

**NIGERIA**  
**COUNTRY ASSESSMENT**  
**April 2003**

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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. These sources have been checked for currency, and as far as can be ascertained, remained relevant and up to date at the time the document was issued.

**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. However, 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 the privatisation programme. However the timetable suffered a significant set back 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. **[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 the Constitution, and these 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. [2][3]

**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 held public hearings around the country and it has now reported to the President; the National Assembly set up a parallel Commission. [2][176]

### Citizenship and Nationality

**5.4** The 1999 Constitution set out the requirements 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 descent 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 demonstrate that they have a nation-wide following. [1][3]

**5.7** The INEC has of March 2003 registered 30 parties, and these are free to contest the elections in April 2003. However, some of these have challenged the fees required for registration; these are related to administrative charges, and would not appear to be a bar to participation in the political process. [11][12]

**5.8** 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. The body of the aide, Mr S. Awonusi, was found not far from the central mosque in Abuja. There is nothing to indicate that the two killings were related. [8][9][10]

**5.9** The assassination of prominent politicians has been an aspect of Nigerian politics, and is in part attributable to the widespread human rights abuses under previous military regimes; which led to erosion in respect for the democratic process. This violence usually occurs during times of heightened political tension, such as the periods leading up to local or parliamentary elections. The motivation for these crimes is often attributed to an individual's political stance, and supporters of political opponents are usually suspected of being responsible. As a result of the political patronage system in Nigeria, winning elections can often be seen as a matter of life or death -positions of political power are seen as an important way to make money. These murders are not supported by the Government, or ruling party, they are seen as crimes, and are investigated accordingly. Chief Marshall Harry, a prominent politician from the Niger Delta region was assassinated in March 2003, he was a critic of both the Federal Government, and of local politicians, and his murder is still being investigated. There have been many other assassinations throughout Nigeria since the election process began. [14][15]

**5.10** 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 the presidential election, which must be held before President Obasanjo's term of office ends in May 2003. [13]

**5.11** National identity cards are being introduced, but will not be used in the forthcoming elections. These are scheduled for the National Assembly on 12 April 2003, for the President and State Governors on 19 April 2003. Run-off elections will be held on 26 and 29 April 2003, and elections to State Assemblies will be on 3 May 2003. [2][29]

## Judiciary

**5.12** The 1999 Constitution enshrined basic political rights including the right to a fair trial. President Obasanjo has committed his government to a review of human rights abuse under previous military governments. 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]

**5.13** 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 Constitution. While the expanded Shari'a laws do not apply to Christians, the Christian minority, especially in Zamfara and Sokoto States, are subjected to many of the social provisions of the law. [3][64]

**5.14** 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]

**5.15** 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]

**5.16** 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

**5.17** 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. Rapid Response Teams remained in most states, these are staffed by regular policemen. The Obasanjo Government lessened its reliance on the army to quell internal disorder. 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]

**5.18** 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 for bailable 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. Police often demand an additional payment, from family members who attend court proceedings. [3]

## Death Penalty

**5.19** 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]

**5.20** 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]

**5.21** In Twelve Northern States Shari'a courts, which are lower courts in the hierarchy of the Nigerian judicial system, have extended their powers to cover criminal as well as civil proceedings and as such are able to hand down death sentences, a power formerly reserved to the High Courts. The States concerned are relying on an unclear clause in the constitution. Their jurisdiction to extend their powers will eventually have to be tested in the Higher federal 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

**5.22** 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. [25] Both Nigeria and Cameroon appear to be committed to reaching an agreement on this issue through negotiation. [31]

**5.23** The Nigerian army has been deployed to deal with internal unrest on numerous occasions. This has often been in response to incidents of extreme violence, and the deployment of the military was often proportionate and necessary to address unrest that was beyond the capacities of the local police. However, the army has been repeatedly criticised for its handling of violence in the Niger Delta, the oil-producing region of Nigeria, which has been the scene of much violence under both the present Government and previous military regimes. There have been two much publicised incidents where the army have been accused of human rights abuses, Odi in 1999 and Benue in 2000, when a group of soldiers killed about 200 unarmed villagers. A presidential enquiry on the latter incident has yet to be published. [30][32]

## Prisons and Prison Conditions

**5.24** 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. [3]

**5.25** 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. The National Human Rights Commission (NHRC)

reports that between 70% and 80% of those in prison were awaiting trial. Multiple adjournments in some cases had led to serious delays. Backlogs of cases, 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 of which they were accused. 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]

**5.26** 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]

**5.27** 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]

**5.28** While the Nigerian Government has attempted to improve prison conditions, and remains committed to this aim, the neglect during the period of military rule has made this a difficult task. The increase in the prison population has also resulted in an increased pressure on resources, for example accommodation, health care needs, and opportunities for employment and rehabilitation. The infrastructure remains poor, and the prison system is under-resourced. [3][59][60]

## **Military**

**5.29** 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. There are credible reports 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]

**5.30** National police, army, and security forces committed extrajudicial killings and used excessive force to quell several incidents of ethnic and religious violence during 2002. 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 2002 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]

**5.31** 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. [32] In January 2003, President Obasanjo apologised for the actions of the military regarding this incident, but no further action has been taken as yet. [33]

**5.32** 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]

**5.33** 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

**5.34** 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

**5.35** 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][79]

**5.36** 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). [3] Vigilante groups are often popular in their local areas, and there is some support for such groups to be either established, or their activities to be given some form of official status. The Nigerian Federal police have actively opposed this. [80][81]

**5.37** In Anambra State, the state government supported the extrajudicial activities of the vigilante group known as the Bakassi Boys. 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 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, and it has now suspended its operations. However, they have been accused of being heavy-handed in suppressing this group. [80][81]

**5.38** 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. Police numbers are also low for the population that they have to police, and they are under-resourced. The police have often resorted to the use of lethal force to defend themselves, and the public, from criminals who are quite prepared to kill. The excessive use of force has been condemned by human rights organisations, as an abuse of power, and has resulted in the deaths of innocent bystanders. [3][30][32][79]

**5.39** There are also reports of the use of torture against those suspected of crimes, and ill-treatment has resulted in deaths of people while in custody. Police are also reported to use arrest and detention, or the threat of such action, as a means of soliciting bribes. [30][32]

**5.40** 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 Musiliu 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]

**5.41** There are also reliable reports that some police officers have been involved in violent crime. Three police officers have been sentenced to death for their part in robbery and murder; but these sentences has 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

**5.42** 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] The United Kingdom's Department of International Development (DFID) has assisted the Nigerian authorities in identifying ways of organising access to health care, and in 2001 helped produced a seven year programme to address this. [142]

**5.43** 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]

**5.44** While 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]

**5.45** 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]

**5.46** HIV and AIDS are growing problems in Nigeria. The estimation of the population affected is over 5%. [1][2][45][52] President Obasanjo has made tackling AIDS a priority of his government, and has instituted an education and treatment campaign to do so. The Nigerian government and voluntary bodies are attempting to address this problem. [45][46] DFID is helping with the fight against AIDS/HIV, and will provide funds for this purpose over the next few years. [2]

**5.47** 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 appear to be few people coming forward for treatment. [51][52][53][54]

### **People with disabilities**

**5.48** 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**

**5.49** 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 was rarely 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. Many families favour boys over girls in deciding which children to enrol in secondary and elementary schools. 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**

**5.50** 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]

**5.51** 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]

## **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. During his period in office, Abacha's successor 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** Decree 60 created the Nigerian Press Council, which is charged with the enforcement of professional ethics and the sanctioning of journalists who violated these ethics. This Decree has attempted to put control of journalism in the hands of journalists who were appointed by, and received payment from, the Government. Decree 60 gives the Press Council the power to accredit, register, and suspend journalists; and requires that publications be registered by the Council annually through a system entitled "Documentation of Newspapers;". [3]

**6.5** The Press Council opened an office in Abuja, and has hired staff; but it did not take any official action during 2002. While the Decree has never been used to sanction any journalists, many journalists fear that its existence, and the formation of the Council, could place significant limitations on the freedom of the press. On 30 January 2002, Senator Jonathan Zwingina, chairman of the Senate Committee on Information, told members of the National Broadcast Commission (NBC) that the National Assembly still was reviewing the Decree 60 press laws. [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, which are published in English. These tended to be of poor quality, have a limited circulation, and required large state subsidies to continue operating. By the end of 2002, there were more than 25 daily newspapers, two news magazines, and several evening newspapers and tabloid publications. [1][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 6 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** International broadcasting, principally Voice of America and British Broadcasting Corporation, as well as Deutsche Welle and others, broadcast in English and Hausa and are an important source of news in the country. Several international broadcasting organisations reported that their accreditation renewals were initially refused in 2002, but they were later able to reapply. [3]

**6.9** 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 an unreliable and costly digital telephone service limited access and hindered service providers. [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. [97]

## Journalists

**6.12** Editors have reported that government security officers sometimes demand information about a story or source; however, journalists and editors no longer feared suspension or imprisonment for their editorial decisions. Local NGOs suggested that human rights abuses have been under-reported due, in part, to self-censorship by newspaper editors and owners. State broadcasters and journalists remained important tools for civilian governors; these officials used the state-owned media to showcase the state's accomplishments and to promote their own political goals. Journalists complain that in many cases are expected to rely on bribes as their only source of income. [3]

**6.13** A High Court in Kogi State ordered the arrest of the Daily Times' managing director and editor for contempt of court after the two ignored an order prohibiting them from publishing any further stories about Kogi State Governor Abubakar Audu. By the end of 2002, these arrest orders had not been enforced, and the newspaper has stopped publishing similar stories. [3] The Zamfara State Government issued a "fatwah" imposing the death sentence on Isioma Daniels, one of the journalists responsible for an article about the Miss World Pageant, which resulted in violence in Kaduna during November 2002. The Government and most Islamic leaders criticised this action, and declared the fatwah invalid, but Miss Daniels, fearing for her safety, has left Nigeria. [145]

**6.14** Foreign journalists who sought to enter Nigeria to cover political developments generally have been able to obtain visas. In April the Government announced that Time (International) magazine reporter Stephen Faris was subject to arrest for publishing a "false" report alleging a bribery scandal in the country. The magazine accused the Minister of Information and National Orientation, Professor Jerry Gana, of offering bribes of \$400 (50,000 naira) to foreign journalists to write more positive reports on the country. President Obasanjo established an investigative panel, which concluded that the magazine report was false and was intended to damage the nation's international image, but no further action has been taken as yet. [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. 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 are unable to receive Islamic religious instruction in public schools. [3]

**6.18** The introduction of the Shari'a penal code in the north of Nigeria has added to long-standing tensions between Christians and Muslims. However, it is not the only cause of friction between these groups. In November 2002, journalist Isioma Daniel made an

insensitive remark in an article attributed to her in the publication Thisday. This was in response to Muslim objections to the Miss World contest being held in Nigeria, and the paper apologised for any offence caused by the article. This article was cited as the cause of four days rioting between Christians and Muslims in Kaduna which resulted in the deaths of an estimated 200 people, with many more injured or fleeing the area. The army acted rapidly to restore order. Miss Daniel was the subject of a fatwah by the Deputy Governor of Zamfara State, which sentenced her to death, but the Nigeria's Islamic Council declared that they was no authority for the issue of this fatwa. The Deputy Governor has so far refused to withdraw it and technically it still stands.

**[143][144][145]**

**6.19** President Obasanjo visited the Kaduna soon after, and ordered that those responsible for the violence be detained. However, relations between elements of the Christian and Muslim communities in Nigeria remain tense, and any incident, however minor, for example a road accident or a family dispute, can be seen as provocative. Both communities accuse the Government of favouring the other, or not doing enough to address their concerns. **[143][144][145]**

## Religious Groups

**6.20** 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]**

**6.21** 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]**

**6.22** There have been reports of ritualistic murders, which do not appear to be linked to organised traditional religious practices. When such 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]** However, the nature of these crimes, can make investigations difficult, as they are often random, with few links between the perpetrators and the victims. A recent case in the United Kingdom has highlighted this. In this case, which bears many indications of being a ritualistic killing, the victim was a young boy, who is believed to be from the south of Nigeria. The reason for this murder may have been to obtain body parts for the use in rituals. The Nigerian police have readily assisted in this investigation, and have allowed their British colleagues to pursue enquiries within Nigeria, under their supervision. They have also provided personnel and facilities to assist in this investigation. The local communities, in the area where it is believed that the boy may have come from, have also assisted, by providing information and forensic evidence to help identify the victim and establish his place of origin. **[167][168]**

## Shari'a Law

**6.23** 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]**

**6.24** 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]**

**6.25** 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]**

**6.26** 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]**

**6.27** 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 Balewa 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]**

**6.28** Some northern states have administered punishments such as amputations and caning. However, different versions of criminal Islamic Shari'a law were in place in 12 northern states. Shari'a courts delivered "hadd" sentences such as amputation for theft, caning for fornication and public drunkenness, and death by stoning for adultery. As no case has reached the Nigerian Federal Court, federal appellate courts have yet to decide whether such punishments represent impermissible "torture or...inhuman or degrading treatment" as defined by the Constitution. In both common law and Shari'a courts, the poor, who are often without legal representation, were more likely to have their sentences carried out immediately. The Government has instituted a panel of legal scholars to draft a uniform Shari'a criminal statute for all northern states to replace divergent Shari'a statutes adopted by the individual states; however, states continued to apply their own individual codes. Convicted Muslims in Shari'a law states have been subjected to public caning for various offences, such as petty theft, public consumption of alcohol, and engaging in prostitution. Caning as a punishment under common law, the Northern Nigerian Penal Code, and Shari'a law has not been challenged in the court system as a violation of the cruel and inhuman punishment clause in the Constitution. **[3]**

**6.29** 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 Hussein Tungar Tudu has attracted national and international attention. She had been convicted of adultery, and was facing the death penalty, but was acquitted in March 2002. **[119][120][121][122][123]**

**6.30** 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, but she is seeking another hearing. **[2]** Ado Baranda, a man convicted of raping a 9 year old girl, was sentenced to death by stoning in Jigawa State, but he is appealing against this sentence. **[2][118][124][125]** Attahiru Umar was sentenced to death by stoning for a homosexual act with a seven-year-old boy in Kebbi State. **[126][127]** In October 2002, Fatima Usman and Ahmadu Ibrahim, were convicted of adultery, and sentenced to death by stoning. Their appeals have yet to be heard. **[2][3]**

**6.31** Non-Muslims are not subject to Shari'a statutes. However, many aspects of the Shari'a code directly affects 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]**

**6.32** 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 Christian Association of Nigeria (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

**6.33** 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. [3]

**6.34** 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

**6.35** 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 2002. 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]

**6.36** Workers have the right to strike; and there were numerous disputes in various industries in 2002. However, certain essential workers are required to provide advance notice of a strike. During the police strike in February 2002, police in 14 states held a 1-day strike to demand payment of one-year's wage arrears. The Government declared that striking police officers would be prosecuted for mutiny. In August 2002 it was reported that 64 officers had been dismissed in Akwa Ibom State for their participation in the strike. On 6 March 2002, the government dismissed Police Inspector General Musiliu Smith, replacing him with Tafa Balogun. The Government pledged to triple the size of the police force and to speed promotions. [3]

**6.37** 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] There were further strikes in the health sector in 2002. [3]

**6.38** 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. [3]

## People Trafficking

**6.39** 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 children 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]

**6.40** 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]

**6.41** A recent widely reported crime has highlighted another, and highly disturbing, aspect of trafficking. In this case, a young boy, who it is believed to have been from the south of Nigeria, would appear to have being trafficked into the United Kingdom, and then ritually murdered. The reason for this murder may have been to obtain body parts for the use in rituals. The British police and their Nigerian colleagues are co-operating to investigate this crime. [167][168]

**6.42** The Nigerian authorities have taken action when suspected cases of child trafficking have occurred. President Obasanjo has 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**

**6.43** 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]

**6.44** Since 2001, an estimated 750,000 people have been displaced because of violence in various areas of Nigeria. Religious, ethnic or tribal differences are often the cause of this violence. This has lead to a cycle of violence as one group seeks to take action against another, often in areas quite distant from that of the original fighting. This can result in one mass displacement of people, being rapidly followed by another into what are seen as safe areas. The Nigerian Government has taken action to assist those displaced, and has tried to mediate between groups in conflict, but the scale of the problem means that it lacks the resources to fully address this. [3][189][190][191]

**6.45** 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**

**6.46** 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. 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 are prominent in the professions and commerce. Ibos have also been prominent in politics, and do not encounter government repression. [1][2][3]

**6.47** 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]

**6.48** 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]

**6.49** 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]

**6.50** 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. [72][75]

**6.51** 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]

**6.52** 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] In March 2003 there were further clashes in both Plateau and Adamawa States between Fulani cattle-herders and local tribes, which has resulted in a number of deaths. [190][191]

**6.53** 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)**

**6.54** 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. The OPC is 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 2002, over their protection of Yoruba neighbourhoods, and other political issues. The OPC continued to function as a vigilante anti-crime force. 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]

**6.55** 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]**

**6.56** 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]**

**6.57** 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]**

**6.58** The OPC appears to be generally able to pursue its political objective without interference from the authorities. However, if any of 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]**

**6.59** 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]** Adams was released on bail, but is now wanted in connection with other offences. **[3]**

**6.60** 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)**

**6.61** 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. **[90][91]**

**6.62** 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]** MASSOB activists continue to be targeted by police, and in March 2003 at least seven were killed at a political rally in Imo State. The police claim that they were attacked, but MASSOB has denied this saying the police's actions were unprovoked. **[3][195]**

### **The Ogoni**

**6.63** 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]

**6.64** 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]

**6.65** 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]

**6.66** 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]

**6.67** 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]

**6.68** 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

**6.69** The situation in the Niger Delta in recent years 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 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]

**6.70** 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]**

**6.71** President Obasanjo has attempted to address the situation in the Niger Delta, and the National Assembly passed the Niger Delta Development Commission Bill to assist the region in July 2000. The Commission has tried to assist with various initiatives in the region, but it has not gained the trust of the local communities. **[102][103]** There is still widespread dissatisfaction within the region, and protests against how the region is managed 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]**

**6.72** 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]**

**6.73** In early 2003 there were clashes between Ijaws, Urhobos and Itsekiris in Warri area. The dispute was ostensibly over electoral boundaries, and hence political representation in the region, after the forthcoming elections. But underlying this is the issue of access to the region's oil wealth. The army and Nigerian naval force have been deployed to the area, but have been accused of being heavy handed in their approach to this conflict. This violence has also resulted in oil production being disrupted, as oil companies have suspended production and evacuated their staff from the areas where clashes have occurred. **[192][193][194]**

## Women

**6.74** 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 under representation 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. 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. **[1][3]**

**6.75** Women are not barred from seeking redress through the courts, although the expense precludes many. 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. **[3]**

**6.76** 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]**

**6.77** 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]**

**6.78** A number of states, including most northern states that have begun the enforcement of Shari'a law, and have begun to enforce existing laws or to introduce new laws to combat prostitution. **[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]**

**6.79** 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]** Large numbers of women and young girls have 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, but it appears that some are aware that this was the purpose for them being trafficked. 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. The Government deprecates this trade, and is looking at ways to prevent it. 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]**

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

**6.80** 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. Communities from all of Nigeria's major ethnic groups and religions practise FGM, although adherence is neither universal nor nation-wide. **[3][162][178]** 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]**

**6.81** 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][178]**

**6.82** 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 Government and NGOs have 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**

**6.83** 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 are often forced into marriage as soon as they reach puberty, regardless of age, in order to prevent the "indecency" associated with premarital sex. **[3]**

**6.84** UNICEF has welcomed a stated intention of the Nigerian House of Representatives to look again at a Child's Rights Bill. This will incorporate the United Nations Convention on the Rights of the Child into domestic law. The Bill had failed in October 2002, despite Government support, because of objections in some quarters to raising the minimum marriage age to 18. **[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 programme only began to address the problem during 2001. In conjunction with the ILO, the Government formulated a national programme 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]

**6.85** The treatment of children detained for a crime was criticised, 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 law 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**

**6.86** 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**

**6.87** 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]

**6.88** 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]

**6.89** 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**

**6.90** 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]

**6.91** 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]

**6.92** 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]

**6.93** 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]

**6.94** 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)**

**6.95** 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.

**6.96** 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** - 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** - 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.

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.

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 Ijajes 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.

Itshekeris 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 Bamaïyi 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 Shir'ia 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.

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 Shia'ra 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.

**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.

**FEBRUARY 2001** - 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.

**OCTOBER 2002** - The International Court of Justice awards the disputed Bakassi peninsula to Cameroon, but Nigeria does not accept this decision.

**NOVEMBER 2002**- Over 200 people die in four days of rioting over controversy surrounding the planned Miss World beauty pageant. Rioting was mostly in Kaduna, and was attributed to Muslim opposition to this event, and an insensitive remark in the publication Thisday. The event is relocated to Britain.

**MARCH 2003** - Rioting in Warri in the Niger Delta

## **ANNEX B: POLITICAL ORGANISATIONS**

As of March 2003 there were 30 registered political parties. The main political organisations are as follows.

### **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. Its leader 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.

### **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.

Three registered parties were able to contest the 1999 election: -

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

Leader Alhaji Yusuf Garbah 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)**

Chair Audu Ogbeh, 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.

## **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. Campaigned for his 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.

## ANNEX D - REFERENCES TO SOURCE MATERIAL

Part I

Part II

## ANNEX D: REFERENCES TO SOURCE MATERIAL

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