

## Nigeria

**Country:**

[Nigeria](#)

**Year:**

2016

**Freedom Status:**

Partly Free

**Political Rights:**

4

**Civil Liberties:**

5

**Aggregate Score:**

48

**Freedom Rating:**

4.5

**Overview:**

After 16 years in power, the Peoples Democratic Party (PDP) lost the 2015 presidential election and its majority in the National Assembly to the opposition All Progressives Congress (APC). The polls, which observers regarded as competitive and generally well conducted, represented a milestone in the country's democratic development, marking the first time that the opposition gained power at the national level through elections. On assuming office in May, President Muhammadu Buhari identified combatting corruption, defeating the militant Islamist group Boko Haram, and boosting the living standards of Nigerians as his main policy priorities.

The new administration implemented reforms to increase the effectiveness of the Nigerian military in its counterinsurgency efforts. By December, the government had recaptured a significant amount of territory, and Buhari announced that the military had "technically" defeated Boko Haram, saying the group could no longer mount full-scale attacks on security forces or population centers. The government's gains were attributed in part to an offensive launched in mid-February by the Multinational Joint Task Force (MNJTF), which includes soldiers from Nigeria, Niger, Cameroon, Chad, and Benin.

Nevertheless, the security situation in northeastern Nigeria remained grave throughout 2015, as Boko Haram carried out guerilla-style attacks and suicide bombings against civilian and government targets. In addition, reports from domestic and international advocacy groups indicated that government forces continued to commit gross human rights violations with impunity, including extrajudicial killings, arbitrary mass arrests, illegal detentions, and torture of civilians.

To fulfill his anticorruption pledges, Buhari initiated a series of reforms, including the reorganization of the notoriously opaque state oil company. Nigeria's main anticorruption agencies launched

investigations into several high-profile politicians, including the Senate president and top officials from former president Goodluck Jonathan's administration.

Nigeria's economy, the largest in Africa, grew by 3.2 percent in 2015, significantly below its average of around 6 percent for the previous decade. The lower growth rate was due in large part to a significant decline in the global price of oil, which accounts for 95 percent of the country's export revenue and as much as 80 percent of government revenue.

**Trend Arrow:**

↑

**Political Rights and Civil Liberties:**

**Political Rights: 23 / 40 (+5) [Key]**

**A. Electoral Process: 9 / 12 (+3)**

The president is elected by popular vote for no more than two four-year terms. Members of the bicameral National Assembly, consisting of the 109-seat Senate and the 360-seat House of Representatives, are elected for four-year terms. While elections that followed Nigeria's return to a multiparty system in 1999 were marred by gross irregularities, the 2011 polls marked the beginning of a departure from this trend.

The March 2015 presidential and legislative elections were regarded as competitive and generally well conducted by local and international observer organizations. Although the voting had been postponed by approximately six weeks, with officials citing insecurity in the northeast, the delay did not adversely affect the integrity of the process. Instead it appeared to have given the Independent National Electoral Commission more time to improve the distribution of permanent voter cards, pilot a new electronic voter-identification system, and fine-tune its election machinery. However, hundreds of thousands of Nigerians were still prevented from voting, either because they were internally displaced by the Boko Haram insurgency, or because they failed to receive their permanent voter cards in time. Election-related deaths were far less numerous than the roughly 1,200 reported during the 2011 election cycle, but more than 160 people were killed in election-related violence between January and April.

Buhari, the APC's candidate, won the presidential contest, defeating Jonathan of the PDP, 54 percent to 45 percent. Jonathan quickly conceded defeat, helping to ensure a peaceful and orderly rotation of power. APC candidates also won a majority in the legislative elections. In the House of Representatives, the APC took 212 of 360 seats, while the PDP won 140, and smaller parties captured the remaining 8. In the Senate, the APC won 60 of 109 seats, while the PDP secured 49. At the state level, the APC captured a majority of the contested governorships.

**B. Political Pluralism and Participation: 10 / 16 (+1)**

Nigeria's multiparty system provides an opportunity for opposition parties to gain power through elections, as demonstrated by the APC's sweeping victory in 2015. Buhari's defeat of Jonathan represented the first time that a sitting Nigerian president was democratically replaced. The vote appeared to reflect the ethnic and religious fault lines of the country, with Buhari, a northern Muslim, winning primarily in the northern states, and Jonathan, a Christian from the southern Niger Delta region, gaining an overwhelming majority in the south. However, Buhari's ability to gain support from many non-northern and non-Muslim voters was a significant factor in his success.

Despite the improved elections and peaceful rotation of power, citizens' political choices remained impaired or undermined to some degree in 2015 by vote buying and intimidation, the influence of powerful domestic and international economic interests on policymaking, and the local domination of either the Nigerian military or Boko Haram militants in regions affected by the insurgency.

In 2014, the 36 state legislatures approved proposed amendments to the 1999 constitution that would allow independent candidacy in Nigerian elections, among other changes. In February 2015, the National Assembly submitted the amendment bill to then president Jonathan, but he did not sign it before leaving office. As of December, Buhari had not assented to the amendment bill, despite overtures from the National Assembly.

### **C. Functioning of Government: 5 / 12 (+1)**

Corruption remains pervasive, particularly in the oil sector. However, the Buhari administration undertook a series of reforms aimed at reducing graft and improving transparency, among them a restructuring of the state-owned Nigerian National Petroleum Corporation. Buhari also assumed ministerial responsibility for the petroleum portfolio, prompting some concern that he aimed to keep Nigeria's oil industry under his personal control.

Separately, corruption charges were brought against several high-ranking politicians in 2015. In September, newly elected Senate president Bukola Saraki was charged by Nigeria's Code of Conduct Tribunal with concealing assets and other offenses allegedly committed during his 2003–11 tenure as governor of Kwara State. At year's end the case had been suspended while Saraki appealed the charges at the Supreme Court. In December, former national security adviser Sambo Dasuki was arrested in connection with claims that \$2.1 billion in federal funds earmarked for the military had gone missing. Dasuki pleaded not guilty to embezzlement charges and alleged that some of the missing funds were used to pay for Jonathan's reelection campaign. Several other officials implicated in the scandal were also arrested, and the case remained open at year's end.

Despite the passage of the 2011 Freedom of Information Act, which guarantees the right to access public records, nongovernmental organizations (NGOs) have criticized government agencies for routinely refusing to release information sought through the law. According to Transparency International's 2015 Corruption Perceptions Index, Nigeria was ranked 136 out of 168 countries and territories surveyed.

### **Discretionary Political Rights Question B: -1 / 0**

Boko Haram has been accused of attempting to alter the religious and ethnic composition of the northeast, particularly in the states of Adamawa, Borno, and Yobe, though in 2015 its operations and control over territory were curtailed by Nigerian and allied regional military forces. The militant group has targeted Christians and moderate Muslims through mass killings, kidnappings, and other human rights abuses; used captive women and children to carry out attacks, including suicide bombings; imposed a crude form of Sharia (Islamic law); and sought to eradicate any sources of secular education. The conflict has killed thousands of people annually in recent years, and the National Emergency Management Agency reported in December 2015 that nearly 2.1 million people were internally displaced in Adamawa, Borno, and Yobe. The Office of the UN High Commissioner for Refugees estimated in July that there were as many as 129,000 Nigerian refugees in Niger, Cameroon, and Chad.

## **Civil Liberties: 25 / 40**

### **D. Freedom of Expression and Belief: 9 / 16**

Freedom of speech, expression, and the press are constitutionally guaranteed. However, these rights are limited by laws on sedition, criminal defamation, and publication of false news. Sharia statutes in 12 northern states impose severe penalties for alleged press offenses. Government officials also restrict press freedom by publicly criticizing, harassing, and arresting journalists, especially when they cover corruption scandals, human rights violations, or separatist and communal violence. In December 2015, the Senate sparked public outrage by proposing a measure, known as the “social media bill,” that would impose a two-year prison term on anyone found guilty of making false statements on electronic media. The bill’s sponsors were pursuing its passage at year’s end, though Buhari indicated that he would veto it should it reach his desk.

The military made a number of attempts to punish critical reporting in 2015. In March, soldiers detained and confiscated the equipment of two Al-Jazeera journalists covering the conflict with Boko Haram in Borno State. The two were released in April after a Lagos-based human rights lawyer filed a suit on their behalf. Local and international journalists also criticized the government and political parties for attempting to restrict the coverage of the 2015 elections. In February, officials with the State Security Service searched the home of a Reuters correspondent, confiscated his equipment, and detained him for several days on suspicion of espionage. Journalists and media entities have also been attacked and intimidated by nonstate actors, including Boko Haram. A reporter for Channels TV was stabbed during a live broadcast at an APC rally in Rivers State in February. An investigation was launched, but no arrests were reported by year’s end. After publishing an article critical of Boko Haram in May, an editor at the independent daily *ThisDay* received death threats via e-mail, apparently from Boko Haram. There were no reports that the government restricted access to the internet in 2015.

Religious freedom is constitutionally and legally protected and is generally respected by the government in practice. Nevertheless, in some instances state and local governments have placed limits on religious activities and endorsed a dominant faith. In June 2015, the Sharia Court of Appeal in Kano State reportedly sentenced nine people to death for making blasphemous statements against the prophet Muhammad. Nonstate actors have also attempted to limit religious freedom. Boko Haram has explicitly targeted Christians and moderate Muslims, and their respective houses of worship. During the month of Ramadan, Boko Haram launched a series of attacks on churches and mosques in Nigeria’s northeastern and so-called Middle Belt states. In July, suspected Boko Haram militants burned 32 churches and killed five people in Borno State, and attacked a crowded mosque in the city of Jos, killing 44 people. Periodic communal clashes between Muslims and Christians have broken out for decades in the states of Kaduna and Plateau, especially around Jos, often killing hundreds of people and displacing thousands at a time.

The federal government generally respects academic freedom. However, some state governments mandate religious instruction in elementary and secondary curriculums, and student admission and faculty hiring policies are subject to political interference. Boko Haram’s assault on secular education has included the destruction of numerous primary, secondary, and tertiary institutions; the intimidation, injury, and killing of schoolchildren and teachers; and the forced closure of schools throughout the northeast. The government has been unable to locate more than 200 girls whom Boko Haram abducted from a school in the town of Chibok in 2014.

The U.S. State Department has received reports of authorities monitoring electronic communications between private citizens, particularly as election campaigning takes place. In February 2015, the APC alleged that the Jonathan administration was hacking the phones of party leaders.

## **E. Associational and Organizational Rights: 7 / 12**

The rights to peaceful assembly and association are constitutionally guaranteed and generally respected. However, federal and state governments frequently ban public events perceived as threatening national security, including those that could incite political, ethnic, or religious tension.

Nigeria has a broad and vibrant civil society. NGOs operating in regions affected by the Boko Haram insurgency experienced difficulties in carrying out their work in 2015. Members of some organizations faced intimidation and physical harm for speaking out against Boko Haram, or encountered obstacles when investigating alleged human rights abuses committed by the military against Boko Haram suspects. Groups operating in the restive Niger Delta region face similar impediments.

Under the constitution, workers have the right to form and join trade unions, engage in collective bargaining, and conduct strikes. Nevertheless, the government forbids strike action in a number of essential services, including public transportation and security.

## **F. Rule of Law: 4 / 16**

Judicial independence is constitutionally and legally enshrined. The judiciary has achieved some degree of independence and professionalism in practice, but political interference, corruption, and a lack of funding, equipment, and training remain important problems. Certain departments, particularly the Court of Appeals, have frequently rejected election challenges or allegations of corruption against powerful elites, raising doubts about their impartiality. In January 2015, the Judiciary Staff Union of Nigeria held a three-week strike, shutting down all state and federal courts to protest the federal government's unwillingness to guarantee the financial independence of the judiciary.

Despite pressure from international human rights groups, torture has yet to be criminalized. There were numerous allegations of torture, extortion, bribe taking, and embezzlement within the police force in 2015. In June, the inspector general of police, in collaboration with an NGO specializing in security-sector reform, launched a social-media platform that allowed citizens to report police abuse and bribe taking.

The military has also been widely criticized for pervasive corruption and human rights abuses. In June 2015, Amnesty International (AI) published a report that called for the investigation of top military commanders for war crimes and crimes against humanity in relation to extrajudicial killings and other abuses, including acts of torture, carried out during counterinsurgency efforts in the northeast. AI alleged that since March 2011, approximately 7,000 men and boys had died in military detention, while between 2013 and 2014 the military and other affiliated groups executed 1,200 people. In December 2015, local and international rights groups condemned the military for allegedly killing scores of Shiite Muslim protesters in Zaria, a major city in Kaduna State. The National Human Rights Commission began an investigation into the incident, which remained open at year's end.

After assuming office, Buhari sought to revive the military's counterinsurgency efforts by replacing the armed forces' leadership, relocating the military command center from Abuja to Maiduguri, and forging closer partnerships with Chad, Niger, and Cameroon to combat Boko Haram and redevelop the affected region. The multinational offensive against Boko Haram that began in February was instrumental in recapturing major towns and other territory from the group, rescuing thousands of civilians and hostages, and inflicting significant losses on the militants themselves. However, Boko

Haram continued to launch deadly attacks against civilian targets in the northeast, and conducted raids and other operations in neighboring countries. In March, Boko Haram leader Abubakar Shekau reportedly pledged the group's allegiance to the Syria-based Islamic State (IS) militant group, and the offer was subsequently accepted, according to an IS spokesperson.

Violent crime in certain areas of Nigeria is a serious problem, as is the trafficking of drugs and small arms. Abductions are common in the Niger Delta and the southeastern states of Abia, Imo, and Anambra. Political figures, the wealthy, and foreigners are most frequently targeted. In September 2015, Olu Falae, a former government minister, was abducted and held for ransom in Ondo State. Police rescued him and later arrested several suspects.

Despite constitutional safeguards against ethnic discrimination, many ethnic minorities experience bias by state governments and other societal groups in areas including employment, education, and housing. The government and society continue to discriminate against LGBT (lesbian, gay, bisexual, and transgender) people. According to a June 2015 report by the rights group PEN Nigeria, the implementation of the 2014 Same Sex Marriage (Prohibition) Act—which imposes sentences of up to 10 years in prison for supporting or publicly expressing same-sex relationships, among other provisions—has substantially restricted freedom of expression and assembly for LGBT Nigerians, and encouraged anti-LGBT violence and discrimination. In northern states, same-sex relationships can be punished by death under Sharia statutes. In January 2015, Sharia police arrested 12 men in Kano State for allegedly being involved in a gay marriage; the men were eventually released.

## **G. Personal Autonomy and Individual Rights: 5 / 16**

Freedom of internal movement and foreign travel are legally guaranteed. However, security officials frequently impose dusk-to-dawn curfews in areas affected by communal violence or the Islamist insurgency.

Nigeria's largely unregulated property rights system hinders citizens and private business from engaging in the efficient and legal purchase or sale of land and other types of property. According to the World Bank's Doing Business Report for 2016, Nigeria ranked 169 out of 189 countries; the country showed improvements in protections for minority investors, but continued to rank near the bottom of the index with respect to property registration, construction permits, and access to electricity.

Women's representation in government worsened following the 2015 elections. Women maintained 8 of 109 Senate seats, but in the House of Representatives women currently hold 18 of 360 seats, compared with 24 following the 2011 elections. Several civil society groups have criticized the Buhari administration for marginalizing women in its ministerial appointments. Of the 37 ministers announced in September, only 6 are women. This amounted to 16 percent female representation in the cabinet, compared with 31 percent in the previous administration.

Many families choose to send sons to school while daughters become street vendors or domestic workers. Women experience discrimination in employment and are often relegated to inferior positions. Gender discrimination is significant in the states governed by Sharia statutes, and this has been exacerbated by the Boko Haram insurgency. Women belonging to certain ethnic groups are often denied equal rights to inherit property due to customary laws and practices. Despite the existence of strict laws against rape, domestic violence, female genital mutilation, and child marriage, these offenses remain widespread, with low rates of reporting and prosecution.

Nigerian organized crime groups are heavily involved in human trafficking. Boko Haram has subjected children to forced labor and sex slavery. Both Boko Haram and a civilian vigilante group

that opposes the militants have forcibly recruited child soldiers, according to the U.S. State Department. In March 2015, then president Jonathan signed the Trafficking in Persons (Prohibition) Enforcement and Administration Act, which imposes stiff penalties for those convicted of human trafficking or the exploitation of children for sex or labor. The law also provides a mechanism for cooperation among government and civil society groups to combat human trafficking.

**Scoring Key: X / Y (Z)**

**X = Score Received**

**Y = Best Possible Score**

**Z = Change from Previous Year**

**Full Methodology**

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