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July 15, 2015

President Obama
The White House
1600 Pennsylvania Ave. NW
Washington, DC 20500

Dear President Obama,

We are writing you in regards to your upcoming meeting with President Muhammadu Buhari of Nigeria. The invitation to visit the White House provides an important opportunity to re-evaluate the US-Nigeria partnership following their historic election in March. To that end, we would like to bring to your attention some of the key human rights challenges crucial to the country's overall progress. We hope you will address these issues in your meetings and speak publicly about them.

Violence in the North East and Middle Belt

As you know, the conflict in the northeast between the militant rebel group Boko Haram and Nigeria's security forces has become increasingly deadly and is one of the critical challenges facing Nigeria's new administration. An estimated 8,000 civilians are believed to have been killed since 2010, of which some 400 have died in Nigeria since Buhari's inauguration on May 29. Nearly one million people are displaced. Boko Haram has targeted civilians in Nigeria, Niger, Cameroon, and Chad, abducted hundreds of women and girls, and forcibly conscripted young men and boys, and destroyed villages, towns, and schools. While recent military operations by the Nigerian army and neighboring states has pushed Boko Haram fighters out of dozens of towns and resulted in the rescue of over 700 hostages, the violence persists.

In responding to Boko Haram, Nigerian government security forces have been implicated in grave violations of human rights and international humanitarian law, including incommunicado detention, extrajudicial killings, and enforced disappearances. The Nigerian police are also credibly implicated in several highly publicized extrajudicial killings of Boko Haram members or suspects. While some soldiers have been prosecuted in military tribunals for offences such as cowardice and mutiny, the pervasive culture of impunity means almost no one has been held to account for human rights crimes. Buhari recently ordered the relocation of military command and control from Abuja to Maiduguri,

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the epicenter of the violence, renewed a regional response to the Boko Haram threat and appointed new leadership for the military.

Abusive conduct by security and police forces is not limited to the conflict situation in the north-east. In addition to the Boko Haram attacks, several thousand people – nomadic pastoralists and sedentary farmers – have died in inter-communal violence in the past six years in Nigeria’s volatile “Middle-Belt” region. Many of the victims were killed during cycles of retaliatory attacks based on contestations for livelihoods and political power. Nigerian authorities have rarely prosecuted those responsible and the police and military have sometimes been implicated in abuses.

During his inauguration speech, Buhari said “[w]e shall overhaul the rules of engagement to avoid human rights violations in operations. We shall improve operational and legal mechanisms so that disciplinary steps are taken against proven human rights violations by the Armed Forces.” We urge you to build on this commitment by encouraging the development of clear and public rules of engagement, based on respect for human rights, under which every member of the security forces is expected to operate. We also urge you to press Buhari to immediately suspend any member of Nigeria’s security forces, including senior officers, where there is credible evidence of their involvement in serious human rights abuses, and investigate and prosecute them in accordance with international fair trial standards. As part of his efforts at security sector reform, it is likely Buhari will request increased US and international support for Nigeria’s counter offensive against Boko Haram and for its security and police forces. If security assistance is increased, we urge you to set clear benchmarks that ensure respect for human rights.

Finally, psycho-social care for all victims of the northeast conflict is rightly a priority for your administration. We encourage you to continue your strong support in this area and urge Buhari to develop a detailed plan to ensure the basic rights of all victims, including medical and mental health services, as well as education for school-aged victims in displaced persons camps and host communities.

Corruption and Weak Governance

Corruption and weak governance mean that Nigeria’s tremendous oil wealth, which could have been used to improve the lives of ordinary Nigerians, continues to be squandered and siphoned off by the governing elite, leaving poverty, malnutrition, and mortality rates among the worst in the world. These problems are most acute in the north – the country’s poorest region – but also in the resource rich Niger Delta where widespread poverty and unemployment, exacerbated by environmental degradation and corruption, have created popular unrest and facilitated the growth of extremist groups.

The Economic and Financial Crimes Commission and its public sector counterpart, the Independent Corrupt Practices and Other Related Offences Commission, have failed to effectively tackle high-level corruption and financial crimes in the country. A number of senior state-level officials, including former governors, have recently been arrested and face prosecution for corruption. Buhari will need to go further and match his anti-

corruption rhetoric during the election campaign with a readiness to confront entrenched corruption and lack of transparency in the conduct of government business. This will include addressing recent scandals around unilateral withdrawals and unapproved spending of crude oil earnings by the Nigerian National Petroleum Corporation and the Federal Ministry of Finance as exposed by the office of the Accountant General of the Federation.

To this end, we urge you to press Buhari to fully investigate and prosecute, in accordance with international fair trial standards, all cases of corruption implicating senior political figures and improve the independence of the Economic and Financial Crimes Commission through greater security of tenure for the commission's chairperson. We also hope you will encourage the enactment of federal and state transparency laws that require all members of the National Assembly, federal ministers, the President, and state governmental officials to issue and publicize annual declarations of the total value of all personal assets.

Sexual Orientation and Gender Identity

In a country where LGBT rights were already under threat, the Same-Sex Marriage (Prohibition) Law, which President Goodluck Jonathan ratified in January 2014, has entrenched discrimination even further. The new law criminalizes public displays of affection between same-sex couples and penalizes organizations advocating for the rights of LGBT people. The law could inhibit the right to health by criminalizing outreach to LGBT groups. The vaguely worded law contradicts Nigeria's Constitution, as well as its obligations under regional and international human rights treaties, including the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights. Given the high priority your administration has assigned to LGBT issues, we urge you to call on Buhari to repeal the Same-Sex Marriage (Prohibition) Bill.

Against the odds, Nigeria has succeeded in carrying out mostly peaceful presidential and gubernatorial elections. This outcome is a landmark for Nigeria, but the country faces some very serious economic, social, and security challenges in the coming period. We appreciate the cautious approach your administration took with the previous administration and hope you will continue to call for greater respect for human rights and the rule of law as an essential component of Nigeria's ability to manage these challenges effectively.

Sincerely,

A handwritten signature in black ink, appearing to read 'Kenneth Roth', with a stylized flourish at the end.

Kenneth Roth
Executive Director