

# Nigeria - Human Rights Scorecard <sup>1</sup>

Nigeria, officially the Federal Republic of Nigeria, is a country situated in West Africa. It contains 36 states and a Federal Capital Territory, where the capital, Abuja, is located.<sup>2</sup> Nigeria gained independence from the United Kingdom in 1960. With about 186 million inhabitants, Nigeria is the most populous country in Africa inhabited by over 500 ethnic groups. Nigeria is currently undergoing a fight against terrorist groups in the country, which have been a major source of instability in the region.

**Official language:** English

**Ethnic groups:** 29% Hausa and Fulani, 21% Yoruba, 18% Igbo, 10% Ijaw, 4% Kanuri, 3.5% Ibibio, 2.5% Tiv

**Government:** Federal presidential republic

- President: Muhammadu Buhari
- Vice President: Yemi Osinbajo

**Death penalty:** Retentionist

**Population:** 186.1 million

**Life expectancy:** 52.4 years

**Under-5 mortality:** 71.2 per 1000

**Adult literacy:** 59.6 percent



## Section 1: Overall Development

The overall development of a country – considering education, health, income, and other factors – is a strong indicator of whether average citizens have a reasonable chance to enjoy social and economic well-being and mobility.

### Human Development (UNDP Human Development Index (HDI)) <sup>3</sup>



#### 0.514 – Low Human Development <sup>4</sup>

According to the UNDP, Nigerians have a gross national income per capita of \$5,341, and could expect to have on average 9.0 years of schooling. However, other countries with comparable gross national incomes per capital tend to have a much higher HDI.

## Section 2: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

### Freedom from arbitrary or unlawful deprivation of life



#### Largely disrespected <sup>5</sup>

There have been reports of government security forces arbitrarily killing protestors. Police, military or other security force personnel generally do not receive punishment for the use of excessive force or for causing the deaths of persons in custody.

### Freedom from disappearance



#### Largely disrespected <sup>6</sup>

There are many reports of forced disappearances of civilians in Nigeria. Boko Haram, a militant Islamist group, continues to carry out large-scale abductions of individuals in the states of Adamawa, Borno, and Yobe.

### Freedom from torture and other cruel, inhuman or degrading treatment or punishment



#### Largely disrespected <sup>7</sup>

The constitution and law prohibit the use of torture. Nonetheless, local NGOs and international human rights groups claim security forces are torturing detainees and subjecting them to inhuman treatment. Police also commit violence against women and girls, often with impunity.

### Freedom from arbitrary arrest or detention



#### Largely disrespected <sup>8</sup>

Although the constitution and law prohibit arbitrary arrest and detention, security forces continue to use these tactics. According to NGO reports and Nigerian media, the military arbitrarily arrested thousands of people during protests against Boko Haram in 2013.

### Freedom from denial of fair public trial



**Largely disrespected**<sup>9</sup>

The judicial branch of government is highly susceptible to influence by the executive and legislative branches and the business sector. In addition, judges often do not appear to trials.

### Freedom from arbitrary interference with privacy, family, home or correspondence



**Largely disrespected**<sup>10</sup>

Contrary to Nigerian law, police conduct illegal searches without warrants and engage in the monitoring of private communications. According to the media and NGOs, security services illegally raid any homes they believe to belong to Boko Haram militants.

## Section 3: Respect for Civil Liberties

*Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.*

### Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)<sup>11</sup>



**Score: 35.90, Rank: 116 / 179 – Highly controlled, limited or intimidated**<sup>12</sup>

Local officials and police threaten and abuse journalists. The targeting of journalists who criticize the government's inability to contain Boko Haram has been an ongoing problem in Nigeria in recent years.

### Freedom from academic censorship



**Respected**<sup>13</sup>

There are no reports of government restriction on academic freedom or cultural events.

### Freedom of peaceful assembly and association



**Largely disrespected**<sup>14</sup>

Although the constitution and law provide for freedom of assembly, the government nonetheless bans certain gatherings based on their political, ethnic or religious nature or the sexual orientation of the individuals. Security forces use excessive force against demonstrators.

### Freedom of religion



**Largely disrespected**<sup>15</sup>

The constitution prohibits religious discrimination. Nonetheless, the federal government fails to prevent or quell religiously motivated violence.

### Freedom of movement



**Partially respected**<sup>16</sup>

Security officials restrict freedom of movement by imposing curfews in certain areas susceptible to terrorist attacks or ethno/religious violence.

### Protection of refugees and stateless persons



**Largely disrespected**<sup>17</sup>

The Nigerian government cooperates with the Office of the UN High Commissioner for Refugees (UNHCR) and has a system for providing protection to refugees. However, refugees have few opportunities for employment and poor access to police and the courts.

### Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)<sup>18 19</sup>



**5/ 7 – Partly free**<sup>20</sup>

Police forces commit human rights violations such as extrajudicial killings and mass arrests in an attempt to fight Boko Haram. Freedom of speech is restricted by government officials who harass and arrests journalists that report on human rights violations and corruption in the country.

## Section 4: Respect for Political Rights

*Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc.*

### Overall protection of political rights (*FreedomHouse Political Rights Index*)<sup>21</sup>



**4 / 7 – Partly free**<sup>22</sup>

Nigeria's multiparty system allows for opposition parties to participate in the political process. However, individuals' political choices are sometimes impaired due to vote buying and intimidation during elections.

## Section 5: Corruption and Lack of Transparency in Government

*The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.*

### Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)<sup>23</sup>



**Score: 26%, Rank: 136 / 168 – Highly corrupt**<sup>24</sup>

Corruption in Nigeria is widespread. Anti-corruption laws have been weakly implemented, according to Transparency International. In addition, government officials often engage in corrupt practices with impunity.

## Section 6: Governmental Response to Criticism

*This section deals specifically with the response heads of state have to civil society or international human rights reports.*

### Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



**Partly Free**<sup>25</sup>

Some domestic and international human rights groups are free to investigate and publish reports on human rights abuses in Nigeria. However, many journalists are arrested for their efforts to expose human rights violations.

## Section 7: Discrimination and Societal Abuses

*Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.*

### Endangered Minorities (*Peoples Under Threat – Minority Rights Group International*)<sup>26</sup>



**Listed – Ibo, Ijaw, Ogoni, Yoruba, Hausa (Muslims), and Christians in the North at risk**<sup>27</sup>

Land disputes, ethnic differences, and religious affiliation are key reasons behind attacks between communities. However, Hausa specifically face discrimination from the local government in land ownership, jobs, access to education, and government representation.

### Rights of women (*World Economic Forum Gender Gap Index*)<sup>28</sup>



**Score: 63.8%, Rank: 125 / 145 – Very unequal rights**<sup>29</sup>

Women in Nigeria are discriminated against under Nigerian law. There are a number of areas, such as education and political empowerment, which are in need of reform.

### Rights of Children (*KidsRights Index Overall Score*)<sup>30</sup>



**Score: 46.7%, Rank: 147 / 165 – Slightly vulnerable**<sup>31</sup>

In Nigeria, children are susceptible to sexual exploitation. In addition, Boko Haram has abducted many children and has forced some of them to carry out attacks and suicide bombing.

### Rights of persons with disabilities



**Largely disrespected**<sup>32</sup>

There are no federal laws that prohibit discrimination against persons with disabilities in employment, education, air travel and other transportation, access to health care, and other state services. Mental health-care services are extremely limited in the country.

## Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



### Largely disrespected<sup>33</sup>

Members of all ethnic groups in Nigeria practice ethnic discrimination, especially through hiring practices in the private sector and the segregation of urban neighbourhoods. Most ethnic groups report being marginalized in terms of political representation or government revenue allocation.

## Freedom from abuse and discrimination based on sexual orientation or gender identity



### Largely disrespected<sup>34 35</sup>

All activities that promote lesbian, gay, bisexual, transgender, and intersex (LGBTI) rights are deemed illegal under the Same Sex Marriage Prohibition Act (SSMPA) enacted in 2014. In addition, same-sex marriages and civil unions may be punishable by up to 14 years' imprisonment.

## Section 7: Workers' Rights

*Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.*

## Rights to freedom of association and to collective bargaining



### Partially respected<sup>36</sup>

Although the law allows for a range of independent union organization, there are limitations that greatly restrict the rights of unions. For instance, a labor union may only be registered if it has at least 50 members and no other labor union exists in that trade or profession.

## Freedom from forced or compulsory labour



### Largely disrespected<sup>37</sup>

The law prohibits most forms of forced or compulsory labor. However, forced labor still remains widespread. Government efforts to eliminate forced labor have been hampered by a lack of resources and jurisdiction problems between state and federal governments.

## Freedom from forced labour for children, and a minimum age of employment



### Partially respected<sup>38</sup>

The minimum age for employment is 12 years. Despite efforts to eliminate child labor, child workers remain inadequately protected by law.

## Right to acceptable conditions of work



### Largely disrespected<sup>39</sup>

The law sets the legal national monthly minimum wage at 18,000 (USD \$90). However, smaller businesses with fewer than 50 employees are not required to respect this law. State governments fail to adequately implement the minimum wage despite many worker protest and strikes.

## Right to employment



### 7.5% - Reasonable unemployment<sup>40</sup>

The unemployment rate in Nigeria has remained constant for the past few years and is expected to remain the same in the near future.

<sup>1</sup> A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

<sup>2</sup> Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International. For death penalty see: "Death sentences and executions in 2013." Amnesty International. March 24, 2014. Accessed January 11, 2017. <https://www.amnesty.org/en/documents/act50/001/2014/en/>.

<sup>3</sup> The UN Development Program HDI was created to emphasize that people and their capabilities should be the ultimate criteria for assessing the development of a country, not economic growth alone. The HDI can also be used to question national policy choices, asking how two countries with the same level of GNI per capita can end up with different human development outcomes. These contrasts can stimulate debate about government policy priorities. The Human Development Index (HDI) is a summary measure of average achievement in key dimensions of human development: a long and healthy life, being knowledgeable and have a decent standard of living. Accessed Jan. 8, 2017 <http://hdr.undp.org/en/composite/HDI>

<sup>4</sup> "Table 1: Human Development Index and its components, Nigeria" UNDP, based on 2014 or the most recent year available. Accessed Jan. 11, 2017.

<http://hdr.undp.org/en/composite/HDI>.

<sup>5</sup> "Country Reports on Human Rights Practices for 2016 Nigeria." U.S Department of State. January 1, 2016. Accessed January 12, 2017.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>6</sup> Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

<sup>7</sup> Ibid. U.S Department of State.

<sup>8</sup> Ibid. U.S Department of State.

<sup>9</sup> Ibid. U.S Department of State.

<sup>10</sup> Ibid. U.S Department of State.

<sup>11</sup> The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (16 countries), Largely free, diverse and independent; 15 – 24.99 (37 countries), Mostly free, diverse and independent; 25 – 29.99 (31 countries), Partially free, diverse and independent; 30 – 39.99 (39 countries), Partially controlled, limited or intimidated; 40 & higher (57 countries), Highly controlled, limited or intimidated.

<sup>12</sup> "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2016. Accessed January 11, 2017. <http://rsf.org/index2014/en-index2014.php>.

<sup>13</sup> "Country Reports on Human Rights Practices for 2015 Nigeria." U.S Department of State. January 1, 2016. Accessed January 11, 2017.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>14</sup> "Nigeria." World Report 2015: Nigeria. January 1, 2016. Accessed January 11, 2017. <http://www.hrw.org/world-report/2016/country-chapters/nigeria>.

<sup>15</sup> "Nigeria." International Religious Freedom Report for 2015. January 1, 2016. Accessed January 11, 2017.

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>.

<sup>16</sup> "Nigeria." World Report 2015: Nigeria. January 1, 2016. Accessed January 11, 2017. <http://www.hrw.org/world-report/2016/country-chapters/nigeria>.

<sup>17</sup> "Nigeria." World Report 2015: Nigeria. January 1, 2016. Accessed January 11, 2017. <http://www.hrw.org/world-report/2016/country-chapters/nigeria>.

<sup>18</sup> Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

<sup>19</sup> Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Jan. 11, 2017

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

<sup>20</sup> "Nigeria." Freedom in the World 2015: Nigeria. January 1, 2016. Accessed January 11, 2017. <https://freedomhouse.org/report/freedom-world/2015/nigeria>

<sup>21</sup> See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Jan. 11, 2017 <https://www.freedomhouse.org/report/freedom-world-2016/methodology#.VldwWzHF98F>

<sup>22</sup> "Nigeria." Freedom in the World 2016: Nigeria. January 1, 2016. Accessed January 11, 2017. <https://freedomhouse.org/report/freedom-world/2016/nigeria-0#.VIHLzGG9e8>.

<sup>23</sup> Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

<sup>24</sup> "Nigeria." Corruption by Country. January 1, 2015. Accessed January 12, 2016. <http://www.transparency.org/country#NGA>.

<sup>25</sup> "Country Reports on Human Rights Practices for 2015 Nigeria." U.S Department of State. January 1, 2016. Accessed January 12, 2017.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>26</sup> The Peoples under Threat assessment by Minority Rights Group International highlights countries most at risk of genocide and mass killing. The ranking is created by compiling data on the known antecedents to genocide or mass political killing. Accessed Jan. 8, 2017 <http://peoplesunderthreat.org/>.

<sup>27</sup> "Nigeria." Peoples under Threat, Minority Rights Group International. 2015, or most recent data. Accessed Jan. 8, 2017. <http://peoplesunderthreat.org/>.

<sup>28</sup> This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

<sup>29</sup> "Nigeria." World Economic Forum. January 1, 2015. Accessed January 12, 2017. <http://reports.weforum.org/global-gender-gap-report-2015/economies/#economy=NGA>.

<sup>30</sup> This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

<sup>31</sup> "The KidsRights Index: Overall Ranking." The KidsRights Index. Accessed January 12, 2017. <http://www.kidsrightsindex.org/>

<sup>32</sup> "Country Reports on Human Rights Practices for 2015 Nigeria." U.S Department of State. January 1, 2016. Accessed January 1, 2017.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>33</sup> Ibid. U.S Department of State.

<sup>34</sup> "ILGA World Map." International Lesbian Gay and Intersex Association. January 1, 2016. Accessed January 12, 2017. <http://ilga.org/>. See also Ibid. U.S Department of State.

<sup>35</sup> ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

<sup>36</sup> "Country Reports on Human Rights Practices for 2016 Nigeria." U.S Department of State. January 1, 2016. Accessed January 12, 2017.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

<sup>37</sup> Ibid. U.S Department of State.

<sup>38</sup> Ibid. U.S Department of State.

<sup>39</sup> Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at

[http://en.wikipedia.org/wiki/List\\_of\\_minimum\\_wages\\_by\\_country](http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country)

<sup>40</sup> "Global Employment Trends." International Labour Organization. January 1, 2015. Accessed January 12, 2017. [http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS\\_233936/lang--en/index.htm](http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm).