

## Nigeria

The ongoing Boko Haram conflict in the northeast, cycles of communal violence between pastoralists and farmers, and separatist protests in the south defined Nigeria's human rights landscape in 2017.

Notably absent for much of the year was President Muhammadu Buhari, who traveled overseas on two extended medical leaves for an undisclosed illness. Vice President Yemi Osinbajo acted as interim president on both occasions.

While the Nigerian army made considerable gains against Boko Haram, the toll of the conflict on civilians continued as the extremist group increasingly resorted to the use of women and children as suicide bombers. Over 180 civilians have been killed in suicide bomb attacks since late 2016, mostly in Maiduguri, the Borno state capital. In August, female suicide bombers killed 13 people and injured 20 others in an attack near a security checkpoint in Borno. Three suicide bombers also killed 27 people and wounded 83 in coordinated attacks at a market and an internally displaced persons (IDP) camp in Maiduguri in August. Bomb attacks in September killed at least 25 IDPs in two camps at Banki and Ngala.

Nigeria's eight-year conflict with Boko Haram has resulted in the deaths of over 20,000 civilians and a large-scale humanitarian crisis. Approximately 2.1 million people have been displaced by the conflict while 7 million need humanitarian assistance; in February the United Nations secretary-general, together with key UN agencies, warned Nigeria was facing famine-like conditions due to insecurity triggered by the war. In June, Nigeria helped Cameroonian authorities unlawfully force almost 1,000 asylum seekers back to Nigeria.

In May, after negotiations brokered by Switzerland and the International Committee for the Red Cross, 82 Chibok schoolgirls were released. Boko Haram fighters had abducted 276 schoolgirls from Chibok, Borno state, in April 2014. More than 100 of the girls and

hundreds other captives, including over 500 children from Damasak, Borno, remained in Boko Haram captivity at time of writing.

### **Abuses by Boko Haram**

Boko Haram retained control over a small portion of Nigerian territory after numerous offensives to dislodge the group by security forces from Nigeria and Cameroon. The extremist group, however, continued its violent campaign in the northeast, particularly in Borno and some parts Yobe and Adamawa states. The group used suicide bombers in markets, universities and displacement camps; ambushed highway convoys; and raided and looted villages.

At least 300 civilians died in the group's attacks in 2017. In perhaps its deadliest 2017 attack, Boko Haram ambushed an oil exploration team from the Nigerian National Petroleum Corporation in July, killing at least 69 people in Magumeri, approximately 30 miles outside Maiduguri.

Boko Haram mostly used women and girls as suicide bombers, forcing them to detonate bombs in urban centers. According to the UN Children's Fund, UNICEF, 83 children were used as suicide bombers since January: 55 girls and 27 boys, one was a baby strapped to a girl. The group abducted 67 women and children in 2017.

On October 9, authorities began closed-door trials in a Kainji Niger state military base of more than 2,300 Boko Haram suspects, some detained since the insurgency's inception in 2009. Concerns about due process and fair hearing heightened when, within four days of trial, 45 of the first batch of 565 defendants were convicted and sentenced to between three to 31 jail terms for undisclosed charges. The court threw out charges against 34, discharged 468, and referred 25 defendants for trial in other courts.

Prior to October, only 13 Boko Haram suspects had faced trial, out of which nine were convicted for alleged involvement in crimes committed by the group.

## **Conduct of Security Forces**

On January 17, the Nigerian air force carried out an airstrike on a settlement for displaced people in Rann, Borno State, killing approximately 234 people according to a local official, including nine aid workers, and injuring 100 more. The military initially claimed the attack was meant to hit Boko Haram fighters they believed were in the area, blaming faulty intelligence. After six months of investigations, authorities said they had mistaken the settlement of displaced people for insurgent forces. At the time, the settlement was run by the military.

In June, a military board of inquiry made up of seven army officers and two lawyers from the National Human Rights Commission concluded that there was no basis to investigate allegations of war crimes committed by senior army officials in the northeast conflict and elsewhere. The allegations they investigated included extrajudicial killings, torture, and arbitrary arrests of thousands.

Authorities have failed to implement a December 2016 court order for the release of Ibrahim El Zakzaky, leader of the Shia Islamic Movement of Nigeria, IMN. Zakzaky and his wife Zeenat, as well as hundreds of IMN members, have been in detention without trial since December 2015, when soldiers killed 347 IMN members in Zaria, Kaduna state.

In August, acting President Osinbajo established a presidential judicial panel to investigate the military's compliance with human rights obligations and rules of engagement. The seven-person panel, which began hearing complaints in September, was set up in response to allegations of war crimes committed by the military across the country, including the December 2015 Shia IMN incident in Zaria, the killing of pro-Biafra protesters in the southeast, and the killing, torture, and enforced disappearance of Boko Haram suspects in the northeast.

## **Inter-Communal Violence**

Violence between nomadic and farming communities spread beyond the north-central region to southern parts of the country in 2017. Hundreds of people were killed, and thousands displaced. In July, two days of clashes between herdsmen and farmers killed over 30 people in Kajuru village, 31 miles outside the city of Kaduna, Kaduna state. A

similar attack in Jos, Plateau State left 19 dead and five injured in September. The governor of Kaduna state called for the intervention of the regional bloc, the Economic Community of West African States (ECOWAS), to end the perennial violence between the two groups.

In April, Nnamdi Kanu, leader of the separatist Indigenous People of Biafra (IPOB) was released from detention on the orders of a court. He was arrested in October 2015 and detained on treason charges. In response to calls for Igbo independence by IPOB, in June a northern-interest pressure group, the Arewa Youth Consultative Forum (AYCF), issued a notice demanding that Igbos leave northern Nigeria before October 1, or face “visible actions.” Following condemnation by various interlocutors, including UN independent experts, the AYCF withdrew the quit notice in late August.

### **Public Sector Corruption**

Corruption continues to plague Nigeria despite the Buhari administration’s increased efforts at reform and oversight. In October, President Buhari sacked Secretary to the Federal Government, Babachir Lawal, on corruption allegations, and National Intelligence Agency head, Ayodele Oke, after the Economic and Financial Crimes Commission (EFCC) found US\$43 million in cash in his apartment. The EFCC accused Diezani Alison-Madeke, the former oil minister, of bribery, fraud, money laundering and misuse of public funds. In August, a court ordered forfeiture to the government of \$44 million worth of property and \$21 million from bank accounts linked to Alison-Madeke.

### **Sexual Orientation and Gender Identity**

The passage of the Same Sex Marriage (Prohibition) Act (SSMPA) in January 2014 effectively authorized abuses against the lesbian, gay, bisexual, and transgender (LGBT) community in 2017. The law has undermined freedom of expression for members of the LGBT community, human rights organizations, and others. In July, authorities arrested over 40 men attending an HIV awareness event at a hotel in Lagos and accused them of performing same-sex acts, a crime that carries up to 14 years in jail. In April, 53 men were arrested for celebrating a gay wedding, and charged with “belonging to a gang of unlawful society.”

In addition to the SSMPA, under the Nigeria Criminal Code Act of 1990, “carnal knowledge of any person against the order of nature” carries a maximum sentence of 14 years in prison. The Sharia penal code adopted by several northern Nigerian states prohibits and punishes sexual relations between persons of the same sex, with the maximum penalty for men being death by stoning, and whipping and/or imprisonment for women.

### **Freedom of Expression, Media, and Association**

Nigerian press, bolstered by strong civil society, remains largely free. Journalists, however, face harassment, and the implementation of a 2015 Cyber Crime Act threatens to curtail freedom of expression.

In January, police arrested two journalists, the publisher and judiciary correspondent of an online publication, Premium Times, in Abuja for articles that allegedly showed “deep hatred for the Nigerian army.” In June, Ibraheema Yakubu, a journalist with the Hausa radio service of the German Deutsche Welle, was arrested and detained while covering a procession by the Muslim Shiites group in Kaduna. He told media that policemen beat and slapped him. In August, police arrested and detained journalist Danjuma Katsina in Katsina state for posting “injurious comments” about a politician on Facebook. The two journalists were released after a day each in detention following the intervention of officials of the Nigerian Union of Journalists.

The director of defense information announced in August that the military would monitor social media for “hate speech, anti-government and anti-security information.” The government also directed the National Broadcasting Commission to sanction any radio or television station that broadcasts hate speech. It threatened to charge people found to spread yet-to-be defined hate speech under the Terrorism Prevention Act.

A “Bill to provide for the Establishment of Non-Governmental Organizations (NGOs),” described by local groups as an attempt to crackdown and monitor NGOs has passed two readings in the House of Representatives.

## **Key International Actors**

International actors, notably the United States and the United Kingdom, have continued their support for the Nigerian government in the fight against Boko Haram, providing military equipment, funding, and humanitarian aid for the crisis in the northeast.

In August, the US finalized the sale of \$593 million-worth of military equipment to Nigeria. The sale, which was initially delayed under the Obama administration because of human rights concerns, included 12 A-29 Super Tucano light attack aircrafts, laser guided rockets, unguided rockets and other equipment. While members of Congress expressed concern about this sale, there was no attempt to block it.

Following an August visit to Nigeria by the UK secretary of state for foreign and commonwealth affairs, the UK pledged \$259 million over five years in an emergency assistance package to provide food, medical treatment, and education assistance in Nigeria's beleaguered northeast.

In February, the UN humanitarian agency OCHA co-hosted a donor conference that raised \$700 million in Oslo, Norway to address the humanitarian crisis in the Lake Chad Basin in the northeast. Despite an August army raid on a UN compound in Maiduguri, allegedly to search for arms, UN relations with Nigeria remain intact.

The Office of the Prosecutor of the International Criminal Court (ICC) continued its preliminary examination into allegations of atrocities committed by all sides in the Boko Haram conflict. The office also has an ongoing analysis of the December 2015 event between soldiers and Shia IMN members.

In May, Nigeria was reviewed by the UN Committee on the Protection of the Rights of All Migrant Workers and Members of their Families, but failed to submit its report to the committee or send a delegation to the review. The committee expressed concerns, including about harassment and exploitation of domestic migrant workers and lack of information on measures taken by Nigeria to ensure non-discrimination for all migrant workers in law and in practice.

When reviewing Nigeria in July, the UN Committee on the Elimination of Discrimination against Women expressed concerns regarding access to justice; female genital mutilation; sexual exploitation in IDP camps; gender based violence, including domestic violence; trafficking for the purpose of sexual and labor exploitation; and continued abduction, rape, and sexual slavery under Boko Haram.

## **Foreign Policy**

Nigeria currently sits on the UN Human Rights Council, as well as the Economic and Social Council. In January, Nigeria's minister of environment Amina Mohammed assumed office as UN deputy secretary-general. In August, government officials joined the UN High Commissioner for Human Rights in the condemnation of ethnic cleansing of Rohingya Muslims in Burma, and called on the UN to invoke the principle of "responsibility to protect" to end the abuse.

Africa has been the focus of Nigeria's foreign policy for many years, but at the African Union 28th Summit in January, the country failed to secure any leadership position in the body. In January, President Buhari played an important role with other ECOWAS leaders in ending Gambia's political crisis.

Nigeria took a stand in support of justice for grave crimes by publicly opposing ICC withdrawal at the African Union's January 2017 summit in Addis Ababa.