Zamfara State government. Reportedly they were told that the first law was proposed on public decency grounds, and that the second law only would apply to Muslim businesses. A number of state sanctioned and private vigilante Shari'a enforcement groups have formed in states with expanded Shari'a law. In Zamfara State, the Governor vested the local vigilante group with full powers of arrest and prosecution because he believed that the police were not enforcing the new Shari'a laws. The Governor of Jigawa State also mobilised a statewide Shari'a enforcement committee to arrest, detain, and prosecute Muslim offenders. In Kano State, an

unofficial vigilante group known as Hisbah began taking action against both Muslims and Christians who violate the new Shari'a laws. [64]

## **FREEDOM OF ASSEMBLY & ASSOCIATION**

**6.31** The Constitution provides for the right to associate freely with other persons in political parties, Trade Unions, or special interest associations, and the Government generally respected this right in practice; however, there were exceptions. Although the Constitution allows the free formation of political parties, only three parties are registered with the INEC. The Constitution requires parties to have membership in two-thirds of the country's 36 states. [3]

**6.32** Nigeria has acceded to the International Covenant on Civil and Political Rights. However during Abacha's period in office, these rights were not respected, political activity was curtailed, and pro-democracy activists were detained. [26][27][28]

## **EMPLOYMENT RIGHTS**

**6.33** The Constitution provides for the right to assemble freely and associate with other persons, and to form or belong to any trade union or other association for the protection of their interests. However, several statutory restrictions on the right of association and on trade unions remained in effect despite repeals of parts of the military-era anti-labour decrees. Only a single central labour federation (NLC), is permitted, and the Government recognises only 29 trade unions. Trade Unions must be registered formally by the Federal Government, and a minimum of 50 workers is required to form a Trade Union. Non-management members of senior staff are prevented from joining Trade Unions, and senior staff associations are denied a seat on the National Labour Advisory Council. The International Labour Organisation (ILO) Committee of Experts has repeatedly cited several of these restrictions; however, the Government had not addressed these problems by the end of 2001. Workers, except members of the armed forces and employees designated as essential by the Government, may join Trade Unions. Essential workers include members of the armed forces and government employees in the police, customs, immigration, prisons, federal mint, central bank, and telecommunications sectors. Employees working in a designated export-processing zone may not join a union until 10 years after the start-up of the enterprise. [3]

**6.34** Workers have the right to strike; however, certain essential workers are required to provide advance notice of a strike. There were small-scale strikes during 2001 in the oil sector, over the increased use of contract labour and the lack of indigenous workers in management positions in the oil sector, particularly in the Niger Delta. The National Union of Petroleum and Natural Gas Workers (NUPENG) and its senior staff counterpart Petroleum and Natural Gas Senior Staff Association of Nigeria (PENGASSAN) particularly are concerned about the increasing use of contract labour and the small number of indigenous workers in management positions. [3]

**6.35** On 14 December 2000 Nigeria's National Association of Resident Doctors ended a four-month strike after officials pledged to meet its demands. The doctors started their action on 13 September to demand higher pay, welfare packages and better working conditions. The strike paralysed activities in several government-owned hospitals. [43][44] In May and June 2001, both doctors and university professors went on strike over wages, working conditions, and government investment in infrastructure. Both strikes were resolved following lengthy negotiations with government ministries. During 2001, the Government committed itself to budgeting greater funds for development of the nation's health and education infrastructures. [3]

**6.36** There are no laws prohibiting retribution against strikers and strike leaders, but strikers who believe that they are victims of unfair retribution may submit their cases to the Industrial Arbitration Panel (IAP) with prior approval of the Labour Ministry. The IAP's decisions are binding on all parties but may be appealed to the Nigerian Industrial Court (NIC). Union representatives have described the arbitration process as cumbersome and time consuming and as an ineffective deterrent to retribution against strikers. Lagos State government terminated the employment of an important local union leader in Lagos, ostensibly for non-performance, following an extended strike by state government workers in 2000. The NLC and labour unions are free to affiliate with international bodies; however, prior approval from the Minister is required. The NLC has affiliated with the Organisation of African Trade Unions. [3]

## **PEOPLE TRAFFICKING**

**6.37** Trafficking in Nigerian children remains a serious problem, both within Nigeria, and outside its borders. The economic reasons that underlie child trafficking may be reflected in the fact that families who employ them also pay their school fees. Child traffickers also take advantage of a cultural tradition of "fostering" under which it is culturally accepted to send one's child to live and work with a family in an urban centre for educational and employment purposes. There are also reports of poor families selling their daughters into marriage, in order raise money. Often the children in these situations only work and do not get any formal education. They are forced to serve as domestics or to become street hawkers selling nuts, fruits, or other items. According to reports from the media and the International Labour Organisation (ILO), there is also an active trade in children to work as labourers. Some are sent to Cameroon, Gabon, Benin, and Equatorial Guinea to work in agricultural enterprises, and others are forced into prostitution. Authorities also have identified a trade route for traffickers of children for labour through Katsina and Sokoto to the Middle East and East Africa. The eastern part of the country and some southern states such as Cross River and Akwa Ibom have been the focus of trafficking of children for labour and, in some cases, it is claimed for human sacrifice. The country remains a destination point for the trafficking of Togolese children to serve as domestic or agricultural workers. The Government is investigating allegations of the collusion of customs officials in trafficking. Some of the returnees have alleged that immigration officials actively connive with syndicates; however, there were no arrests of immigration officials for trafficking offences during 2001. The Assistant Inspector General of Police is investigating allegations of the collusion of customs officials in trafficking. [3]

**6.38** There have also been reports of young Nigerian women been trafficked into Europe through the United Kingdom, mostly to Italy, to be exploited for the purposes of prostitution. This abuse is increasing in some European countries. Some of these girls, who have been rescued, complain that violence, intimidation, threats against them or their families, and the use of voodoo practices, have all being used to control them. The United Kingdom authorities are attempting to address this problem, by taking action against those involved in this trade. [128][129]

**6.39** The Nigerian authorities have taken action when suspected cases of child trafficking have occurred. President Obasanjo has recently set up two commissions to investigate these crimes. Their remit is to look into both the trafficking of women and that of children, and will examine issues related to repatriation and rehabilitation. [130][131]

## **FREEDOM OF MOVEMENT**

**6.40** The Constitution entitles citizens to move freely throughout the country, and to reside where they wish. In general, the Government respected this right, but the police occasionally restricted this right by setting up roadblocks and checkpoints where security and law enforcement officials routinely engaged in extortion, violence, and excessive use of force. One of the reasons for the use of roadblocks and checkpoints is to search for criminals and to prevent the transport of bodies from areas of ethnic or religious conflict to other parts of the country where their presence might instigate retaliatory violence. However, there were no reports of government officials restricting mass movements of individuals fleeing ethnic or religious unrest. [3]

**6.41** The Constitution also prohibits the denial of exit or entry to any citizen, and the Government generally respected this law; however, the law also provides that women are required to obtain permission from a male family member before having an application for a passport processed. Some men take their wives' and children's passports and other identification documents with them while travelling abroad to prevent their family from leaving the country. [3]

## **6B. HUMAN RIGHTS - SPECIFIC GROUPS**

### **ETHNIC GROUPS**

**6.42** There are over 250 ethnic groups with different languages and dialects in Nigeria, which accounts for its cultural diversity. In descending order the Muslim Hausa-Fulani centred on the north, the Yoruba centred on the south-west, and the predominately Christian Ibo (or Igbo) centred on the south-east are the largest ethnic groups. Yet no single tribe encompasses a majority of the population. There is no federal policy of discrimination against any of Nigeria's ethnic groups and legislation is designed not to favour one group over another. This is largely

respected provided that a group does not pursue secessionist demands. [1][2][3]

**6.43** An alleged dominance in the military and government is occasionally levelled at Hausa-Fulanis, with the converse claim that other ethnic groups are discriminated against. Ibos formed the Biafran rebels during the 1967 to 1970 civil war but have since regained prominence in the professions and commerce, and became government ministers, without encountering government repression. [3]

**6.44** Violent clashes between Hausa and Yoruba occurred in Shagamuon on 17 July 1999; it is reported that at least sixty people were killed. This violence followed the death of a Hausa woman, who was killed when she was found watching a Yoruba religious ceremony, which was forbidden to outsiders. The Nigerian authorities deployed police reinforcements in the towns. [65][66] This violence spread when Hausas fled to Kano, and the local population attacked Yorubas resident there. The violence was brought under control after a few days. [67][68][69][70][71]

**6.45** Fighting broke out in June 2001 between Tivs and their mainly Hausa-speaking neighbours in Nasarawa State. This violence resulted in at least 100 deaths, according to the police, but more than 200, according to other sources, and the displacement of more than 50,000 people. The violence was caused by the killing of Musa Ibrahim, the traditional ruler of the Azara people, on 12 June 2001, together with four members of his entourage. The gunmen were not identified but Tivs, with whom there was a long-standing land dispute, were suspected, and the Azaras launched reprisal attacks. This led to intense inter-ethnic fighting in several towns and settlements across the state. [72][73]

**6.46** The Tiv, who are a minority in Nasarawa, fled in large numbers to neighbouring Benue State where they form the majority. Local newspapers citing Red Cross sources said more than 40,000 displaced Tivs were camped in and around the Benue capital, Makurdi. Many others sought refuge further north in Plateau State. The fighting quickly spread from Nasarawa to nearby Taraba State, where the Tiv, once again in the minority, were attacked around the town of Wukari by the Fulani and the Kutebs, with whom they had also had violent clashes in recent years. The Nigerian police acted quickly to contain this violence, and have been even handed in their approach. However, those who were displaced have faced healthcare and supply problems. [72][74]

**6.47** In early September 2001 there were serious clashes in the central Nigerian City of Jos between Christians and Muslims. There are reports that 50 people were killed and that thousands fled the city. The unrest was reported to have been triggered by an argument outside a mosque following Friday prayers, and had its roots in interethnic tensions, that were heightened by the recent appointment of a Muslim Hausa to head a state poverty reduction programme. Churches and a mosque were destroyed as Christian vigilantes took to the streets. They also set up roadblocks around the city, stopping cars and searching them for Muslims. The conflict was mostly between the Christian Berom tribe and Muslim Hausa Fulanis whom they regarded as "settlers" on "their land". Clashes spread to Taraba State, about 300 km south of Jos. There was also violence in Kano, and Churches were attacked. [75] There was further violence in Jos in September 2001. [72][75]

**6.48** A longstanding conflict over land rights and status continued for several months in 2001 among members of the Tiv, Kwalla, Jukun, and Azara ethnic groups; each of these groups resides at or near the convergence of Nasarawa, Benue, and Taraba States. The Tiv, who are thought to have originated in the East African highlands, migrated to central Nigeria hundreds of years ago and are regarded as interlopers by the "indigenous" ethnic groups; however, in parts of Benue State the Tiv predominate. In July 2001 members of the Jukun ethnic group attacked the Tiv in Taraba State. Reportedly 25 persons were killed, and 25,000 Tiv fled Taraba for camps in Benue and Nasarawa. In September 2001 tensions rose in Makurdi, Benue State, over the influx of Tiv and nearly resulted in another ethnic conflict. In November 2001 members of an ethnic Tiv militia reportedly attacked ethnic Jukun neighbours in Taraba State; there were reports that dozens of persons were killed and thousands fled their homes. [3]

**6.49** Around 23,000 Fulani herders from Nigeria's eastern Taraba State fled to Cameroon after clashes with farming communities at the beginning of 2002. The Miyetti Alla Cattle Breeders Association of Nigeria (MACBAN) claimed that 23,647 nomads had fled, and blamed the local authorities for not acting to protect them. Officials of the Sarduana local government, the council in the area of Taraba where the violence occurred, disputes the claims of MACBAN and accuse the Fulanis of inviting "mercenaries" from neighbouring countries who launched attacks on farming communities. The local government also accuses the herders of attempting to drive other groups off the land, and monopolising it. Clashes between pastoral and farming communities revolving around disputes over grazing land have become frequent in various parts of Nigeria's central and northern regions in

recent years. Some analysts have blamed the clashes on the spread of desert conditions further north, which has been pushing herders south in search of fresh pasture, often putting them in conflict with farming communities. These clashes are part of a pattern of violent conflicts between so-called settlers and indigenous people, that have plagued the north and centre of Nigeria in recent years. [76]

**6.50** The Nigerian authorities have generally acted rapidly to curb violence between ethnic groups, and in such conflicts have generally been even handed, trying to restore order and mediate between the groups in conflict. There have recently been talks between the Federal Government and local groups, in an attempt to secure peace in the troubled Plateau State, but these remain at a very early stage. [77]

### **O'ODUA PEOPLE'S CONGRESS (OPC)**

**6.51** However, the present Nigerian government has taken action against groups thought to be pursuing an agenda of independence for their particular ethnic group. The O'odua People's Congress (OPC) is a Yoruba group, led by Dr Frederick Fasheun. It was affiliated to Joint Action Committee of Nigeria (JACON) and widely believed to advocate an independent Yoruba State; although Dr Fasheun has denied this. In Lagos State, the OPC clashed repeatedly with the police during 2001, over their protection of Yoruba neighbourhoods, and other political issues. The OPC continued to function as a vigilante anti-crime force despite President Obasanjo's "shoot-on-sight" order issued against them in 1999. During 2001, there were fewer OPC vigilante killings than in previous years; however, on 16 August 2001, the OPC reportedly beheaded four suspected robbers and set their bodies on fire in Lagos State. The OPC also reportedly crucified a man in the Surelere district of Lagos. In 2000 the Committee for the Defence of Human Rights reported that 302 OPC members were arrested following clashes with the police in Lagos. Of those detainees, 95 were released in 2000. The remaining detainees were not able to obtain legal representation and either could not make bail or were not eligible for bail due to the charges brought against them. [3]

**6.52** The OPC has split into two factions, one under the leadership of Dr Frederick Fasheun and the other under the leadership Mr Ganiyu Adams, and these factions clashed in January 2000, resulting in at least 6 deaths. In another incident in January 2000 a senior police officer in Lagos was kidnapped and killed by OPC members attempting to free a member accused of robbery. This incident resulted in a crackdown by the police in which 100 people were killed, and over 200 OPC members were detained on criminal charges. [153][154][155][156][157][158]

**6.53** The Adams faction has been identified as being involved in most of this criminal activity, and has also acted as a vigilante organisation in Lagos. The Nigerian government has set up an ad hoc Senate committee to investigate both factions of the OPC, and present proposals as to how this organisation should be dealt with in the future. [153][154][155][156][157][158]

**6.54** In August 2000, after a number of violent clashes, including attacks on the police, the Nigerian police announced a crackdown on OPC members involved in these crimes. The attitude of the public, in the Lagos area, to the OPC is ambivalent, as they are seen as attempting to impose order in areas where the police have been unsuccessful, and some Yorubas sympathise with their aims, if not their methods. The Nigerian police have targeted members of the OPC involved in violence, and ordinary members generally appear to be able to express their views without harassment. [159][160][161]

**6.55** The OPC appears to be generally able to pursue its political objective without interference from the authorities. However, if any its members are involved in violence, the authorities have acted to curb this violence, and bring those suspected of responsibility to trial. An example of the OPC freedom to operate is that Dr Fasheun is taking action against the Nigerian authorities over President Obasanjo's actions regarding the OPC, especially his directive that its members should be shot on sight. However, OPC members have been detained, where at all possible, but only when suspected of committing a crime. [169]

**6.56** The OPC continues to be involved in clashes with the police, and contributes to the difficulties in law enforcement in and around Lagos. In August 2001, Ganiyu Adams was arrested, and has denied 23 charges against him, which included murder, robbery and illegal possession of arms. The case has since been adjourned. He had been on the run for 20 months, after police declared him wanted in November 1999, following the clashes, allegedly spearheaded by his group, between Yorubas and Hausas in Lagos. During this period he was able to hold rallies in several southwestern towns in a show of defiance and impunity. His faction of the OPC has stated that it will halt all vigilante activities. [170][171][172] On 30 October 2001, Adams was released on bail. [3]



**6.57** Following the fire and explosion on 27 January 2002 there was wide spread rioting in Lagos. There have been accusations that elements of the OPC were involved in the unrest. Shops were looted, people robbed and Hausas were attacked; thousands seeking safety in military barracks in the city. There were many injured, and a number of people were killed. A curfew was imposed to restore order, and army units were deployed in Lagos. **[19][20]**

### **MOVEMENT FOR THE ACTUALISATION OF THE SOVEREIGN STATE OF BIAFRA (MASSOB)**

**6.58** MASSOB is a mostly Ibo (or Igbo) group who advocate greater autonomy for the south-east of Nigeria, where most of the Ibo population live. MASSOB appears to be generally able to pursue some of its political objectives without interference from the authorities. However, the authorities have acted against members of MASSOB involved in politically motivated criminal activity. **[30][90][91]**

**6.59** In light of the civil war in the south-east in the late 1960's and early 1970's, which sought to create a Biafran State, the Nigerian authorities are sensitive to any assertions of nationalism within the south-east of the country. As MASSOB is associated with a separatist agenda, by supporting a Biafran State, its members have faced some harassment from the security services, especially at meetings and protests. However, some of their activities have also been provocative, such as the raising of the Biafran flag and chanting pro-Biafran songs. **[92][93][94]**

**6.60** In February 2001 police reportedly killed 10 persons and destroyed the headquarters of MASSOB in Okigwe; several MASSOB leaders, including Ralph Uwazuruike, were arrested. He was arrested several times during 2001. Human Rights Watch has reported that the police arrested hundreds of MASSOB members and detained many without charge. **[3][30]**

### **THE OSONI**

**6.61** Many of the minority tribes of the Niger Delta have in recent years expressed their discontent over their local environmental, economic and social infrastructure problems. Much of the ethnic unrest has centred on Ogoniland, a densely populated area of approximately 400 square miles in Rivers State on the Niger Delta. **[55][132]** The Ogonis have been involved in occasionally violent disputes with other local minority groups. This situation was heightened by demands from the Ogoni political movement founded in 1990, the Movement for the Survival of the Ogoni People (MOSOP). In particular MOSOP has campaigned for political autonomy and a greater share of oil revenue in compensation for the environmental degradation allegedly caused by on-shore oil production in Ogoniland. Although MOSOP initially appeared to command strong support among the Ogoni it was clear by 1993 that some of its leaders were more disposed to compromise with the federal Military Government and the authorities of Rivers State than others. The renowned author Kenule ("Ken") Saro-Wiwa led the opposing faction. MOSOP demands became more uncompromising from 1993 onwards under his leadership. There is some evidence that some MOSOP activists and particularly those of its youth wing the National Youth Council of Ogoni People (NYCOP) resorted to intimidation of their fellow Ogonis. In April 1994, spurred by this escalation in unrest, the Abacha Government deployed an "Internal Security Unit" inside Ogoniland comprised of large numbers of police and military. **[55][56]**

**6.62** On 21 May 1994 a meeting was held at the Palace of Gbenemene of Gokana (a traditional ruler) in Giokoo. A number of Saro-Wiwa's opponents attended. The meeting was attacked by a large mob and four chiefs were killed. In the days and weeks after the killings, the security forces arrested a large number of people. Among those arrested in late May were Saro-Wiwa, Ledum Mitee and Dr Kiobel. Fifteen members of the Ogoni ethnic minority were brought to trial before the Ogoni Civil Disturbance Special Tribunal for their alleged roles in the killings of the four Ogoni chiefs. On 31 October 1995, the Tribunal announced guilty verdicts and death sentences for Saro-Wiwa and eight other activists, and all nine were executed on 10 November 1995. **[56][57]** In early September 1998, 19 Ogoni political prisoners who had been in detention since 1994 for the murder of 4 Ogoni chiefs (the same charges as the late Ken Saro-Wiwa) were released. **[1]**

**6.63** MOSOP and NYCOP activists were subjected to harassment and persecution by the Nigerian authorities during the Abacha regime. After General Abubakar became head of state in June 1998 the situation in Ogoniland improved. General Abubakar withdrew the Internal Security Task Force from Ogoniland in the Rivers State of the Niger Delta. Free movement is now possible after years of restriction on travel in the area. Many Ogoni exiles have been able to return, and MOSOP have been able to hold rallies once again. The oil company, Shell, was driven from Ogoniland in 1993 after MOSOP activists sabotaged installations demanding compensation for pollution. MOSOP says Shell must meet their demands before they will permit its return. General Abubakar

promised reform of a commission that was set up to develop oil-producing areas but which local people believe has been ineffectual. [58]

**6.64** On 14 August 1999 it was reported that Ogoni leaders and MOSOP had attended a meeting with Royal Dutch Shell (RDS), the company that was forced out of the Ogoni region in 1993. This meeting was seen as a sign that both the Ogonis and RDS wished to reach an accommodation regarding the future development of the region. RDS has said that it will only return to the region with local approval, and in the interim has offered to sponsor development projects. [133] President Obasanjo has attempted to deal with some of the underlying problems in Niger Delta region, and on 12 July 1999 he presented a Bill to the National Assembly proposing to set up a development fund for the region together with a Commission to oversee development. [102] The oil companies operating in the region would contribute to this fund. This was rejected by MOSOP on 4 August 1999, after a meeting at Bori in Ogoniland. The proposals, in their opinion, would make the situation worse, and they believe that the proposed Commission would be a tool of the central government and not act in the interest of local people. [134]

**6.65** In April 2000 there were violent confrontations in K-Dere between rival factions of MOSOP, over a road building project in that village. Amnesty International has accused the police of using this violence as a means of harassing and detaining Ogoni activists. A house belonging to Ledum Mitee, the president of one of MOSOP's factions, was destroyed. He was also detained in connection with this violence and bailed, but there are charges still outstanding against him. [233][135][136][137][138] In May 2000 Nwibari Obani claimed leadership of a rival faction of MOSOP. Ledum Mitee has challenged the legitimacy of Obani's election. [139] In July 2000 MOSOP reiterated its opposition to RDS operating in the region, and accused it of attempting to re-start operations clandestinely, without addressing the concerns of the local people or paying compensation. [140]

**6.66** In February 2001, following the Oputa Panel hearings in Port Harcourt, the relatives of the 4 chiefs killed in 1994 signed an agreement with MOSOP, pledging themselves to the organisation. During the hearings, MOSOP and Shell also agreed to hold further talks. [141]

## THE NIGER DELTA

**6.67** The situation in the Niger Delta during the latter part of 1998 and early 1999, become increasingly volatile. Disaffected youths were involved in taking oil workers hostage and sabotaging pipelines; they have accused the oil companies of indifference to their economic plight and demanded compensation from the oil companies for the environmental impact of their operations. The Security Forces operating in the Delta have been accused of using excessive, and sometime lethal, force on many occasions. [3]

**6.68** In early November 1999 there were clashes between Ijaws of the Egbesu cult and the OPC in Ajegunle district of Lagos. The OPC were acting in support of the Ilajes, a Yoruba sub-group tribe in the Delta State, who have been involved in a violent conflict with the Ijaw for the past two years. Fifteen people were reported to have been killed in this violence and over fifty-six arrested. [98] Twelve policemen were reported to have been killed by Ijaw youths in retaliation for the large number of Ijaws arrested by the police during the Lagos riots. [99] On 20 November 1999 in response to this incident, the Nigerian army was ordered by the civilian governor to surround the town of Odi in Bayelsa State. This was the town in which the policemen were killed, and where it was believed that the Ijaws responsible were hiding. The military came under fire and over-reacted, severely damaging the town. Local residents claimed that over 500 died in this violence. Over 2000 people were detained, but it is not known if those responsible for the deaths of the police officer were among those detained or killed. An inconclusive investigation was launched into this incident. President Obasanjo later apologised for the excessive force used by the military, but no action has yet to be taken against any of the soldiers involved. [3][100][101] President Obasanjo visited Odi in March 2001, but did not offer apologies or assistance. [177]

**6.69** President Obasanjo has attempted to address the situation in the Niger Delta, and the National Assembly has passed the Niger Delta Development Commission Bill to assist the region. [97][102][103] However, there is still widespread dissatisfaction within the region, and protests and local opposition are common. Recently protestors have occupied a number of oil production platforms, in an attempt to force oil companies and the Government to agree to their demands. These usually included environmental protection and access to jobs for local communities. [105][106]

**6.70** Disruption of oil production and kidnapping of employees of oil companies has continued in the region; most of those kidnapped are released unharmed after a short period of time. Oil pipelines have also been vandalised,

either by local people or by criminals intent on stealing oil. These incidents have resulted in a number of explosions and fires, which have killed or injured many local people. The Nigerian government is attempting to address this problem and has expressed its intention to deploy security forces to protect pipelines. **[3] [104]**

**6.71** In September 2000 MOSOP called on the Nigerian government to drop charges against those accused of damaging pipelines, stating that lack of pipeline maintenance, rather than organised criminal activity was the cause of this problem. MOSOP stated that the oil companies' failure to abide by international standards had resulted in pipeline leakage, and that they were responsible for this problem through their activities. **[104]**

## **WOMEN**

**6.72** Women are underrepresented in government and politics, although there were no legal impediments to political participation or voting by women. Men continued to dominate the political arena. NGO's continued to protest about the underrepresentation of women in the political process, and women were underrepresented in the civilian government. In President Obasanjo's first cabinet, only 6 women were appointed as ministers out of a total of 56 positions. There were 3 women among the Senate's 109 members, and only 12 women were elected to the 360 member House of Representatives. Women's rights groups pushed local, state, and the Federal Government to adopt a 30% affirmative action program; however, these efforts were unsuccessful. **[3]**

**6.73** Women are not barred from seeking redress through the courts, although the expense precludes many. There are no legal impediments relating to either female employment or political participation, although women frequently have to encounter prejudice in male dominated fields such as law and politics. While some women have made considerable individual progress, both in the academic and business world, women remain underprivileged. Women are not barred legally from owning land, but under some customary land tenure systems only men can own land, and women can gain access to land only through marriage or family. In addition many customary practices do not recognise a woman's right to inherit her husband's property, and many widows are rendered destitute when their in-laws take virtually all of the deceased husband's property. Widows are subjected to unfavourable conditions as a result of discriminatory traditional customs and economic deprivation. "Confinement" is the most common rite of deprivation to which widows are subjected; this practice occurs predominately in eastern Nigeria. **[3]**

**6.74** Reports of abuse are common, especially wife beating. Police normally do not intervene in domestic disputes, which seldom are discussed publicly. The Penal Code permits husbands to use physical means to chastise their wives as long as it does not result in "grievous harm," which is defined as loss of sight, hearing, power of speech, facial disfigurement, or life threatening injuries. Women's rights group has estimated that spousal abuse occurs in 20% of relationships. In more traditional areas of the country, courts and police are reluctant to intervene to protect women who accuse their husbands formally if the level of alleged abuse does not exceed customary norms in the areas. Rape and sexual harassment continue to be problems. Prostitution is rampant, particularly in urban areas. **[3]**

**6.75** A number of states, including most northern states that have begun the enforcement of Shari'a law, have begun to enforce existing laws or to introduce new laws to combat prostitution. Southern states, like Edo, also are criminalising prostitution and raising the legal age for marriage from 16 to 18. In some parts of the country women continue to be harassed for social and religious reasons. Purdah, the Islamic practice of keeping girls and women in seclusion from men outside the family, continued in parts of the far north. **[3]** Forced marriages are common in Nigeria, especially in the north of the country. There has been a recent application to the Jos High Court from a 19-year-old to prevent her father forcing her into an arranged marriage. **[163]**

**6.76** A growing problem is the cross border trafficking of Nigerian women for the purpose of forced prostitution in Europe. Mrs Titi Abubakar, wife of the Vice-President Atiku Abubakar, has set up the Women-trafficking and Child Labour Eradication Foundation (WOTCLEF). This organisation intends to combat this trade and help rehabilitate victims of this traffic who have been deported back to Nigeria, by providing vocational training, and financial assistance to set up businesses at the end of this training. The Nigerian authorities are aware of this exploitation and are attempting to stop this trade; they are also seeking international assistance to address this problem. **[164]** Human Rights Watch reported that according to women's rights organisations, hundreds of women and young girls migrated to Europe in response to job offers as domestic workers or waitresses. Upon arrival, many were forced into prostitution in order to pay off debts. In addition, there is evidence that Nigerian crime syndicates may use debts, threats of beatings and rape, physical injury to the victim's family, arrest, and deportation to persuade those forced into sex work from attempting to escape. While the Government deplores this trade, and is looking at

ways to prevent it, the police reported that the women's families often condoned their entry into the trade. The Nigerian police attempts to stem the trafficking of persons include extended jail sentences and public humiliation; however, such actions focused primarily on victims, and traffickers have not been punished. Awareness campaigns, often conducted by NGO's and others, have only recently begun to generate widespread attention. [3] President Obasanjo has set up a committee to address this problem, to receive those who are victims of this abuse, and provide rehabilitation and assistance. The Nigerian authorities are taking this abuse seriously, and are attempting to arrest those who organise and profit from it. [130][131]

**6.77** There are no legal provisions barring women from testifying in a civil court of law. However the testimony of women is given less weight in a Muslim Shari'a court, and this may have implications in states where a Shari'a legal code has been introduced; but as this code is still being introduced, its long term effects remain to be seen. [3]

### **FEMALE GENITAL MUTILATION (FGM)**

**6.78** The government publicly opposes female genital mutilation (FGM). The Ministry of Health and non-governmental organisations has sponsored public awareness and education projects informing communities of the health hazards associated with FGM. FGM is a traditional practice within local communities, and consequently it has proved difficult for federal government to effectively confront. However, the cultural nature of the practice in Nigeria determines that the mothers of young daughters are able to veto treatment if they oppose it. Communities from all of Nigeria's major ethnic groups and religions practise FGM, although adherence is neither universal nor nationwide. A 1985-6 survey found that it was not practised at all in 6 of the 19 states surveyed. [3][59][162] The age at which women and girls are subjected to FGM varies from the first week after birth, until after a woman delivers her first child. The Ministry of Health, women's groups, and many NGO's sponsored public awareness projects to educate communities about the health hazards of FGM, and the media has repeatedly criticised its practice. [3]

**6.79** The Nigerian Government does not approve of FGM, but there are no federal laws banning it, and the authorities have taken no legal action to curb it. As this is viewed by some communities as a long-standing tradition, the government may have difficulty in discouraging FGM, while being seen to respect the traditions of the groups involved. Anti-FGM groups, because of the inability to take action at the federal level, are attempting to challenge FGM at the state and local government area (LGA) level. Edo State banned FGM in October 2000. Ogun, Cross River, Osun, Rivers, and Bayelsa states also banned FGM. However, the punishments imposed are minimal; in Edo State the punishment is a 1,000 Naira fine and 6 months imprisonment. Once a state legislature criminalises FGM, NGO's have found that they must convince the LGA authorities that state laws are applicable in their districts. [3] There has also been considerable debate in Delta and Enugu States regarding FGM, and some progress has been made in drafting laws aimed at addressing this. [30]

**6.80** The Women's Centre for Peace and Development (WOPED) estimated that at least 50% of women are mutilated. Studies conducted by the United Nations and the World Health Organisation estimated the FGM rate at approximately 60% among the nation's female population. However, according to local experts, the actual prevalence may be as high as 100% in some ethnic enclaves in the south. While practised in all parts of the country, FGM is more predominant in southern and eastern areas. Women from northern states are less likely to be mutilated; however, those affected are more likely to undergo the severe type of FGM known as infibulation. WOPED believes that the practice is perpetuated because of a cultural belief that uncircumcised women are promiscuous, unclean, unsuitable for marriage, physically undesirable, or potential health risks to themselves and their children, especially during childbirth. The National Association of Nigerian Nurses and Midwives, the Nigerian Women's Association, and the Nigerian Medical Association worked to eradicate the practice and to train health care workers on the medical effects of FGM; however, contact with health care workers remains limited. Nevertheless, most observers agree that the number of women and girls who are subjected to FGM is declining. [3]

### **CHILDREN**

**6.81** While the Nigerian Government has increased spending on children's health in recent years, it seldom enforced even the inadequate laws designed to protect the rights of children. Cases of child abuse, abandoned infants, child prostitution, and physically harmful child labour practices remained common throughout the country. The Government only occasionally criticised child abuse and neglect, and it made little effort to stop customary practices harmful to children. There were credible reports that poor families sell their daughters into marriage as a

means of supplementing their income. Young girls often are forced into marriage as soon as they reach puberty, regardless of age, in order to prevent the "indecency" associated with premarital sex. [3]

**6.82** UNICEF has urged the Nigerian government to introduce laws to support international conventions on children's rights. The Nigerian Government signed up to a number of international Conventions in July 2002, but has yet to pass legislation to support these. [179] Private and government initiatives to stem the growing incidence of child employment continue but have not been effective. UNICEF operated a programme that sought to remove young girls from the streets where they hawked petty goods and relocate them to an informal educational setting. UNICEF reported that despite the narrow focus on young girls, the program only began to address the problem during 2001. In conjunction with the ILO, the Government formulated a national program of action in support of child rights, survival, protection, development, and participation. In August a formal agreement between the ILO and the Labour Ministry established the programme; however, it has yet to show results due to logistical problems and changing personnel in the Ministry. [3]

**6.83** The treatment of children detained for a crime has recently come under criticism, following the arrest and ill treatment of a 4 year old boy while in detention in Lagos. The provisions for children in detention remain poor and they are often detained with adults. The introduction of Shari'a in some States has also affected children convicted of crimes, as under this law code the age of criminal responsibility, in some cases, is less than 18 years old. Children convicted under Shari'a law have already been subjected to corporal punishments. [3][180]

## CHILD CARE ARRANGEMENTS

**6.84** There appears to be little central Government provision for orphanages in Nigeria. The Government is active in dealing with some childcare related issues, and appears to register orphanages, but a lack of funding appears to prevent it doing more to address this issue. In major towns and cities there appears to be orphanages run by charities, some of these are connected to religious groups. [181][182][183][184][185][186]

## HOMOSEXUALS

**6.85** Nigerian law prohibits male homosexual conduct, and homosexuals can be subject to prosecution. The penalty for convicted homosexual behaviour varies from 3 months to 14 years imprisonment or a fine and/or corporal punishment. [82]

**6.86** Homosexual males in Nigeria are likely to face discrimination and occasional violence if they are overt about their sexual orientation, but not on an organised or systematic scale. Society is not openly hostile but homosexuals can be subject to ridicule. There are some areas in Nigeria where it is possible to live openly as a homosexual - such as in a large city like Lagos. There have been instances of homosexuals being subjected to violence, but they usually keep themselves to themselves and are usually left alone. [82]

**6.87** In February 2002, the Shari'a code in Gusau, Zamfara State, was used to sentence a man to one hundred strokes of the cane and one year imprisonment for sodomy. The Shari'a code, as applied in some Nigerian states, has specifically proscribed homosexuality, both male and female. It is possible that these laws will be strictly applied, as other laws governing personal conduct are being enforced in states with a Shari'a code. [83][84]

## 6C. HUMAN RIGHTS - OTHER ISSUES

### THE OGBONI

**6.88** There are many cults in Nigeria. Probably the best known is the Ogboni. The Ogboni are a secret society of the Yoruba tribe, and it is therefore hard to obtain reliable information about them. [85][86] As a secret society it has been banned in Nigeria, and its power curtailed. However this ban is hard to enforce, and it is still active and alleged to be involved in satanic practices. [86][87]

**6.89** The title Ogboni is only conferred on the elders, i.e. senior members of the society. These are usually men but women, usually six in number, were traditionally included to represent the interests of women in the

community. Membership of the society is usually, but not always, passed through patrilineal descent. [85][86]

**6.90** The Ogboni traditionally played a significant role in Yoruba religion and society, and were involved in the installation of new Kings. Historically an Ogboni could be said to have combined the powers of a local magistrate, with those of a member of the local government and a religious leader. [85][86]

**6.91** The Ogboni engaged in animal sacrifice. There is no firm evidence to suggest that they engaged in human sacrifice. However, in the event that a King abused his power they could compel him to commit suicide. They could also impose sanctions against other members of the community if they believed that these were justified. The Ogboni are reputed to threaten its members with death should they break their oath of secrecy regarding its rituals and beliefs. It is still regarded as being a powerful organisation throughout Nigeria. [85][86][87]

**6.92** The Ogboni is believed to be a purely Yoruba cult, but there are a number of Yoruba sub tribes who also may be involved. [85]

### **THE REFORMED OGBONI FRATERNITY (ROF)**

**6.93** This was founded in 1914, and is not a religious organisation, although the members believe in God. The ROF is not a secret organisation, it is not banned, and is open to men and women regardless of race, colour, creed, religion, or political opinion.

**6.94** The ROF is an indigenous African organisation that promotes African culture, advocates charitable and good works, believes in the brotherhood of man and self-improvement. It disassociates itself from cults, specifically the Ogboni, and does not participate in politics. However, it should be noted that members of the ROF can also be Ogboni, due to their position within Yoruba society, as was the case with the late leader Sir Adetokunbo Ademola, which may imply that the reputation of the Ogboni as a sinister cult has been exaggerated. [88][89]

## **ANNEX A - CHRONOLOGY OF EVENTS**

### [Part I](#)

### [Part II](#)

## **ANNEX A - CHRONOLOGY OF EVENTS**

**1861-1914** - Britain consolidates its hold over what it calls the Colony and Protectorate of Nigeria, governs by "indirect rule" through local leaders.

**1922** - Part of former German colony Kamerun is added to Nigeria under League of Nations mandate

**1960**- Nigeria gains Independence, with Prime Minister Sir Abubakar Tafawa Balewa leading a coalition government.

**1962- 63**- controversial census fuels regional and ethnic tensions.

**1966 JANUARY** Balewa killed in coup. Major-General Johnson Aguiyi-Ironsi heads up military administration.

**1966 JULY** Ironsi killed in counter-coup, replaced by Lieutenant-Colonel Yakubu Gowon.

**1967** - Three eastern states secede as the Republic of Biafra, sparking bloody civil war.

**1970-** Biafran leaders surrender, former Biafran regions reintegrated into country.

**1975-** Gowon overthrown, flees to Britain, replaced by Brigadier Murtala Ramat Mohammed, who begins process of moving federal capital to Abuja.

**1976-** Mohammed assassinated in coup attempt. Replaced by Lieutenant-General Olusegun Obasanjo, who helps introduce American-style presidential constitution.

**1979-** Elections bring Alhaji Shehu Shagari to power. In September 1983, Shagari re-elected amid accusations of irregularities.

**1983 DECEMBER** - Major-General Muhammad Buhari seizes power in bloodless coup.

**1985** - Ibrahim Babangida seizes power in bloodless coup, curtails political activity.

**1993 JUNE** -Military annuls elections when preliminary results show victory by Chief Moshood Abiola.

**1993 AUGUST** - Power transferred to Interim National Government.

**1993 NOVEMBER** - General Sani Abacha seizes power, suppresses opposition.

**1994** Chief Moshood Abiola arrested after proclaiming himself president.

**1995** Ken Saro-Wiwa, writer and campaigner against oil industry damage to his Ogoni homeland, is executed following a hasty trial. In protest, European Union imposes sanctions until 1998, Commonwealth suspends Nigeria's membership until 1998.

**1998 JUNE** President Abacha dies, and is succeeded by Major-General Abdulsalami Abubakar. Chief Abiola dies in custody a month later.

**JANUARY 1999** - Dusk to Dawn curfew in Niger Delta area lifted.

On 9 January elections took place for Governors and members of the House of Assembly. The People's Democratic Party (PDP) emerged as the largest party.

**FEBRUARY 1999** - Parliamentary elections took place on 20 February. The PDP emerged as the largest party in the Senate and the House of Representatives.

On 27 February the presidential elections took place. General Obasanjo, a previous military ruler who handed over power to a democratically elected government in 1979 was elected. There have been accusations of vote rigging by international monitors.

**MARCH 1999** - Coup plotters are pardoned, and all but three are released by the end of March.

The result of the presidential election is widely seen as free and fair by international observers.

The International Court of Justice ruled against Nigeria in its continuing dispute with Cameroon over the Bakassi Peninsula on 29 March. The Court took the view that Cameroon had the right to determined ownership of the disputed region.

Since the start of 1999 at least one hundred people had died in clashes between Muslim Fulani herders and Christian and Animist farming tribes. The reasons for this dispute is primarily access to farming and grazing land, but ethnic and religious difference exacerbate these disputes.

**APRIL 1999** - On 6 April the Nigerian Court of Appeal uphold a decision to reject a challenge to the election of

Olusegun Obasanjo as president. Chief Olu Falae who had been the presidential candidate for the All People's Party and the Alliance for Democracy made the challenge.

On 14 April Chief Falae said he would not proceed with any further challenge to the Court's decision.

In Kaduna more than 1,000 Shi'ite Moslems demonstrated on 7 April, to demand the release of forty Islamic activists held in detention. The protest was led by Ibrahim El ZakZaky, who is campaigning for the imposition of Islamic law in Nigeria. The Civil Rights Congress (CRC) on 30 April supported the claim that members of the Islamic Brotherhood were being persecuted. CRC stated that Moslem activists were being illegally detained, denied access to higher education, and barred from attending and preaching in mosques. Most of Nigeria's Moslems are Sunnis and they do not approve of the views and aspirations radical Shi'ite organisations like the Islamic Brotherhood.

Unrest continues in the Niger Delta, it was claimed that a number of oil company installations were occupied, in an attempt to obtain compensation from Mobil Corp for an oil spill in the region in January; this action was not confirmed.

There was serious unrest in Ijebu-Ode between 7 and 14 April, after the death of a soldier led to rioting by his comrades.

At least one hundred people died in a land dispute near the village Aguleri in the first three weeks of April. This continued to around the 23 April when the police restored order. Over seven hundred people have died in violence between two local Igbo speaking communities over the past five years.

On 18 April over three hundred prisoners were granted pardons in Kaduna State, as part of a move to free up space in prisons and improve human rights. Most of those released had been in prison for about six years without trial.

The United Nations dropped an enquiry into Nigeria's human rights record on 23 April, and acknowledged the progress Nigeria had made in establishing an accountable democratic government.

On April thirty Itsekiri youths attacked a tanker on the Escravos River, the ship was damaged and the crew only freed after a ransom had been paid.

**MAY 1999** - There were renewed clashes between Ijaw and Itsekiri youths in the Niger Delta on 1 May, following an attack on an Ijaw boatman. These clashes continued for two weeks, it is reported that twenty people were killed, and twenty-five soldiers were either injured or captured by the groups involved in this violence. The Nigerian government deployed reinforcements to restore order and free the captured soldiers. This violence flared up again in Warri on 30 May, when fifty people were killed in an attack on an Itsekiris village.

Ibadan University was closed following protracted students' protest against fees.

On 5 May the new constitution was signed into law.

Three people were killed and three villages burned to the ground, in a dispute between cattle herders and farmers in Kirikasmma in Jigawa State.

Ethnic Ogonis protest outside Royal Dutch Shell offices in Port Harcourt on 7 May. MOSOP accuses Shell of destroying the environment.

Unidentified gunmen murdered human rights activist Kazino Uzuazebe on 6 May.

Six people die in riots on 19 May following rumours of the death of president-elect Obasanjo.

Five military officers, part of Operation Sweep, were being sought by police on 21 May. They were accused of involvement in the death of a bus driver who was shot when he failed to stop when challenged; two commuters



and the bus conductor were also killed.

There were violent clashes in Kafanchan during the installation of Alhaji Muhammadu Isa Mohammed as new Emir of Jem'a on 22 May. It is reported that one hundred and two people were killed during this violence, and a curfew was imposed and the installation delayed. The reason for this violence, was opposition to the Emirate system from the local population. Order was restored in the area after a visit from the state administrator, Col Umar Faruk Ahmed, and the deployment of security personnel reinforcements in the area.

On 24 May, unidentified Cult members killed three students. They were shot while take their exams in Enugu State University of Technology.

On the 25 May the Saro-Wiwa family announced their intention to sue Shell in the United States. Their application to take this action is due to be heard in New York later this year.

The military units involved in Operation Sweep were withdrawn on 26 May. On 28 May the outgoing military government repealed Decree 2, and on 29 May President Obasanjo takes power, and the new constitution comes into effect.

Nigeria rejoined the Commonwealth on 29 May, and the European Union lifted all remaining sanctions.

**JUNE 1999** - President Obasanjo suspended all contracts signed by the outgoing military regime on 2 June, pending a review.

On 3 June the Nigerian national assembly is opened, and on 4 June President Obasanjo sets up a panel to review human rights abuses since January 1994.

President Obasanjo retires all officers who held political office under the military government, 149 senior officers are effected.

On 6 June fighting is reported between Urhobos and Itsekiri, and two hundred people were reported to have been killed. Clashes between the Itsekiri and Ijaw were also continuing in the region. Soldiers were deployed in the area, and a curfew was imposed to try and alleviate the situation; by 9 June the region was reported to be tense but calm.

On 10 June, all legislation that is inconsistent with the 1999 Constitution or the spirit of democratic government is repealed. All tribunals created by the military to try certain offences are also dissolved.

President Obasanjo visits the Warri area on 11 June, and appeals for calm. He also said that he would set up a development body, to oversee development in the region. On 26 June he obtains the agreement to a suspension of hostilities from the leaders of the Itsekiris, Ijaws and Urhobos, to allow the government time to find long term solutions to the region's problems.

Vigilantes killed five suspected armed robbers on 13 June, over twenty people are reported to have died since the beginning of June as a result of vigilante violence. There has been an upsurge in crime following the return to civilian government.

On 24 June an outbreak of cholera was reported in the Northern State of Kaduna, it is reported that at least sixty people had died of the disease during June.

There were violent clashes in Ibadan on 25 June, when a riot broke out between Yoruba traders and Hausa cattle dealers, seven people were killed before order was restored. Twenty-eight people were killed in three separate ethnic clashes in Taraba State on 24 and 25 June 1999. Tivs fought with Fulanis, Kutebs fought with Jukuns and Wurukum farmers with Fulani herdsman.

On 26 June, President Obasanjo required his prospective ministers to sign a code of ethics, which covered issues of probity, transparency and accountability in government. The intention of this document is to encourage just and honest government. A code of conduct has also been drawn up for Ministers' advisers.

On 27 June a helicopter operated by Shell and its two-man crew were seized by Ijaw youths.

On 30 June President Obasanjo abolishes the Petroleum Trust Fund, which had been created to oversee the allocation of revenue from oil production.

Three people died during the rescue of two local oil workers kidnapped in the Niger Delta. The rescue was organised by local youths from a neighbouring village.

**JULY 1999** - The International Court of Justice allows a counter claim from Nigeria regarding the Bakassi peninsula on 3 July.

Ten Nigerian POWs in Sierra Leone, are released by the Revolutionary United Front, and arrive back in Nigeria on 3 July.

On the 7 July the first anniversary of the death of Chief Kashimawo Abiola passes without any serious incidents being reported.

On 8 July President Obasanjo recalls all recently appointed diplomats and places them on compulsory leave. On the same day the full Nigerian cabinet is appointed after, with the approval of the Senate.

On 9 July, President Obasanjo swears in eight advisors to assist him and his government.

On 11 July five students were killed during an attack on a hostel at Obafemi Awolowo Teaching Hospital. Members of an unidentified cult were involved in this incident, and three other students later died as a result of their injuries. Mr Wale Omole, the Vice Chancellor of the University, was indefinitely suspended from his post, because of his failure to address the problems of cults in the University, and a number of suspected cult members were detained. However, this failed to satisfy many of the students, and on 14 July they stormed a police station where the suspected cult members were being held and removed one suspect. Students kidnapped Mr Omole's wife, in an attempt to discover his whereabouts; they also blocked roads to the University, and boycotted lectures. The Nigerian government has said it will take measures to address the problems of cults in Universities.

On 13 July, President Obasanjo presents a Bill for development in the Niger Delta, he proposes that a Commission be set up to oversee development in the region, financed, in part, by contributions from the oil companies. The Ijaw Youth Council rejected this proposal on 15 July.

There were serious clashes between Hausas and Yorubas in Shagamu on 17 July following the murder of a Hausa woman who had observed a secret Yoruba religious ceremony. Over sixty people are reported to have been killed, before order is restored.

These clashes trigger further clashes between Hausas and Yorubas in Kano on 22 July. Over seventy people are reported to have been killed before order is restored, but accounts of the exact number vary. One hundred and fifty people are subsequently arrested.

On 24 July the speaker of the House of Representative Alhaji Ibrahim Salisu Buhari is required to resign his post, because he had misrepresented his academic qualifications.

On 26 July Isoko youths free sixty oil workers who had been held for two days.

On 29 July it is reported that over one hundred and twenty people have died in clashes between two communities in Anambra State, the cause is a long-standing land dispute.

The former Minister of Sport, Air Commodore Anthony Ikazoboh was shot and killed at his home in Lagos on 29 July.

MOSOP said it identifies with the Nigerian government's efforts to resolve the problems in the Niger Delta on 29 July.

There were clashes between Ijaws and Ilajes in Ondo State in late July, over a land dispute, at least fifty people were reported killed.

**AUGUST 1999** - On 4 August ex-speaker Alhaji Ibrahim Salisu Buhari is sentenced to one year in prison, on two counts of perjury and forgery, but is given the option of a 2,000 Naira fine.

Communities in the Ilaje local government area, make proposed amendments to the Niger Delta Bill on 6 August. They want an ambiguity in representation of local people clarified.

On 7 August MOSOP reject the Bill, as they believe that the commission would not be able to assist in development, and it also objects to the government definition of the states in the Niger region.

On 9 August soldiers are sent to Ondo State to restore order. Both the Ijaws and Ilajes had failed to abide by the terms of a peace agreement, and thousands of Ijaws have fled the fighting, and hundreds are reported killed.

On the 10 August there were demonstrations at the National Assembly against the allowances given to legislators.

It is reported that two hundred people were killed by Nigerian troops in the village of Lebambo in Taraba State. The soldiers had retaliated against the ethnic Kutebs after they had been attacked. Taraba State has been the scene of many ethnic clashes, because of dispute about grazing and land.

Five kidnapped oil workers were freed on 12 August.

On 14 August Ogoni leaders met with representatives of Royal Dutch Shell to discuss their differences, and to attempt to agree a formula for Shell to return to the Ogoni Region.

On 21 August, Shi'ites burn down hotels in Katsina, in a protest over an application to repeal a ban on alcohol.

President Obasanjo announced a wide-ranging program of poverty relief on 23 August, addressing health care and education provisions. He also stated that agricultural reform was also a high priority.

Taraba and Benue States were reported to be calm after a two-year period of ethnic clashes.

On 22 August students at Osum State Polytechnic rioted after the police allegedly killed five students, a local radio station was closed briefly for fear that the students would occupy it.

President Obasanjo approved the release of one thousand four hundred prisoners on 27 August.

**SEPTEMBER 1999** - The army denied that it had maltreated civilians in Ondo State during operations to quell disturbances between Ijaw and Ilaje tribal groups. On 4 September the army suspends its withdrawal from Sierra Leone.

On 7 September Mr Justice Oputa requested more time to examine the cases submitted to his human rights panel for consideration. The panel is sworn in on 16 September, with the support of President Obasanjo.

Bandits in Northern Nigeria killed at least twenty people including a police officer during a robbery on 8 September.

On 9 September there was a serious riot at the port of Lagos, and it was reported that militants linked to the OPC were involved. The cause of this violence was an attempt by sacked workers to return to work, which was supported by the militants, but opposed by other workers. After several hours of fighting between the rival groups, the police used live ammunition to restore order, and it is reported that sixteen people were killed. In an unrelated incident, Hausa and Yoruba traders clashed in Abuja, two people are reported to have been killed. On the same day the high court ruled that the cancellation of a contract with Heritage Oil and Gas Co was legal.

On 13 September it was reported that police had killed fifty Ijaw youths in the Niger Delta, all were supposed to be members of the Egbesu cult. The police have subsequently denied involvement in these deaths.

On 17 September it is reported that two hundred people had died from Cholera in Borno State.

Disturbances continue in the Niger Delta, with attacks on oil installations and ethnic unrest. On 15 September two oil workers were kidnapped, but were later released. The most serious incident occurred on 20 September, when a crowd of local residents attacked a Liquefied Natural Gas (LNG) plant at Finima in the Bonny Rivers State. Production was resumed by 28 September, after an agreement was reached between the company Nigerian Liquefied Natural Gas Ltd and the local community. President Obasanjo visited the region on a fact-finding mission.

23 September President Obasanjo addressed the UN General Assembly, and requested international assistance in recovering funds misappropriated by previous Nigerian and other African regimes. He said that this and debt relief would assist in African development.

**OCTOBER 1999** - 4 October, members of Okrika and Ogoni communities in Port Harcourt, clashed in a dispute over the ownership of a refinery site, the police restored order.

On 5 October President Obasanjo ordered the human rights commission, under Mr Justice Oputa, to cover events back to the first military government in 1966.

Twenty broadcast licences held by TV companies are revoked for failure to pay licensing fees.

Zamfara State takes measures to introduce Shari'a law on 27 October. It was anticipated that the trained personnel and courts necessary to support this law would be in place by January 2000.

**NOVEMBER 1999** - In early November there were clashes between Ijaws of the Egbesu cult and the OPC in Ajegunle district of Lagos. The OPC, were acting in support of the Ijaws who have been involved in a violent conflict with the Ijaw for the past two years. Fifteen people were reported to have been killed in this violence and over fifty-six arrested. It was reported that twelve policemen were later killed by Ijaw youths, in retaliation for the large number of Ijaws arrested by the police during the Lagos riots.

Ijaws and Ijaws were reported to have been involved in clashes in the Niger Delta in early November. In Bayelsa State ten soldiers guarding an oil installation were reported to have been killed.

On 18 November it was reported that more than forty people had been killed in clashes between two Isoko communities in the Niger Delta. The dispute was over the allocation of oil pipes donated to local people by RDS. On the same day the Senate President Evan Enwerem was removed from office.

On 20 November 1999, in response to the killing of police officers in early November, the Nigerian army surrounded the town of Odi in Bayelsa State. This was the town in which the policemen were killed, and where it was believed that the Ijaws responsible were hiding. In the ensuing operation it is claimed by the local community that over five hundred residents were killed, and two thousand detained, it is not known if those responsible for the deaths of the police officers were among those detained or killed. An inconclusive investigation was launched into this incident. President Obasanjo later apologised for the excessive force used by the military.

Barnabas Gemad is elected chairman of the ruling Peoples Democratic Party.

Former army chief General Ishaya Bamaayi appear in Lagos Chief Magistrates court on 24 November, charged with conspiracy to murder former newspaper publisher Alex Ibru. His co-defendants Maj. Hamza Al-Mustapha and police supt. Mohammed Rabo Lawal, are also charged with involvement in the death of Kudirat Abiola.

In late November 1999 in and around Lagos there were clashes between the OPC and Hausas over market trading, which resulted in the deaths of at least twenty-seven people, many Hausas fled Lagos because of this violence. On 25 November 1999 President Obasanjo ordered that police shoot OPC members on sight if they did not surrender.

**DECEMBER 1999** - On 8 December the trial of Mohammed Abacha is adjourned, as his defence requires time to study new charges against him.

There were riots in Ilorin on 18 December 1999, no deaths were reported, but eighteen churches were destroyed.

On 21 December, police dispersed Trade Unionists protesting outside the national parliament in Abuja against the repeal of fuel subsidies.

**JANUARY 2000** - The Nigerian government announced that prisoners who had been on death row for twenty years or more would be pardoned. Others who have been on death row for over ten years would have their sentences commuted to life imprisonment.

On 5 January violence flared in Ibadan between local Yorubas and Hausas, when a Hausa lorry driver collided with a taxi carrying Yorubas, and then fled the scene. Seven people were killed in the accident, and four died in the ensuing violence.

The OPC has split into two factions, one under the leadership of Dr Frederick Fasheun and the other under the leadership Mr Ganiyu Adams. Mr Adams' faction is seen as being more hard line and less willing to compromise with the Nigerian authorities. These two factions clashed on 6 January 2000, resulting in at least six deaths. In another incident a senior police officer in Lagos was kidnapped and killed by OPC members attempting to free a member accused of robbery. Mr Ganiyu Adams remains wanted because of his suspected involvement in the Lagos clashes in November 1999.

The Ganiyu Adams' faction of the OPC was believed to have been involved in vigilante violence in the Mushin area of Lagos. The police attempted to curb this violence, but these vigilantes killed at least forty people, before order was restored on 7 January

There were reports of an increase in tension between Nigeria and Cameroon over the disputed Bakassi peninsula. The Nigerian military authorities denied this, but the possible cause of any rise in tensions, is the military assistance Cameroon has been receiving from France.

Charges against former army chief General Ishaya Bamaïyi, Police Commissioner James Danbaba, former Zamfara State Administrator Col. Bala Yakubu, Chief Supt. Of Police Mohammed Rabo Lawal and the late General Abacha Chief of Security Maj. Hamza Al-Mustapha were withdrawn on 13 January. These charges related to the attempted murder of Mr Alex Ibru. However, the charges against Al-Mustapha, Rabo Lawal, Mohammed Abacha and Lateef Shofolahan arising from the murder of Kudirat Abiola remain. As do charges against Al-Mustapha and Col. Frank Yakassai arising from the murder of Maj-Gen Shehu Musa Yar'Adua. General Bamaïyi remain in detention as there are other charges outstanding against him.

14 January thousands of Christians in Kaduna State protest against plans to introduce a Shari'a law code.

Ogonis and RDS continue discussions aimed at reaching agreement about RDS returning to Ogoniland.

Fulani herders fought with villagers in central Nigeria, ten people were killed including two policemen.

Youths in Imo State seized some oil production installation on 18 January, in protest at Imo being excluded from the Niger Delta Development Commission Bill.

On 22 January the city of Kano approves Shari'a law, subject to the consent of the State's Governor. On the 27 January Zamafara formally introduced the Shari'a penal code, and the first punishments under this code were carried out from that date.

**FEBRUARY 2000** - On 4 February police occupy the office of the Alliance for Democracy, as this party had split into two factions and the police feared a violent confrontation.

On 21 February there were marches against the introduction of Shari'a law by Christians in Kaduna, during these marches serious disturbances were reported as Muslims and Christians clashed. On 22 February there was extensive rioting in Kaduna, and it is reported that more than three hundred people were killed over a three-day period. On the same day Sokoto became the third state to adopt a Shari'a based penal code.

The residence of the Sultan of Sokoto was also attacked on the 21 February. The attackers belonged to two rival Muslim factions who were disputing the leadership the Sultan Bello Mosque.

On 28 February violence spread to Aba, as youths from the mainly Christian Igbo tribe attacked local Muslims in reprisals for attacks on Christians living in Kaduna. The Central Mosque in the town was torched during this riot and around fifty people killed. In both incidents the police imposed a curfew. The army was also called in to support the police.

In light of the Constitutional implications of Shari'a law, a human rights group led by Olisa Agbokoba has made a legal challenge against it.

On 29 February Vice-President Atiku Abubakar announced that as a result of a meeting of all state governors Shari'a law would be suspended. The response from the three states involved has been ambiguous, and they have been reluctant to confirm unequivocally that they would abide by the decision of the council. A number of other northern states have re-affirmed their intention to introduce a Shari'a based legal system.

**MARCH 2000** - President Obasanjo appealed for calm and understanding in a national television broadcast on 2 March 2000.

There were clashes between two Yoruba communities in Ife on 5 March, over a long-standing land dispute.

On 7 March violence spread to Sokoto, when students rioted and demanded the immediate introduction of Shari'a, order was restored after a curfew was imposed. Unrest was also reported in Lagos after a Hausa lorry driver lost control of his truck and killed twenty people. Local Yorubas clashed with Hausas, and a curfew was imposed. There have been conflicting reports on the total death toll in February and March due to religious based unrest, and a true figure is hard to determine.

On 13 March thirty-two oil workers and two soldiers were abducted from a gas plant at Utorogu near Warri. On 14 March at least fifty people were killed in Umuichieichi-Umungbede village in a pipeline explosion.

**APRIL 2000** - Around 11 April There were violent confrontations in K-Dere between rival factions of MOSOP, over a road building project. Amnesty International has accused the police of using this violence as a means of harassing and detaining Ogoni activists. A house belonging to Ledum Mitee, the president of one of MOSOP's factions, was destroyed. He was also detained in connection with this violence and bailed, but there are charges still outstanding against him.

**MAY 2000** - On 7 May Nwibari Obani claimed leadership of a rival faction of MOSOP. Ledum Mitee has challenged the legitimacy of his election.

In Late May there was further rioting in Kaduna. This violence lasted for two days and it is reported that three hundred people were killed. The security forces restored order, and this violence was limited to the Kaduna area.

**JUNE 2000** - On 8 June Nigerians went on a stay-at-home strike in answer to a call from the umbrella Nigeria Labour Congress (NLC) to protest against a 50% increase in fuel prices announced a week ago by the government. News organisations reported that all private businesses were closed and transport vehicles were off the streets after the talks between the government and the NLC, which wants the increases scrapped, proved inconclusive. There had been a number of protests in Lagos and other cities against the price hike, which was also opposed by the Senate and the governments of some states.

There were four separate incidents of pipeline sabotage on 3 June on the Warri-kadunna pipeline, a number of suspects were detained. An undetermined number of people died in the fires caused by this damage.

On 20 June there was a pipeline explosion at Okuedjegba near Warri the number of killed and injured is not known.

The northern city of Kano issued an official proclamation of Shari'a in that state on 21 June.

Two oil workers were kidnapped while working on a boat on 21 June, but were later released when the Nigerian navy stormed the boat.

**JULY 2000** - On the 5 July a Kano court imposed a sentence of eighty strokes of the cane and fifteen months in prison on a man convicted of drinking alcohol. In Zamfara a man was sentenced to eighty strokes of the cane for falsely accusing his wife of adultery.

On 6 July the authorities in Ondo State imposed a dusk-to-dawn curfew in the town of Ikare-Akoko following 20 deaths resulting from clashes between supporters of two rival monarchs there. The violence, which began last weekend, dates back to 1992 when the Owaale, one of the monarchs in question, was recognised by the government even though the Olukare was reportedly already the traditional ruler.

On 10 July two hundred and fifty people were killed in an oil pipeline explosion in Adeje near Warri.

On 16 July there were clashes in Lagos between police and OPC, twenty people were killed including two police officers. Thirty people were killed in a pipeline explosion in Warri.

On 20 July FGM was declared illegal in southeastern Cross River State.

On 31 July, Ijaw militants held one hundred and sixty five oil workers hostage. They were released in early August.

**AUGUST 2000** - Katsina becomes the fifth state to adopt Shari'a law on 1 August. Jigawa adopts Shari'a law on 2 August.

There is agitation in the Southern states, to prevent young people from the South serving in the National Youth Service Corp in North. This is a compulsory form of non-military national service, and this action has been taken because of a fear for their safety following the introduction of Shari'a law in some Northern states. Many Southern Christian youths are reported to have refused to be sent to serve in states that have adopted Islamic law.

President Clinton paid a visit to Nigeria and expressed his support for the civilian government, and pledged \$ 20 Million to support efforts to combat AIDS, malaria and polio.

**SEPTEMBER 2000** - Ten people died in clashes between Christians and Muslims in Gombe State on 11 September, following protests against the proposal to introduce Shari'a law into that state.

President Obasanjo paid a short visit to the United Kingdom on 13 September, and amongst the subjects discussed, were debt relief and the recovery of funds looted under previous regimes.

**OCTOBER 2000** - There were clashes between the OPC and Hausas in Ilorin and Lagos. As a result of this violence, military units were deployed in Lagos State.

In October the Human Rights Violations Investigation Panel (HRVIP), began hearings into 150 cases of killings by members of the security forces.

In October an OPC demonstration against Libya's expulsion of several Nigerian citizens resulted in a number of injuries and the death of a guard at a foreign embassy.

On 14 October, clashes broke out between members of the OPC and police in Ilorin. The violence spread to Lagos over the following 2 days. The fighting in Lagos was between members of the OPC and members of the Hausa ethnic group and originated in a dispute over the capture and killing of alleged robbers of the Hausa ethnic

group by members of the OPC. The rioting resulted in the deaths of over 100 persons, the destruction of buildings in Lagos and the outlawing of the OPC by the Government

**NOVEMBER 2000** - 30 November, dozens of people were killed when a ruptured fuel pipeline exploded near Nigeria's commercial capital, Lagos. Officials of the state-owned Nigerian National Petroleum Corporation (NNPC) said the fire erupted at a vandalised point on its pipeline. NNPC's Atlas Cove jetty, used for delivering imported fuel, is located some 500 metres from the scene. The fire damaged the jetty and adjacent depots.

Dr Frederick Fasheun leader of the OPC was briefly detained in November 2000, but later released without charge.

**DECEMBER 2000** - Nigeria's National Association of Resident Doctors ended a four-month strike after officials pledged to meet its demands. The doctors started their action on 13 September to demand higher pay, welfare packages and better working conditions.

4 December - Several people were injured in the southeastern town of Okigwe after the Nigerian government deployed soldiers to curb the activities of a secessionist movement allegedly usurping law enforcement duties in the area. Heavily armed soldiers, arrived in Okigwe on 1 December, and were apparently pursuing Ralph Uwazurike, leader of the Movement for the Actualisation of the Sovereign State of Biafra (MASSOB). His followers were said to have been enforcing the sale of fuel at controlled prices.

19 December - At least 500 people suspected of involvement in vandalising pipelines to steal fuel were arrested by the police across Nigeria.

**JANUARY 2001** - 9 January At least 20 people were taken hostage following clashes between neighbouring communities in Nigeria's southern Niger Delta oil region. The dispute was over the location of a key oil company facility, that was considered lucrative, and pitted the Ke and Krakrama communities on one side against the neighbouring community of Bille on the other. All the communities are within the Degema District of Rivers State.

9 January Muslim youths went on the rampage in the northern Nigerian City of Maiduguri, burning down several churches and bars. Hundreds of youths had gathered to pray after sighting the eclipse, which they interpreted as a consequence of widespread sins. Then they became uncontrollable attacking churches and bars, and forcing non-Muslims to flee to a military barrack.

Late January President Obasanjo announced a cabinet re-shuffle.

**FEBRUARY 2001** -1 February the Archbishop of Canterbury, George Carey, arrived in Nigeria on Wednesday on a two-week pastoral visit, media organisations reported. During his visit he highlights concerns regarding the Shari'a in the North.

8 February Nigerian police destroyed the headquarters of a separatist movement in the southeastern town of Okigwe and arrested several of its leaders - area residents and media organisations said. It is claimed that six people were killed by policemen, who also flattened the building that served as the headquarters of MASSOB. The group is campaigning for the resuscitation of the defunct Republic of Biafra. The group is accused of public disturbance, incitement and the unauthorised use of firearms and attempting to set up an illegal republic.

8 February Ten ministerial nominees submitted by President Olusegun Obasanjo to Nigeria's Senate for consideration, following a re-shuffle, have been approved. The re-shuffle was the first major change in the composition of the federal cabinet since Obasanjo became President. Reuters news agency said the approval of the nominees without much delay was a sign that Obasanjo's previously difficult relations with the legislature had improved significantly.

9 February Kaduna has passed a modified Islamic code aimed at averting further religious violence. Under the new law the application of the Shari'a for criminal matters will be limited to lower courts and localities where Muslims are predominant. Traditional or customary law will be applicable at the same level in areas inhabited by non-Muslims. It is reported that civil law will remain applicable in the state's higher courts, responsible for trying criminal offences



**MARCH 2001** - Bauchi State announced its intention to introduce Shari'a from end of the month.

**JUNE/JULY 2001** - Fighting in Nasarawa State between Christian Tiv and Muslims Hausa-Fulani left more than 400 people dead and more than 22,000 displaced.

**AUGUST 2001** - There was renewed fighting between Christians and Muslims in Bauchi State over plans by the government to introduce strict Islamic law. The latest outbreak of violence in the Tafawa Balewa involved two communities, the mainly Christian Kutaru and the predominantly Muslim Zwall, 15 people are reported to have been killed while many more have been injured.

Ganiyu Adams was arrested, and has denied 23 charges against him, which included murder, robbery and illegal possession of arms. The case has since been adjourned.

**SEPTEMBER 2001** - early in the month there were serious clashes in the central Nigerian City of Jos between Christians and Muslims. Fighting spread to other areas of the country.

**OCTOBER 2001** - Clashes were reported in Benue and Taraba States between Tivs and Jukun, due to long standing land disputes. A number of troops, who were sent to restore order, are reported to have been killed. Soldiers later attacked the Tiv communities, which were suspected of being linked to these deaths.

12 October - 600 to 1,000 Muslims peacefully demonstrated in Kano against American and allied air strikes against Afghanistan. Several hours after the conclusion of a peaceful demonstration against military action in Afghanistan, rioting broke out in the largest marketplace in the city of Kano.

**DECEMBER 2001** - Gombe State signs Shari'a into law.

**JANUARY 2002** - The first execution under Shari'a law was carried out on 3 January 2002. The man, convicted of murder, was hung in Katsina prison. The case of Safiya Husseini Tungar Tudu has attracted national and international attention. She has been convicted of adultery, and is facing the death penalty. Her appeal is still pending at the present time.

On 27 January, more than 1,000 people died as a result of massive explosions that followed a fire at an army ammunition dump in Lagos. Most of those who died were killed as they fled the explosions, some being drowned in attempting to cross a canal. Following the fire and explosion there were wide spread riots in the city.

**FEBRUARY 2002** - 1 February there was a one-day police strike over pay and conditions. President Obasanjo responded by releasing funds to meet the welfare needs of the police.

**MARCH 2002** - An appeals court reverses a death sentence handed down to a woman found guilty of adultery. An Islamic court in the north had ordered that the woman be stoned to death, but the sentence provoked an international outcry including a plea for clemency from the European Union. In the same month President Obasanjo announces he will run for a second term in presidential elections in 2003.

**AUGUST 2002** - President Obasanjo is the subject of impeachment charges, over his conduct while in office.

## **ANNEX B - POLITICAL ORGANISATIONS**

### **Social Democratic Party (SDP) and National Republican Convention (NRC)**

The SDP and NRC were created by the Babangida regime in October 1989 following the lifting of the ban on political parties in May 1989. In March 1993 following the National party congresses Chief Moshood Abiola was selected to stand in the presidential elections which took place on 12 June 1993. Initial results indicated that Abiola had won the majority of the vote, however on 23 June the results of the election were declared invalid which led to unrest. General Abacha, the newly installed military ruler, dissolved all democratically elected

institutions and banned both parties in November 1993. Abiola declared himself President in a symbolic ceremony on 11 June 1994 and was arrested on 23 June 1994 on charges of treason. He died in prison in July 1998 whilst still awaiting trial, and just when it was widely believed that he was about to be released.

### **Movement for the Survival of Ogoni People (MOSOP)**

MOSOP was formed in 1990 and has campaigned for political autonomy and a greater share of the oil revenue derived from their land. It has its origins in the Ogoni Bill of Rights produced in 1990. Ken Saro Wiwa led MOSOP since 1993 however he was arrested in 1994 for his involvement in the murder of 4 Ogoni chiefs. On 10 November 1995 he and 8 others were executed following a highly criticised trial. Ledum Mitee, acquitted at the trial in which Saro Wiwa was convicted is leader of MOSOP.

### **National Conscience Party (NCP)**

Although a named party this organisation is unregistered, its leader is Gani Fawehinmi.

### **Joint Action Committee of Nigeria (JACON)**

This is an alliance of human rights and pro-democracy groups that formed a coalition in April 1998 to campaign against continued military rule. It is led by Gani Fawehinmi. Twenty six anti military rule groups signed a communique calling for an end to military rule including United Action for Democracy (UAD), National Democratic Coalition (NADECO), National Conscience Party (NCP); civil liberties organisations, Committee for the Defence of Human Rights (CDHR), Eastern Mandate Union and Campaign for Democracy (CD).

### **Nigeria Labour Congress (NLC)**

An body made up of an affiliation of trade unions. Taken over in August 1995 by the Abacha regime. Handed back to the Nigerian unions in September 1998 by the Abubakar regime.

There are three registered parties that contested the 1999 election: -

### **All People's Party (APP)**

Leader Alhaji Yusuf Garba Ali, founded 1998. In the 1999 elections it won 23 seats.

### **Alliance for Democracy (AD)**

Leader Alhaji Adamu Ahmed Abdulkadir, founded in late 1998. In the 1999 elections it won 19 seats.

### **People's Democratic Party (PDP)**

Leader Barnabas Gemade, founded August 1998. The PDP candidate Olusegun Obasanjo won the presidential election with 62% of the vote. In the 1999 elections it won 66 seats.

NB: The AD and the APP contested the 1999 elections in coalition. Chief Olu Falae, the joint AD and APP Presidential candidate, gained 37% of the vote.

Three new parties have recently been registered, but information regarding them is limited. These parties are: -

### **United Nigeria People's Party (UNPP)**

### **National Democratic Party (NDP)**

### **All Progressive Grand Alliance (APGA)**

## ANNEX C - PROMINENT PEOPLE

**General Sani Abacha** - army chief of staff in Babangida's regime. Took power on 17 November 1993. Died 8 June 1998.

**General Abdusalam Abubakar** - head of state between 8 June 1998 until 29 May 1999.

**Chief Moshood Abiola** - presidential candidate for Social Democratic Party (SDP). Arrested 24 June 1994 after he declared himself President of Nigeria on 11 June 1994. Died whilst still in custody on 7 July 1998.

**Kudirat Abiola** - senior wife of Chief Abiola. Vociferous in calls for her husband's release and for him to be President. Arrested in May 1996 just prior to her assassination on 4 June 1996.

**Nnamdi Azikiwe** - leader of National Council for Nigeria and the Cameroons (NCNC). Following independence became first President of Nigeria in 1963 deposed in coup 1966, now deceased.

**Major General Mohammed Buhari** - took power following coup on 31 December 1983.

**General Ibrahim Babangida** - succeeded Buhari on 27 August 1985.

**Chief Yabuku Gowon** - army chief of staff chosen to head government (1966-75) overthrown in peaceful coup on 29 July 1975.

**Ledum Mitee** - vice president of MOSOP prior to Ken Saro Wiwa's death. Now its leader, was acquitted at the same trial as Saro Wiwa. Ledum Mitee returned to Nigeria from exile in London in late 1998.

**General Murtala Mohammed** - succeeded Gowon, died as result of attempted coup on 13 February 1976.

**General Olusegun Obasanjo** - as chief of army staff succeeded General Murtala Mohammed. Returned country to civilian rule in 1979. Arrested on 13 March 1995 and sentenced to life for concealment later commuted to 15 years. Released by General Abubakar in June 1998. Won 27 February 1999 presidential election, and took office on 29 May 1999.

**Ken Saro Wiwa** - President of Movement for the Survival of the Ogoni People (MOSOP). Arrested on 22 May 1994 in connection with murder of 4 Ogoni chiefs. Executed on 10 November 1995 along with 8 other MOSOP members.

**Shehu Shagari** - leader of National Party of Nigeria (NPN) and last civilian President of Nigeria (1979-83).

**Wole Soyinka** - on 16 June 1995 founded National Liberation Council (NALICON). Left Nigeria in November 1994. General Abubakar dropped charges that had been made against him by General Abacha. He returned to Nigeria for a visit in October 1998.

**Malam Ibrahim El ZakZaky** - leader of militant group the Islamic Liberation Movement which was involved in the religious disturbances in April 1991. Imprisoned from 1996 until late 1998.

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