



ALL PARTY PARLIAMENTARY GROUP ON NIGERIA



Too Many to Count? Human Rights, Justice and Accountability in Nigeria

**2013 Country Visit Report of the
All Party Parliamentary Group on Nigeria**



CHATHAM HOUSE



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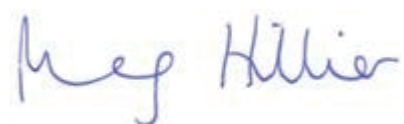
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Meg Hillier MP

Chair, All Party Parliamentary Group on Nigeria

Introduction

In July 2013 the All Party Parliamentary Group (APPG) on Nigeria, an independent, impartial and semi-official cross-party group of UK MPs and peers, undertook its sixth visit to the country. The focus of the APPG's July visit was governance and human rights, with a particular emphasis on women's rights and gender equality. Nigeria plays an influential role internationally as Africa's biggest democracy¹ and second largest economy, and has extensive natural resource wealth. It is therefore central to stability, development and respect for human rights in the region and beyond; it is expected to lead.

The APPG delegation visited Lagos, Port Harcourt and Abuja, and undertook meetings with government officials at the state and federal levels, representatives from the private sector and civil society organisations (CSOs) to discuss a wide range of issues framed within the context of human rights. What became clear during these meetings is that in a complex country with deeply embedded religious, ethnic and cultural differences, formulating and enforcing human rights legislation that all the various groups across its 36 states² are willing to accept and observe poses significant challenges.

The return of democracy in Nigeria in 1999 hailed a new era, and the 2011 elections were widely seen as the country's best, but despite this progress has been slow. At present, 85% of the population live on less than \$2 a day,³ and deeply rooted human rights issues persist. The majority of the population does not have access to basic social services, the security situation in the north is increasingly severe, gender inequality is amongst the worst in the world and implementation of human rights laws is uneven. A strong, stable and prosperous Nigeria, where human rights laws are implemented and respected, will be of benefit not just to the region and the continent, but to the world. These benefits manifest themselves in the potential for trade and investment opportunities, reducing criminality and illegal migration, and, through addressing conflict in the north, providing a stable and safe environment for all Nigerians to prosper.

While the focus of this visit began with women's rights and gender equality, it shifted increasingly to children's rights. Women, and particularly children, constitute the most vulnerable members of society in Nigeria, and the key issue that the APPG found is that ordinary citizens – the poorest and most vulnerable – are not being heard, are not able to

¹ According to the World Bank, Nigeria has a population of 168.8 million, although estimates vary.

² Nigeria currently maintains a 36-state federal structure in addition to the Federal Capital Territory, Abuja and 774 Local Government Areas.

³ The World Bank.

protect themselves and do not effectively 'count' when it comes to governance and human rights.

We hope that this report will improve knowledge and understanding within the UK Parliament of key human rights issues in Nigeria and UK government policy in this area. Such visits are intended to support efforts within Nigeria and from the United Kingdom to improve governance and the human rights context. Our report highlights areas where there is potential to support genuine improvements, with clear opportunities for implementation.

1. Women and Children: Counting the Cost of Marginalisation

Gender Equality and Human Rights

Women in Nigeria are largely denied the possibility of reaching their full potential and of contributing in a significant way to the economy and development of the country.⁴ Gender equality across all the main indicators including economic participation, educational attainment, health and political empowerment remains weak,⁵ and the inequality is compounded by the fact that like the majority of women across Africa, women in Nigeria are faced with double discrimination; they are not only being marginalised because they are women, but because they are poor.

There are very low levels of civic and political participation amongst women in Nigeria; only 7% of members of parliament are female.⁶ Various socio-economic factors prevent women's engagement in the political process. We discussed with UN Women the fact that the electioneering lifestyle places many demands on women, which conflicts with other multiple pressures they find themselves under in society.⁷ Another limiting factor is that running an election campaign is very expensive, and women simply do not have access to the financial resources required. The widespread intimidation of potential political candidates, both male and female, in the country also dissuades many women from entering the political sphere.

There are some exceptions to this status quo, however; the Director of the Directorate for Citizens' Rights at the Lagos State Ministry of Justice noted that Lagos State has high numbers of women in government and that the state's judiciary currently has more women than men – 39 out of 56 Judges are currently women – although it was also indicated that state judges are poorly remunerated, which could be a factor as to why women are over-represented.⁸ There are significant differences between states in terms of women's representation and rights however, and what happens in Lagos, the richest and also one of the most progressive state in Nigeria, is not representative of what is happening in the rest of the country.

⁴ The World Bank estimates that if young Nigerian women had the same employment rates as young Nigerian men, they would add 13.9 billion Naira to annual GDP.

⁵ World Economic Forum Global Gender Gap Report 2012, http://www3.weforum.org/docs/WEF_GenderGap_Report_2012.pdf

⁶ The World Bank, <http://data.worldbank.org/country/nigeria>

⁷ Meeting with UN Women Nigeria, Abuja, Thursday 11th July 2013.

⁸ Meeting with the Director, Directorate for Citizens' Rights, Lagos State Ministry of Justice, Hon. Clara Omotilewa Ibirogba, Lagos, Monday 8th July 2013.



The delegation at the Directorate for Citizens' Rights, Lagos State Ministry of Justice, Lagos

It is widely felt amongst CSOs that political parties need to demonstrate a true commitment to gender equality before any real progress can be made. Recent positive legal developments in this area include the passing of a Bill on the Prohibition of Violence Against Persons, which particularly seeks to address gender-based violence, by the House of Representatives in March 2013.⁹

Organisations such as the Women's Rights' Advancement and Protection Alternative and the Legislative Advocacy Coalition on Violence Against Women lobbied parliament extensively to get the Bill passed, backed up by pan-African advocacy groups, CSOs, faith groups and others. There was also a considerable amount of work involving social media to keep the Bill in the public consciousness in the more than ten years it took to get it passed. Civil society actors noted that the Bill created an important synergy in civil society by encouraging coordinated action through mobilisation at the grassroots level, and through targeted advocacy interventions aimed at the National Assembly, such as email campaigns and direct approaches to members.¹⁰

⁹ The Bill, which had failed to be passed in 2003 and 2011, was passed on its third reading.

¹⁰ Meeting with representatives from human rights and gender-focused organisations, Abuja, Thursday 11th July 2013.

Sensitisation for women is important; many do not know their rights and even educated ones often find it difficult to speak out. This sensitisation needs to include addressing the ‘culture of silence and fear of stigmatisation’¹¹ that exists around certain topics related to women’s rights, such as bigamy and rape, which contributes to many cases of abuses going unreported. It was noted by CSO representatives that ‘When it comes to the real issues of ensuring that rights are respected you are faced with a wall of religion and culture that impedes this.’¹² While there are certain traditions that are clearly detrimental to the statutory rights of women and children, it is unhelpful to view all cultural and religious values through a negative prism. More effective dialogue and cooperation between the public sector and faith- and community-based organisations would enable greater understanding, while accommodating religious and cultural concerns.

Measures established to assist women, such as shelters for those fleeing situations of abuse, often struggle to raise enough funding to remain operational. In addition, the majority of women at shelters end up going back to abusive situations, due to societal pressures. With few opportunities for employment and independence, women find themselves under immense economic pressure to remain in or return to exploitative situations.

The Nigerian government, CSOs and UN agencies are all actively working to build confidence amongst women through various programmes and schemes, but ultimately getting girls into school and keeping them there is the best way to reduce social and economic inequality and address the root cause of most women’s rights issues.

Children’s Rights: Awareness and Enforcement

The issue of children’s rights is one that repeatedly presented itself during this visit. In Nigeria, the UN Convention on the Rights of the Child was ratified in 1989 and later adopted as the Child Rights Act in 2003.¹³ Effective implementation of the Child Rights Act has been a challenge, especially in terms of huge diversity of ethnicity, religion and traditional practices to be found across the country. To date, only 26 out of 36 states have passed the Act into law. It is not being effectively enforced however, and many children remain inadequately protected against a variety of abuses and lack access to education.¹⁴ Nigeria

¹¹ Meeting held under Chatham House Rule, Port Harcourt, Wednesday 10th July 2013.

¹² Meeting with representatives from human rights and gender-focused organisations, Abuja, Thursday 11th July 2013.

¹³ UNICEF, ‘Information Sheet: The Child’s Rights Act’, August 2007.

http://www.unicef.org/wcaro/WCARO_Nigeria_Factsheets_CRA.pdf

¹⁴ According to UNESCO’s ‘Education for All Global Monitoring Report 2012’, Nigeria has the highest number of out-of-school children in the world at 10.5 million

has some of the highest numbers of orphaned and vulnerable children in the world, at approximately 17 million.¹⁵ Sexual violence against girls remains particularly prevalent.

A current issue of contention in Nigeria is that of child marriage. An existing clause in the constitution,¹⁶ which some see as an endorsement of child marriage and some see as discrimination against Muslim women, has brought the issue out in the open and sparked heated, nationwide debate. The clause states that any Nigerian citizen wishing to renounce their citizenship must be of 'full age', i.e. 18 years and above, but further specifies that women are considered to be of full age once married.

There was an outcry amongst Muslims when the Senate advised the removal of the section of the clause that states women are considered to be of full age once married, as it would thereby criminalise a widely accepted practice, mainly in the north, of girls marrying below the age of 18 years. The strongly diverging opinions reflect the fact that the Islamic and customary legal systems, which allow marriage under the age of 18, exist alongside the civil system, which prohibits it.

Child Abuse

Child abuse, specifically sexual abuse that might exist within families, is a highly sensitive and taboo issue. Often when cases of abuse are brought to the attention of the authorities, the latter advise that they are 'family matters' that should be solved internally.¹⁷ Additionally, many families do not welcome the publicity associated with cases such as these, fearing it would damage the reputation of the family and the child involved, and this deters them from pursuing cases to their full conclusion. Many groups the delegation met with, however, expressed the view that rape of young girls takes place more frequently than is reported. One participant explained that charges could often be settled informally, with the perpetrator paying the family a small fee. The delegation found it shocking that a rape charge could be dropped for less than the price of a speeding ticket in the United Kingdom.

The Human Rights Protection Unit of the Lagos Directorate of Citizens Rights informs people how to access their rights and what free legal services are available to them constitutionally.

¹⁵ USAID and Boston University, 'Nigeria Research Situation Analysis on Orphans and Other Vulnerable Children', August 2009. <http://www.bu.edu/cghd/files/2010/02/Nigeria-OVC-Research-Situation-Analysis-Report-FINAL.pdf>

¹⁶ Section 29(4) (a)(b), Chapter III, 'Constitution of the Federal Republic of Nigeria 1999'.

<http://www.nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm>

¹⁷ Meeting held under Chatham House Rule, Port Harcourt, Wednesday 10th July 2013.

The Directorate's 'One Stop Child Justice Centre', a multi-stakeholder outfit,¹⁸ champions the rights of vulnerable children such as victims of sexual abuse, those involved in custody cases, young offenders, street children and orphans by dealing with complaints and intervening when necessary. The Lagos State government has also recently launched a pioneering scheme called 'Yellow Card for Child Abuse'. The card lists, in English and Yoruba, the rights of women and children and options for action to take should those rights be abused, as well as outlining penalties for offenders. The campaign functions as an advocacy exercise for the Child Rights Act in Lagos State, and serves as a good example of a simple, inexpensive model that other states can emulate to enshrine the Child Rights Act in the public imagination.

Access to and quality of education is a significant problem; one expert noted that civil servants often struggle to pay to send their children to school. In rural areas, children – especially girls – are often taken out of school early on, as economic necessity dictates they work to earn money for their families. This begins the cycle of early marriage and early childbirth, which can keep women from reaching their full potential and contributing to society.

Nigeria's population is one of the fastest growing in the world. By 2050, it is expected to reach more than 440 million, and it could begin to rival China's by the end of the century.¹⁹ For this rapidly expanding country to achieve prosperity, stability and competitiveness for future development, child education and protection has to be at the top of the government's agenda, and respect for women's rights is key to protecting children.

Human Trafficking

Nigeria is one of the top source, destination and transit countries for human trafficking, with trafficking of women and children particularly prevalent.²⁰ A host of socio-economic factors, chiefly poverty, exacerbate the incidence of trafficking in Nigeria and in West Africa as a whole, and have led it to become one of the largest forms of organised crime in the region alongside the movement of drugs and weapons.²¹ Within Nigeria, Benin City has historically been a hub for selling women into the sex trade.

¹⁸ The centre works in collaboration with UNICEF, WAPA (Women Affairs and Poverty Alleviation), Social Welfare, SUBEB (State Universal Basic Education Board), the Ministry of Health, the Nigerian Police and other stakeholders involved in child justice.

¹⁹ UN Department of Economic and Social Affairs, 'World Population Prospects: The 2012 Revision'. <http://esa.un.org/wpp/>

²⁰ UK Home Office (2011), 'Human Trafficking: The Government's Strategy', p.5. <https://www.gov.uk/government/publications/human-trafficking-strategy>

²¹ According to the UN Office on Drugs and Crime the estimated value of trafficked women from West Africa to Europe in 2009 was £152–228 million.

Victims of trafficking end up being used for a variety of purposes, including exploitative labour practices such as domestic servitude, sexual abuse and prostitution and, occasionally, *juju* (ritual) killings. Even though national laws state that one cannot engage someone in domestic servitude who is under 18 years of age, the practice is widespread within Nigeria. It is hard to obtain current figures, but an International Labour Organization 'Child Labour Survey' estimated that at least 15 million children were engaged in domestic work in the country in 2003.²² These children end up becoming the most vulnerable to being trafficked abroad at a later stage and also at risk of sexual abuse within the families they work for, a problem that exists, but goes widely un-reported, in the domestic service industry.

Women and children are extremely vulnerable to being trafficked; UNICEF estimates that 200,000 children are trafficked in West Africa every year, both within and across country borders.²³ Often, parents of potential victims are falsely led to believe that their child will have a better life and more opportunities by allowing them to be taken away, or else they are lured by the promise of remittances. Women who are trafficked are often duped into thinking they will be engaged in profitable and legitimate work.

Women being trafficked for sex work come from all over West Africa to either be engaged inside Nigeria or sent abroad. One single victim can pass through as many as six traffickers, who all pay an average of 50-60,000 Euros depending on her age and appearance, making this a highly lucrative trade.²⁴ In a meeting with representatives from the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) the delegation heard that the demand for sex workers in the EU contributes to the trade in people and the problem is not being sufficiently addressed. While this needs to be taken into account, the strongest factors for the continued growth and expansion of the human trafficking trade as a whole stem from the fact that the underlying socio-economic factors that lead to this practice within Nigeria are not yet being adequately addressed.

NAPTIP was set up as an enforcement agency after Nigeria passed the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act in 2003. It works closely with stakeholders such as the ministries of labour and women's affairs, the Nigerian Police, The Serious Organised Crime Agency (now the National Crime Agency) and the British Home Office to investigate incidences of trafficking and help rescue, repatriate and reintegrate victims into society. To date, the agency has cooperated with the United Kingdom on over 15

²² International Labour Organization, 'Child Labour Statistics'. http://www.ilo.org/dyn/clsurvey/lfsurvey.list?p_lang=en

²³ UNICEF, 'Background on Child Trafficking'. <http://www.unicef.org/media/newsnotes/01nn01.htm>

²⁴ Meeting with NAPTIP, Abuja, Thursday 12th July 2013.

cases and has put 199 traffickers behind bars, with sentences ranging from a year to life imprisonment.

NAPTIP faces serious challenges when it comes to prosecutions, however, as many of the families of children who are exploited and exploited women themselves want to preserve their honour. In cases where traditional customs such as *juju* are involved, people are scared to talk openly. As with other issues of abuse of women and girls, there is a culture of silence that impedes frank and open discussion.

International engagement is vital to sustaining NAPTIP's work. International partner institutions such as United Nations Office on Drugs and Crime (UNODC) already work with it to provide support in specific areas such as training and capacity-building for officers. NAPTIP also coordinates its work with international agencies such as the International Labour Organization (ILO) and UNICEF. It requires more support and funding to develop capacity and efficiency, however, as at present its reach fails to extend across the whole of Nigeria. It would also benefit from an increased interaction and support from other government agencies within the country.

2. Justice for All?

Access to justice and legal rights is a crucial element of the human rights agenda. In Nigeria, the ratio of people demanding redress to the rate of violations is very low.²⁵ This can be attributed in part to a lengthy and bureaucratic judicial process that discourages people from pursuing criminal matters to their full conclusion, but also to lack of access to judicial and legal services for a large sector of the population. The police bear a lot of the blame for the slow pace of dispensation of justice. Recently, the Chief Justice of Nigeria stated publicly that there is a widespread practice of security forces arresting and arraigning suspects before having evidence to prosecute them, and that this was one of the reasons for long delays in the country's criminal justice system.²⁶ Many in the security services are doing the best they can, however, while dealing with serious challenges such as low pay, lack of vehicles, petrol and equipment, and staff shortages. In addition, the police are not trained to deal with cases from a human rights perspective.

It was suggested during a meeting with the House Committee on Human Rights that training and placing human rights officers across all police stations and detention centres could help mitigate some of these problems, as would the establishment of a separate desk staffed solely by female officers at every station, so that women felt more comfortable coming forward regarding sensitive issues like rape and domestic abuse.²⁷

Case Study: Voluntary Policing Service

In Lagos, the delegation met with participants of the volunteer policing project at Isokoko police station, an innovative pilot project of the Department for International Development's (DfID) Justice for All Programme. The programme was started in 2010, and seeks to improve personal security and access to justice. Previously in Isokoko, there were high levels of distrust between the community members and police because of issues such as discriminatory service delivery against certain ethnic groups, indiscriminate arrests and human rights abuses. Such was the breakdown in trust and communication that community members formed their own vigilante groups to deal with criminal activity and bypassed the police altogether, a solution that in itself can easily lead to more human rights abuses.

²⁵ Roundtable with representatives from rights-focused organisations, Abuja, 11th July 2013.

²⁶ Ihuoma Chiedozie, 'Police arraign suspects before looking for evidence', *Punch*, 24th September 2013.

<http://www.punchng.com/news/police-arraign-suspects-before-looking-for-evidence-cjn/>

²⁷ Meeting held under Chatham House Rule, Port Harcourt, Wednesday 10th July 2013.

The Isokoko model has formalised these vigilante groups and turned them into a well-trained Volunteer Policing Service (VPS) that works in partnership with the police. The volunteers do not wear uniforms, but carry identity cards and are highly visible, senior and well respected members of the community who act as intermediaries between the public and the police. The VPS holds regular forums to try and deal with matters at the community level, and only if an issue cannot be solved within the forum does it get referred to the police.

Significant changes have also taken place at the level of police service delivery; the Isokoko police 'force' has become now a 'service'. Its members do not carry guns on patrol, and bail payments have been abolished, which has greatly reduced incidences of police officers arresting innocent people to obtain money from bail payments. Isokoko has provided access to lawyers at stations and the police is cooperating with them to ensure that legal aid is accessible in the community. The benefits of people being dealt with more justly at each stage of the criminal justice system reduces costs and resources overall.²⁸

This new increased level of transparency and accountability is not seen as positive by all members of the police service, however. A significant number of officers were not happy with the Justice for All scheme and were transferred to other units or left the force altogether. Of the original 357 officers serving in Isokoko, 56 remain, a low figure considering the station serves a population of around 400,000.²⁹

But as community representatives from the VPS described, the Isokoko community has benefited enormously from the voluntary policing scheme; interactions between state actors, police and community members has improved, there is increased trust at all levels and the crime rate has dropped in the VPS area. In Isokoko, the level of public satisfaction with the police rose from 47% to 63% in 2012, and other specific indicators of police behaviour, such as incidences of bribe-taking, police violence, bullying and abuse, show they are occurring less frequently.³⁰

Extremist Violence

In recent years the threat of terrorism and extremist violence has emerged in parts of northern Nigeria with the rise of Boko Haram, a militant Islamist organisation. The group has killed thousands of people in terrorist attacks since its re-emergence in 2010, mainly in

²⁸ A discussion on Community Engagement between Citizens and Police, DfID South West, Lagos, 8th July 2013.

²⁹ Ibid.

³⁰ UK Department for International Development, 'Justice for All' annual independent perception survey (2011–2012).

north-eastern and north-central states and in and around Abuja. Since 2010, there has been a significant deterioration in the security situation in north-eastern states and Boko Haram has been increasingly aiming at 'soft targets' such as schools and places of worship.³¹ In dealing with this threat, the security forces comprising the Joint Task Force (JTF) have also been implicated in serious human rights abuses, thereby undermining efforts to contain Boko Haram's violent activity.³² According to a report by the National Human Rights Commission, the JTF have allegedly been involved in extra-judicial executions, torture, indeterminate incommunicado detention, rape and disproportionate use of force.³³

Compounding these issues are the vigilante groups in the north-east that have been formed in response to the violence. In an effort to assist the security forces' fight against terrorism and protect their own communities, they engage in activities such as setting up roadblocks and conducting house-to-house searches.³⁴ The role of the vigilante groups is not clearly defined, and they are not accountable to government. Their lack of training and the fact they are badly armed means that their involvement exposes their members to unnecessary dangers. The groups are hard to monitor and act with impunity, and this could in the long term lead to a worsening of violence and human rights abuses.

The rules of engagement between the JTF and the terrorist group are unclear³⁵ and it is hard to get access to data on the rate of success of military interventions on the ground. The government seems to be following a policy of applying military pressure on one hand but not shutting down political dialogue on the other. There has not been, however, at the time of writing, any significant breakthrough in relations with Boko Haram, and it is hard to see whether either side can establish a sufficient consensus to enable a cease-fire or create a substantial decrease in violence. Indeed, even if there was a credible ceasefire with Boko Haram's main faction, there would most likely still be violence from affiliated elements of the organisation.³⁶

Northern Nigeria's social indicators remain some of the worst in the world, and all the issues that fuelled Boko Haram's rise still exist. The widespread poverty, corruption, and human rights abuses that have 'created a fertile ground for violent militancy'³⁷ need to be addressed by Nigeria's federal, state and local governments as a matter of urgency. Further support

³¹ On 6th July 2013 Boko Haram targeted a school in Mamudo, Yobe State, killing 46 students and teachers.

³² Human Rights Watch, 'World Report 2013'. <http://www.hrw.org/world-report/2013/country-chapters/nigeria>

³³ The National Human Rights Commission (2013), 'The Baga Incident and the Situation in North-East Nigeria: An Interim Assessment and Report', p.7. www.nigeriarights.gov.ng/files/download/145

³⁴ Akingbule, Gbenga and Mazen, Maram, 'Vigilantes Armed With Machetes Fight Nigerian Islamists', Bloomberg, 2nd July 2013. <http://www.bloomberg.com/news/2013-07-01/vigilantes-armed-with-machetes-fight-nigerian-islamist-militants.html>

³⁵ National Human Rights Commission. 'The Baga Incident and the Situation in North-East Nigeria'.

³⁶ Meeting held under Chatham House Rule, Abuja, 11th July 2013.

³⁷ Human Rights Watch, 'World Report 2013'.

from the United Kingdom to improve human security would likely be forthcoming with a Nigerian strategy and guidance to follow.

Death Penalty

There has been a long-standing debate over the death penalty in Nigeria. Attitudes vary according to which part of the country one is in, with those in the south-west much more in favour of abolition. But overall it has widespread support.³⁸

Although there has not been a death penalty conviction since 2003, approximately one thousand people are currently on death row in Nigeria.³⁹ In June 2013, the country broke its seven year de facto moratorium on the death penalty by executing four prisoners. The fate of a fifth, awaiting execution by firing squad, is currently unknown. The five death warrants were signed after President Goodluck Jonathan made an announcement on 6th June 2013 that all states should ratify the death penalty. Death warrants must be signed by the state government to be effective, although the government of Edo State, where the most recent executions took place, has denied signing any warrants.

A UN Special Rapporteur has stated that the executions undermined previous trends towards abolition of the death penalty in the country, and were a violation of the International Covenant on Civil and Political Rights to which Nigeria acceded in July 1993.⁴⁰ President Jonathan is facing widespread pressure to halt the executions, including a plea from the African Commission on Human and People's Rights.⁴¹

A key concern is not simply the number of people on death row, but the number of convictions – some of which date back to when the country was under military rule – that have not been through the proper judicial process. Some prisoners have been on death row for over 30 years. It is likely that some – or perhaps many – convictions would be overturned if there was opportunity to appeal, but the largely low quality of legal representation puts people at risk.⁴² According to the House Committee on Human Rights, which began an audit of prisons last year, 80% of people in prisons in Nigeria are awaiting trial.⁴³ In 2012–13, DfID

³⁸ Roundtable with representatives from rights-focused organisations, Abuja, 11th July 2013.

³⁹ Ibid.

⁴⁰ UN News Centre, 'UN expert urges halt to potential execution of Nigerian after death penalty moratorium broken', 26th June 2013. <http://www.un.org/apps/news/story.asp?NewsID=45275&Cr=death+penalty&Cr1=#.Ug-7faiKze5>

⁴¹ Soniyi, Tobi, 'African Commission Urges Jonathan to Rescind Order on Executions', This Day Live, 5th July 2013. <http://www.thisdaylive.com/articles/african-commission-urges-jonathan-to-rescind-order-on-executions/152498/>

⁴² Roundtable with representatives from rights-focused organisations, Abuja, 11th July 2013.

⁴³ Meeting with House Committee on Human Rights at National Assembly, Abuja, 11th July 2013.

funded pro bono legal work for 15 people on death row, which has resulted in eight prisoners having their convictions overturned, and six having their charges completely quashed.⁴⁴

The delegation learnt during a meeting with the House Committee on Human Rights that prisons across the country are in a serious state of disrepair; most were built during colonial times and need significant upgrading. In addition, the Committee advocates increasing the capacity of the judiciary, amending the Prisons Bill, turning some prisons into ‘correctional centres’ and introducing alternative sentencing for certain crimes, such as fines and community service. The Committee emphasised, however, that in a country with such a high crime rate, it was hard to galvanise popular support for improving the prison service.⁴⁵

⁴⁴ Roundtable with representatives from rights-focused organisations, Abuja, 11th July 2013.

⁴⁵ Meeting with House Committee on Human Rights at National Assembly, Abuja, 11th July 2013.

3. Political Rights, Citizens Participation and Governance in the Niger Delta

Establishing Political Agency

The Niger Delta, a densely populated, oil-rich region of Nigeria, spans 70,000 km² and is home to over 30 million people.⁴⁶ The principal economic activities of people in the region are subsistence farming, fishing and trading. Environmental degradation due to urbanisation, industrialisation and deforestation is widespread, affecting air, soil and water quality and severely impacting people's health and livelihoods. The region has also been adversely affected by over 50 years of oil spills and gas flares caused by oil-company equipment failure and human error, as well as the more recent phenomenon of crude oil theft (known as bunkering) and illegal oil refining, although it is hard to obtain precise data on the extent of the resulting contamination.⁴⁷

A Presidential amnesty programme to disarm and rehabilitate ex-militants initiated by President Umaru Yar'Adua in 2009 has been relatively successful in bringing some stability and lowering violence in the region. The amnesty is due to come to an end in 2015, however, and one of the main concerns that arose during the delegation's meetings with CSOs in Rivers State is that the government has not put into place a proper exit strategy.⁴⁸ Thousands of militants who have received a regular monthly stipend over the last few years will now no longer be supported. Adding to this the suggestion that not all arms were handed over at the beginning of the amnesty and that young men use money from illegal oil theft to buy arms⁴⁹ makes the resurgence of violence and instability a very real prospect.

Revenues from the oil industry have made Rivers State the second richest state in the country after Lagos,⁵⁰ but resource wealth has not been translated into better lives for ordinary residents. There is poor overall service delivery and in certain parts of the state, basic public services such as medical facilities do not meet the requirements of the population, by either being too far away to access or sub-standard in quality.

The state government under Governor Rotimi Chibuike Amaechi has made attempts at tackling some of the public service issues, in particular education provision, by building new

⁴⁶ Oshwofasa, Bright et al. (2012), 'Environmental Degradation and Oil Industry Activities in the Niger-Delta Region', *African Journal of Scientific Research*, Vol. 9, No. 1, p.3.

⁴⁷ UN Environment Programme (2011), 'Environmental Assessment of Ogoniland' p. 2.

http://postconflict.unep.ch/publications/OEA/UNEP_OEA.pdf

⁴⁸ Meeting held under Chatham House Rule, Port Harcourt, Tuesday 9th July 2013.

⁴⁹ Ibid.

⁵⁰ Figures obtained from the Central Bank of Nigeria and the World Bank.

schools and offering a scholarship scheme for local students to attend university. The schools are not large enough to cope with demand, however, and some are being extended. It was also suggested by CSOs that the introduction of free education has reduced incidences of child trafficking and servitude in the region, although further evidence is required to qualify this.⁵¹

According to Stakeholder Democracy Network (SDN), human rights abuses remain widespread in the delta, with many of the violations resulting from the state government's programme of forced evictions.⁵² The Collaborative Media Advocacy Platform⁵³ (CMAP) Human City Project focuses on rights-based media advocacy and community mobilisation, with the aim of building a strong civil society and making people aware of their fundamental human rights. An important aspect of CMAP's work is documenting the human rights violations that have occurred as part of the re-development process and providing a space where victims can tell their stories.⁵⁴ The aim is to empower local residents to take ownership of the regeneration and development of the waterfront area, and allow this excluded community to have a voice.



The delegation at the CMAP Media Centre, Okrika Waterfront, Port Harcourt

⁵¹ Meeting held under Chatham House Rule, Port Harcourt, Tuesday 9th July 2013.

⁵² Stakeholder Democracy Network 'The Human City Project'.

⁵³ <http://www.stakeholderdemocracy.org/programmes/urbanisation/projects-6/the-human-city-project.html>

⁵⁴ CMAP is a collaboration between the waterfront communities of Port Harcourt, Amnesty International, Article 25, SDN, Roehampton University, King's College London and the University of Port Harcourt amongst others.

⁵⁴ CMAP, Human City Project Overview, p. 52.

The delegation met with trainees of Chicoco, a community radio station on a visit to CMAP's multimedia space at the Okrika Waterfront in Port Harcourt, who explained their frustrations with the current relationship between waterfront residents and the state government. They said that the government had erroneously designated the waterfront a 'militant' zone and that ordinary citizens were all being lumped into the category of 'criminal', whereas statistically waterfront residents were more likely to be the victims of crimes rather than the perpetrators.⁵⁵ They reported that the only time they saw any interest from government was during voting time, when politicians campaigned with empty promises and often tried to bribe residents for votes. They also noted that they suffered from a serious lack of services, and the nearest healthcare facility was three kilometres away. What the residents of the waterfront want above all is to see government policies that will benefit them. Their message to the government and to the wider world is simply that 'people live here'.⁵⁶

It is hard to get people involved in governance when they feel they do not have any political agency. There are however some examples of areas where there are high political inclusion rates, notably Gokana, a Local Government Area (LGA) in Rivers State. In Gokana, the local government is actively engaging with 18 established community leaders who act as mediators between the community and local government by holding meetings with them every month to assess the needs and priorities of the local population. It is also using its local government budget allocation to establish such community resources as an E-library, which has become a popular and well used resource for local children. Target groups for local government support in Gokana benefit from the provision of a disability allowance to single parents, and women suffering from fistulas. Gokana's effective model of engagement and participation has won it two awards for best performing local government in Rivers State.⁵⁷

What Role for the Private Sector?

Inclusiveness, equity and social justice are common traits of good governance. Current efforts by state governments to enhance political rights, greater citizen participation and more efficient governance, including through effective LGAs, need to be supported and encouraged by domestic and international stakeholders, including CSOs and the private sector, with necessary resources, expertise and feedback. An example of the private sector

⁵⁵ Meeting with Chicoco radio trainees at CMAP, Okrika Waterfront, Port Harcourt, Tuesday 9th July 2013.

⁵⁶ Ibid.

⁵⁷ Meeting held under Chatham House Rule, Abuja, Thursday 11th July 2013.

working with government to provide such support comes from Shell Petroleum Development Company (SPDC).

SPDC spends on average \$250 million dollars per year on community development projects in the Niger Delta region. This includes money that goes to the Niger Delta Development Commission, a federal government agency that collects a percentage of revenue from all oil companies operating in the Delta for community development, and also to communities directly. Since 2006, SPDC has been using the Global Memorandum of Understanding (GMOU) as a way of working with communities. It is a way for SPDC to work more directly with the communities to identify their development needs, and build sustainability in all their interventions, which currently include educational schemes, health schemes and economic empowerment activities.

One such example is the Obio Cottage Hospital Health Care Centre in Port Harcourt, which the delegation had the opportunity to visit. Local communities received seed funding and practical support from SPDC and its partners to set up the health care scheme at the Obio Hospital, a model by which individuals pay a subsidised annual premium of \$25 to receive access to a range of healthcare facilities.⁵⁸ This has made significant changes to the functional capacity of the hospital; doctors and other staff have higher levels of expertise, and the provision of obstetric care has been vastly improved, with the facility becoming a specialist maternal and paediatric healthcare provider.

Previously, Obio used to help two women give birth a month; there are now 250 deliveries a month, with the option to have an elective caesarean. An HIV support group for the prevention of mother-to-child transmission has been established, and there are over 420 members. SPDC helped install solar panels on the roof and the hospital now runs on green energy. The Obio Cottage Hospital Healthcare Scheme meets the needs and desires of a high percentage of the population and has fostered a strong culture of ownership of the facility in the community. It was noted during the visit that despite the annual premium that patients have to pay at Obio, the hospital was significantly more successful than a nearby state-funded free healthcare facility, which was failing.⁵⁹ The state government has expressed an interest in extending the Obio model with its own funds.

⁵⁸ Shell, 'Boosting community health care in Nigeria', <http://www.shell.com/global/environment-society/society/social-investment/Health/healthcare-nigeria.html>

⁵⁹ Visit to Obio Cottage Hospital Health Care Centre, Port Harcourt, Wednesday 10th July 2013.



The delegation meeting with staff members of the Obio Cottage Hospital, Port Harcourt

SPDC's support of the Obio health insurance scheme is an important illustration of the part the private sector can play in interacting with communities, government and professionals to support service delivery. Through thoughtful and targeted interventions, the private sector can support delivery of basic social services, structured in a way that is self-sustaining for communities in the long term. Obio benefits from highly educated health professionals, brought in with support from Shell. The challenge is how well this model could be replicated without this additional input, should it prove too costly for the government to subsidise on a larger scale.

Conclusion

As a highly populous and culturally, religiously and linguistically diverse country with three tiers of government – federal, state and local – Nigeria faces huge governance and democracy challenges. Despite the introduction of important legislation relating to women and children's rights, it is a concern that the rate of implementation of the laws has been slow, and there are low levels of awareness amongst the population. Notwithstanding the complexities of government and cultural diversity, the need to empower women – also as a means to ensure children's rights are respected – should be a priority for Nigeria's government and the country's international stakeholders.

This visit has confirmed some of the concerns raised by APPG members during previous visits with regards to the situation of women and children in Nigeria, namely with reference to trafficking and child abuse. Government agencies such as NAPTIP are actively providing solutions to some of these problems, but its efforts need to be scaled up and supported more effectively, as they are currently only touching on what is a huge problem. The Human Rights Committee made some valuable recommendations in terms of increasing human rights awareness, especially of women's rights, amongst the security services and of increasing judicial capacity. Both entities illustrate the will of the Nigerian government to tackle these issues.

Better support for women to exercise their rights and be protected from abuse is a fundamental building block for Nigeria. For its young population, particularly girls, to progress, they need greater protection and opportunity. With the many challenges facing federal and state government it is important that human rights issues are not considered a lower priority.

The following are the recommendations of the APPG:

1. Initiatives such as the 'Yellow Card for Child Abuse' by the Lagos State Ministry of Justice could be replicated, so that more children – and their parents – are aware of their rights, and abusers are aware of the consequences of their actions.
2. Federal government should provide greater funding to NAPTIP so they can upgrade their capacity, improve level of care in their shelters, prosecute more traffickers and extend their remit across all states.

3. There needs to be more public awareness campaigns on trafficking, not just in Nigeria, but within the diaspora, for example through media outreach by international broadcasters such as 'Ben TV'.
4. Nigeria's Governors' Forum could establish a State Governor's Human Rights Committee that would act as a peer-review mechanism for monitoring the performance of states in human rights practice.
5. Nigeria's police force needs more resources and funding from the government, especially with regards to improving its training and capacity to deal with cases from a human rights perspective. Small-scale initiatives such as DfIDs Justice for All Programme successfully address the deficiencies in the policing service and the issue of vigilantism, and should be replicated by the government where possible, and can be funded through public-private partnerships.
6. Private-sector actors – Nigerian and international – need to continue to work with local communities, while engaging state governments to ensure that successful community development projects, such as the Obio Cottage Hospital Health Insurance Scheme, are sustained or replicated.
7. The government of the United Kingdom, through DfID, should continue to provide support for access to education through its programmes in Nigeria.

Appendices

Appendix I: Itinerary of the Visit to Nigeria

Delegates:

Meg Hillier MP, Member of Parliament for Hackney South & Shoreditch; Nigeria APPG Chair

James Duddridge MP, Member of Parliament for Rochford and Southend East; Nigeria APPG Secretary

Elizabeth Donnelly, Assistant Head of Africa Programme, Chatham House

Moir Welch, Nigeria APPG Coordinator

Sunday 7th July 2013

1135 Depart London Heathrow

1800 Arrive Lagos (BA0075)

1800 – 1930 Travel to Hotel

Monday 8th July 2013

0745 Depart Hotel for Deputy High Commission

0800 – 0900 Briefing at British Deputy High Commission

0900 Depart for ActionAid

1000 – 1100 ActionAid: roundtable with Lagos based human rights organisations

1100 Depart ActionAid

1130 – 1230 Meeting with Directorate for Citizens' Rights, Lagos State Ministry of Justice

1230 Depart Ministry of Justice

1330 – 1430 Lunch

1530 – 1700 A discussion with stakeholders on *Community Engagement between Citizens and Police*, DfID South West Office

1730 Return to hotel

Tuesday 9th July 2013

0700 Depart hotel

0930 Depart Murtala Muhammed Airport, Lagos

1040 Arrive Port Harcourt (Arik Air)

1040 – 1130 Travel to Hotel

1230 – 1400 Meeting held under Chatham House Rule

1400 – 1700 Project visit: *Collaborative Media Advocacy Platform (CMAP) at Waterfront*

1730 Return to hotel

Wednesday 10th July 2013

0730 Checkout and depart hotel for Shell Industrial Area

0800 – 0920 Shell Briefing Meeting

0940 – 1040 Project visit: Obio Cottage Hospital

1200 – 1300	Meeting held under Chatham House Rule
1400 – 1500	Meeting with Governor of Rivers State
1500	Depart for Port Harcourt Airport
1835	Fly to Abuja
1935	Arrive Abuja Nnamdi Azikiwe International Airport (Arik Air)

Thursday 11th July 2013

0800 – 0930	Meeting held under Chatham House Rule
0930	Depart Hotel
1000 – 1100	Meeting held under Chatham House Rule
1130 – 1230	Meeting with NAPTIP (National Agency for the Prevention of Trafficking in People)
1300 – 1400	Lunch with representatives from human rights/gender-focused organisations
1430 – 1530	Meeting with House Committee on Human Rights at National Assembly
1600 – 1700	Meeting with UN Women
1730	Return to hotel

Friday 12th July 2013

0530	Depart hotel for Abuja Nnamdi Azikiwe International Airport
0815	Depart Abuja
1435	Arrive London Heathrow (BA0082)

Appendix II: APPG Membership

Meg Hillier MP	Member of Parliament for Hackney South & Shoreditch; Nigeria APPG Chair	Labour
James Duddridge MP	Member of Parliament for Rochford & Southend; Nigeria APPG Secretary	Conservative
Chi Onwurah MP	Member of Parliament for Newcastle Central; Nigeria APPG Vice-chair	Labour
Richard Fuller MP	Member of Parliament for Bedford; Nigeria APPG Vice-chair	Conservative
Heidi Alexander MP	Member of Parliament for Lewisham East; Nigeria APPG Treasurer	Labour
Diane Abbott MP	Member of Parliament for Hackney North and Stoke Newington	Labour
Lord David Alton	Lord Alton of Liverpool	Cross-bench
Gordon Banks MP	Member of Parliament for Ochil and South Perthshire	Labour
Anne Begg MP	Member of Parliament for Aberdeen South	Labour
Henry Bellingham MP	Member of Parliament for North West Norfolk	Conservative
Elizabeth Berridge	Baroness Berridge of the Vale of Catmose	Conservative
Clive Betts MP	Member of Parliament for Sheffield South East	Labour
Lyn Brown MP	Member of Parliament for West Ham	Labour
Crispin Blunt MP	Member of Parliament for Reigate	Conservative
Sir Peter Bottomley	Member of Parliament for Worthing West	Conservative
Alistair Carmichael MP	Member of Parliament for Orkney and Shetland	Liberal Democrat
James Clappison MP	Member of Parliament for Hertsmere	Conservative
Tom Clarke CBE MP	Member of Parliament for Coatbridge, Chryston and Bellshill	Labour
Geoffrey Clifton-Brown MP	Member of Parliament for The Cotswolds	Conservative
David Davies MP	Member of Parliament for Monmouth	Conservative
Jim Dobbin MP	Member of Parliament for Heywood & Middleton	Labour
Frank Dobson MP	Member of Parliament for	Labour

	Holborn & St Pancras	
Frank Doran MP	Member of Parliament for Aberdeen North	Labour
Nigel Evans MP	Member of Parliament for Ribble Valley	Independent
Helen Goodman MP	Member of Parliament for Bishop Auckland	Labour
Lord Bruce Grocott	The Lord Grocott	Labour
Andrew Gwynne MP	Member of Parliament for Denton and Reddish	Labour
Stephen Hepburn MP	Member of Parliament for Jarrow	Labour
Adam Holloway MP	Member of Parliament for Gravesham	Conservative
Jim Hood MP	Member of Parliament for Lanark and Hamilton East	Labour
Mark Lancaster MP	Member of Parliament for Milton Keynes North	Conservative
John Leech MP	Member of Parliament for Manchester Withington	Liberal Democrat
Ian Liddell-Grainger MP	Member of Parliament for Bridgwater	Conservative
Eric Lubbock	The Lord Avebury	Liberal Democrat
Ian Lucas MP	Member of Parliament for Wrexham; Shadow Minister for Middle East and Africa	Labour
Ann McKeichin MP	Member of Parliament for Glasgow North	Labour
Eric Ollerenshaw OBE MP	Member of Parliament for Lancaster and Fleetwood	Conservative
John Robertson MP	Member of Parliament for Glasgow North West	Labour
Laurence Robertson MP	Member of Parliament for Tewkesbury	Conservative
Jim Sheridan MP	Member of Parliament for Paisley and Renfrewshire North	Labour
Chuka Umunna MP	Member of Parliament for Streatham	Labour
Michael Weir MP	Member of Parliament for Angus	SNP

Appendix III: About the APPG

As an independent, impartial and semi-official cross-party group of MPs and peers, the APPG on Nigeria plays an important calibrating role in Westminster and beyond, to help ensure that Ministers and the UK government as a whole maintain a balanced view of Nigeria. The APPG is interested in diaspora links between the United Kingdom and Nigeria; in business and private sector growth; in issues of conflict and security, human rights, good governance and development. APPG visits are crucial to building British legislative expertise on Nigeria and further strengthening relations with a range of stakeholders important to the British-Nigerian bilateral relationship.



ALL PARTY PARLIAMENTARY GROUP ON NIGERIA

THE ALL-PARTY PARLIAMENTARY GROUP ON NIGERIA

**Chair: Meg Hillier MP
House of Commons
London SW1A 0AA**

Contact: mwelch@chathamhouse.org