



NIGERIA 2012 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Nigeria is a federal republic of 36 states and the Federal Capital Territory (FCT). In April 2011 President Goodluck Jonathan of the ruling Peoples Democratic Party (PDP), who had assumed the presidency in May 2010 following his predecessor's death, won election to a four-year term, along with Vice President Mohammed Namadi Sambo, also of the PDP. International and domestic election observers considered the April 2011 presidential, gubernatorial, and legislative elections to be generally credible, orderly, and a substantial improvement over the flawed 2007 elections. However, there were reports of fraud and irregularities, including vote rigging and buying, underage voting, ballot stuffing, and political violence. Immediately following the presidential election, supporters of the opposition Congress for Progressive Change (CPC) candidate, Muhammadu Buhari, a northern Muslim, challenged the outcome of the election. Postelection violence in protest of Jonathan's victory erupted in the North and in the Middle Belt states, directed towards local grievances and political targets, resulting in loss of lives, property damage, and restrictions on movement. The April 2011 legislative elections produced major changes in the National Assembly, as only an estimated one-third of the incumbents in both houses were reelected, and opposition parties gained many seats. The Supreme Court ultimately upheld the results of the presidential election, while the Court of Appeals upheld the results of most other contests in which challenges occurred. While security forces generally reported to civilian authorities, elements of the security forces periodically acted independently of civilian control.

The most serious human rights problems during the year involved abuses committed by the militant sect "People Committed to the Propagation of the Prophet's Teachings and Jihad" (Hausa: Jama'atu Ahlis Sunna Lidda'awati Wal-Jihad)--better known by its Hausa name Boko Haram ("Western education is anathema")--which conducted killings, bombings, kidnappings, and other attacks throughout the country, resulting in numerous deaths, injuries, and widespread destruction of property; abuses committed by the security services with impunity, including killings, beatings, arbitrary detention, and destruction of property; and societal violence, including ethnic, regional, and religious violence.

Other serious human rights problems included extrajudicial killings by security forces, including summary executions; security force torture, rape, and other cruel, inhuman, or degrading treatment of prisoners, detainees, and criminal suspects;

harsh and life-threatening prison and detention center conditions; arbitrary arrest and detention; prolonged pretrial detention; denial of fair public trial; executive influence on the judiciary; infringements on citizens' privacy rights; restrictions on freedom of speech, press, assembly, religion, and movement; official corruption; violence and discrimination against women; child abuse; female genital mutilation/cutting; the killing of children suspected of witchcraft; child sexual exploitation; ethnic, regional, and religious discrimination; trafficking in persons for the purpose of prostitution and forced labor; discrimination against persons with disabilities; discrimination based on sexual orientation and gender identity; vigilante killings; forced and bonded labor; and child labor.

Impunity remained widespread at all levels of government. The government brought few persons to justice for abuses and corruption. Police and security forces generally operated with impunity. Authorities did not investigate the majority of cases of police abuse or punish perpetrators. Authorities generally did not hold police accountable for the use of excessive or deadly force or for the deaths of persons in custody.

The militant sect Boko Haram perpetrated numerous killings, bomb and suicide bomb attacks, prison breaks, and kidnappings throughout the country. During the year the sect expanded its campaign of assaults and bombings from Borno, Bauchi, and Yobe states to Adamawa, Kano, Kaduna, Kogi, Niger, Plateau, Sokoto, and Taraba states. The sect claimed responsibility for coordinated assaults on multiple targets in Kano on January 20; the suicide bombing of churches in Kaduna and Jos on Easter; the suicide bombings of the *This Day* newspaper offices in Abuja and Kaduna on April 26; the kidnapping and killing of British, Italian, and German hostages; the bombing of multiple churches in Bauchi, Plateau, and Kaduna states in June; prison breaks in Lokoja and Abuja; and the killing of government, religious, and traditional figures throughout the year. Government officials, civil society, and religious leaders on multiple occasions claimed to have initiated a dialogue with Boko Haram, but elements of the sect denied any involvement in such talks.

Most militant groups in the Niger Delta accepted then president Yar'Adua's offer of amnesty in 2009, and the overall level of violence there declined. Kidnappings and piracy in the Gulf of Guinea continued during the year.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents committed numerous arbitrary or unlawful killings.

During the year Joint Task Forces (JTFs), composed of elements of the military, police, and other security services, conducted raids on militant groups and criminal suspects in Adamawa, Bauchi, Borno, Gombe, Kano, Kaduna, Kogi, Niger, Plateau, Sokoto, and Yobe states, resulting in numerous deaths and injuries to alleged criminals, militants, and civilians. According to credible eyewitness accounts, JTF members committed illegal killings during attempts to apprehend members of the extremist group Boko Haram in several states, including Borno, Kano, Kaduna, and Yobe states and surrounding areas. Local nongovernmental organizations (NGOs), international human rights groups, and political and traditional leaders from the affected states accused the security services of indiscriminate and extrajudicial killings, illegal detention, inhumane treatment of detainees, and torture during the year.

On October 9, witnesses in Maiduguri claimed members of the JTF “Restore Order,” based in Maiduguri, went on a killing spree after a suspected Boko Haram bomb killed an officer. Media reported the JTF killed 20 to 45 civilians and razed 50 to 100 houses in the neighborhood. The JTF commander in Maiduguri denied the allegations. On November 2, witnesses claimed the JTF shot and killed up to 40 people during raids in Maiduguri. The army claimed it dismissed some officers from the military as a result of alleged abuses committed in Maiduguri, but there were no known formal prosecutions in Maiduguri by year’s end.

Reports also surfaced during the year that the JTF based in Maiduguri illegally detained and killed suspected members of Boko Haram in the Giwa barracks in Borno State. Former detainees accused security forces of torture and mistreatment, which in some cases led to the death of detainees. Authorities publicly denied the claims, describing them as inaccurate or unbalanced.

During the year both Amnesty International (AI) and Human Rights Watch (HRW) released reports critical of the conduct of security forces in these raids.

In October HRW released the report *Spiraling Violence: Boko Haram Attacks and Security Force Abuses in Nigeria*. The NGO conducted three trips to the country, including to Maiduguri, Kano, Abuja, and Madella, between 2009 and 2012. HRW researchers conducted 135 interviews with 91 human rights activists, government officials, and witnesses of Boko Haram attacks or security force abuses. The report condemned Boko Haram attacks but also criticized the heavy-

handed response of the government. HRW accused the JTF of excessive use of force, physical abuse, secret detentions, extortion, burning of houses and property, theft of money, and extrajudicial killings. HRW estimated the actions of Boko Haram and security forces charged with combating Boko Haram resulted in the death of 2,800 persons since 2009.

In November AI released the report *Nigeria: Trapped in the Cycle of Violence*. AI conducted five trips to the country, including to Abuja and to Kano, Borno, and Bauchi states, from 2010 to 2012. They conducted interviews with witnesses of the violence, the families of victims, human rights activists, and government officials. AI also condemned the actions of Boko Haram and alleged security forces also perpetrated serious human rights violations, including arbitrary detention without trial of Boko Haram suspects, enforced disappearances, and extrajudicial killings. The NGO accused the government of failing to adequately prevent or investigate the attacks, bring perpetrators to justice, or provide prompt or adequate reparation or remedy to victims.

The government criticized the AI and HRW reports as inaccurate and unbalanced and claimed the human rights groups did not contact it for input. Both NGOs claimed they requested meetings with various government offices but did not receive responses from any.

In addition to abuses by extremists and security forces, both reports highlighted how the population's grievances regarding poverty, government and security force corruption, and police impunity and brutality created a fertile ground for recruiting Boko Haram members.

While press articles often contained contradictory and inaccurate information, multiple sources confirmed allegations of abuses.

Credible reports also indicated other uniformed military personnel and paramilitary mobile police carried out summary executions, assaults, torture, and other abuses throughout Bauchi, Borno, Kano, Kaduna, Plateau, and Yobe states (see section 1.g.). The national police, army, and other security forces committed extrajudicial killings and used lethal and excessive force to apprehend criminals and suspects, as well as to disperse protesters. Authorities generally did not hold police accountable for the use of excessive or deadly force or for the deaths of persons in custody. Security forces generally operated with impunity in the illegal apprehension, detention, and sometimes extrajudicial execution of criminal

suspects. The reports of state or federal panels of inquiry investigating suspicious deaths remained unpublished.

On May 16, police and members of the local JTF in Kano reportedly beat and shot to death Gaddafi Salisu Soda as he passed a police station. Neighbors claimed Soda attempted to identify himself to police but they continued to beat him before shooting and killing him. Police announced they had begun an investigation, although there were no developments by year's end. The family tried to sue the police, but on May 24, the court dismissed the suit, ruling it could not enforce fundamental human rights after death. The family instituted a suit against the police, but there were no updates by year's end.

On July 15, soldiers travelling in a convoy through Lagos assaulted Adewale Olupitan-Hassan, cracking his skull. The soldiers claimed Olupitan-Hassan's vehicle hit their vehicle, breaking the side view mirror. After beating him, the soldiers took Olupitan-Hassan to a police station where they made him pay for a new side mirror. On July 29, Olupitan-Hassan died of his injuries. Olupitan-Hassan's family took the police to court. On October 24, the lawyer for the chief of army staff told the court he could not produce the soldiers charged with the assault because they had been transferred to other posts. The judge adjourned the case until November 28, but by year's end there were no updates.

On May 6, the high court in Abuja awarded Eugene Okere 152 million naira (\$974,000) after police shot and killed his wife in January 2011 while she was riding in a cab. Okere had not received payment by year's end from the police and the attorney general, which was attributed by NGOs to a lack of enforcement of court decisions for punitive awards against the police.

The 2010 annual report of the Police Service Commission identified 253 pending disciplinary cases for misconduct by police officers. The report also said the commission had received 91 appeals and petitions during the year.

On January 9, after a lengthy trial, the Borno State government and the federal government and police paid 40 million naira (\$256,000) and 60 million naira (\$384,000), respectively, to the family of Baba Fagu, father-in-law of then-Boko Haram leader Muhammad Yusuf, for Fagu's detention and murder by police in 2009. Buji Fai, a former state government official suspected of funding Boko Haram, also reportedly died in custody along with Fagu.

There were no new developments in the case of five police officers accused of executing Muhammad Yusuf in 2009 at a state police headquarters. In July 2011 authorities arraigned five police officers in the federal high court in Abuja for the murder of Yusuf. The court granted bail to four of the officers, while one remained in custody.

In 2009 AI published *Killing at Will: Extrajudicial Executions and Other Unlawful Killings by the Police in Nigeria*, which documented 39 cases of security force killings and enforced disappearances based on interviews and research conducted between July 2007 and July 2009. According to the report, national police conducted hundreds of extrajudicial executions, other unlawful killings, and enforced disappearances each year. In a country where “bribes guarantee safety,” those who could not afford to pay risked being shot or tortured to death. Authorities did not investigate the majority of cases or punish perpetrators. When investigations occurred, they did not comply with international standards, and officers suspected of extrajudicial executions generally were sent away on training or transferred to other states instead of undergoing prosecution. Police often claimed the victim was an armed robber killed in an exchange of gunfire or a suspect killed while trying to escape custody. AI charged Police Force Order 237, which permits officers to shoot suspects and detainees who attempt to escape or avoid arrest, “lets the police get away with murder.”

Political violence remained an issue in Jos, but the frequency and level of violence lessened during the year in part due to a greater security presence, local efforts to reconcile communities, and the absence of local area government elections that were the root cause of violence in 2008 and 2010. In 2011 President Jonathan announced the government would release a harmonized white paper on the crisis in Jos, but by year’s end the report was not available. Additionally, neither the federal nor the Plateau State government, despite the recommendations of previous reports, had established truth and reconciliation committees by year’s end.

In July the CLEEN Foundation released the results of a national crime and safety survey revealing 31 percent of people claimed to have fallen victim to a crime over the past year. Only 21 percent of these self-reported victims reported those crimes to the police, possibly because 76 percent of respondents believed they would have to pay a bribe to receive services. The report noted that, over the past two years, incidents of robbery had increased 6 percent, while reports of domestic violence had increased 14 percent--possibly due to increased awareness of the crime. Of those who reported crimes, only 48 percent of respondents reported satisfaction with police handling of their case. The survey also suggested corruption,

particularly among police, continued to affect the lives of many persons, and respondents pointed to government insincerity as the most significant obstacle facing the Economic and Financial Crimes Commission (EFCC) and the Independent Corrupt Practices and Other Related Offenses Commission (ICPC), the federal government's two main anticorruption agencies. Respondents listed crime control as the top priority over all others deserving government attention.

Police use of excessive force, including use of live ammunition, to disperse demonstrators resulted in numerous killings during the year. For example, although the January fuel subsidy demonstrations generally remained peaceful, security forces reportedly fired on protesters in various states across the country during those demonstrations, resulting in 10 to 15 deaths and an unknown number of wounded.

Police used gunfire to control or disperse political rallies; although there were no reports during the year of deaths from gunshot wounds at these rallies, the excessive force used occasionally resulted in deaths and injuries from the ensuing stampedes.

In February the newly appointed inspector general of police (IGP) announced the closure of all police checkpoints across the country. The order resulted in a decrease in the number of civilians killed at checkpoints, but violence and lethal force at unauthorized police and military roadblocks and checkpoints continued. According to AI's 2009 report, police often stopped commercial drivers and asked them to pay bribes, the amount of which depended on the weight of the vehicle. Police shot drivers when they refused to pay, when disagreement occurred over the extorted amount, or when it remained unclear whether the drivers had paid. These police practices continued during the year.

On February 8, police at a checkpoint in Onitsha, Anambra State, reportedly shot and killed a bus driver after he argued with them about paying a bribe. The bus conductor claimed the driver offered the men at the checkpoint 20 naira (\$0.13) but the men demanded 50 naira (\$0.32). The driver refused, arguing that his boss had already paid during a previous trip, and proceeded through the checkpoint. Police reportedly followed the bus and shot and killed the driver while injuring some passengers with stray bullets. Police authorities reportedly made arrests, but there was no update on the investigation by year's end.

In January an in-house police trial led to the dismissal of three officers for the "misuse of firearms" that resulted in the shooting death of Victor Emmanuel in

Bayelsa State. Emmanuel had criticized police for extorting money from motorists on the road to his church. A representative for the National Police Force (NPF) stated police filed murder charges against the three officers, but there was no information on a trial by year's end.

Despite some improvements resulting from the closure of police checkpoints in many parts of the country, states with an increased security presence due to the activities of Boko Haram experienced a rise in violence and lethal force at police and military roadblocks.

For example, human rights groups and local leaders in Kano alleged security force harassment, extortion, abuse, beatings, and killings at checkpoints in the city during the months following the January Boko Haram attacks. On April 16, security forces reportedly shot and killed Zaharadeen Musa Mohammed and injured three of the passengers in his car when he approached a checkpoint in Kano.

Security force personnel sometimes shot bystanders indiscriminately or by mistake. For example, on July 29, a naval officer shot and killed six and wounded another 15 people in Ilaje, Ondo State. The victims were part of a group attempting to enter a ceremonial distribution of welfare packages. Eyewitnesses claimed the officer appeared drunk and opened fire after members of the crowd protested not being on the guest list.

Police and military personnel used excessive force to quell civil unrest and interethnic violence, and to deal with property vandalism. For example, on March 28, antiriot police shot a Benue State University student in the chest while trying to disperse protesting students. The students were protesting after a truck driver allegedly struck and killed a university student while driving through campus the previous day. There were no updates on an investigation by year's end.

Boko Haram increased its attacks on police and security forces, banks, bars, restaurants, religious sites, schools, and government buildings in the North and the FCT. Shootings and bombings in Maiduguri, Borno State, occurred on a weekly--and sometimes daily--basis throughout the year. Violence spread to neighboring Adamawa, Bauchi, Kano, Kaduna, Kogi, Niger, Plateau, Taraba, and Yobe states by year's end. Attacks occurred against a newspaper office and a detention facility in Abuja during the year (see section 1.g.).

For example, on July 2, unknown gunmen stormed a workers' compound in Maiduguri, Borno State, and killed nine non-Muslim construction workers. The construction crew had been working on an Islamic Cultural Center adjacent to the Shehu of Borno's central mosque in Maiduguri, Borno State. Boko Haram claimed responsibility for the killings.

b. Disappearance

Continuing abductions of civilians by criminal groups occurred in the Niger Delta and Southeast (see section 1.g.).

Other parts of the country also experienced a significant increase in abductions. Political figures were often targets of abduction, largely due to their status as wealthy figures in the community; rarely did kidnappers announce political motives for the abductions.

On May 30, a court arraigned Osun State PDP Chief Adedotun Adebawale and two others on charges of kidnapping Action Congress of Nigeria (ACN) member James Olusola in January 2011. On September 25, an Osogbo Magistrate Court adjourned the case until October 19. At year's end the case remained open, but the trial had not begun.

Kidnapping for ransom spread to the Southeast, with Abia, Imo, and Anambra experiencing the highest levels of kidnapping. Fear of kidnapping deterred travel to the region by both citizens and foreigners.

In recent years Akwa Ibom, Abia, Anambra, Imo, and Rivers states passed strict antikidnapping laws that prescribe long prison sentences, and sometimes the death penalty, for those found guilty of kidnapping. These laws resulted in few convictions.

Police and other security forces were often implicated in the kidnapping schemes. On April 5, then acting inspector general of police Mohammed Abubakar ordered the arrest of the officer in charge of the Anti-Kidnapping Task Force in Delta State, a chief superintendent of police, and six other officers under suspicion they aided and abetted kidnappers in the state. The IGP also disbanded the task force. Police officials suspected the accused officers had provided information on the movements of prominent people in the state to kidnappers. In June the police service commission returned the head of the task force to his former position, provoking protests from the Delta State Legislature.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the constitution and law prohibit such practices and provide for punishment of such abuses, torture is not criminalized, and security service personnel, including police, military, and State Security Service (SSS) officers, regularly tortured, beat, and abused demonstrators, criminal suspects, detainees, and convicted prisoners. Police mistreated civilians to extort money. The law prohibits the introduction into trials of evidence and confessions obtained through torture; however, police often used torture to extract confessions.

JTF use of excessive force during raids on militant groups and criminal suspects in the Niger Delta and many states in the North resulted in deaths, injuries, mass rape, displacement of civilians, and other abuses (see section 1.g.).

In September the Network on Police Reform in Nigeria (NOPRIN) released the findings of a civil society panel convened in February to explore police reform. The report highlighted an inadequate and outdated NPF mission statement ill-suited for a liberal democratic society; a legal framework that has led to politicization and lack of professionalism in the force; overcentralization of power in the hands of the IGP; a lack of functional specialization among NPF officers; a duplication of policing functions in outside agencies; weak oversight agencies, especially the Police Service Commission; and an ineffectual performance appraisal system. The panel also discovered continued corruption and lack of public confidence in the force; ineffective training and a deficient training infrastructure; insensitivity to crimes against women; and funding problems including low budgetary allocation, incomplete release of budgeted funds, and late release of funds, all of which feed corruption.

In 2010 the Open Society Justice Initiative, together with NOPRIN, released a 138-page report, *Criminal Force: Torture, Abuse, and Extrajudicial Killings by the Nigeria Police Force*, with first-hand reports from investigations at more than 400 police stations. Describing summary executions of suspects, torture as a means of investigation, rape, and extortion, the report claimed the government had acknowledged these problems but had actually allowed the abuse to continue with “a stunning degree of impunity.”

Police commonly used a technique called “parading” of arrestees. Parading involved literally walking arrestees through public spaces, subjecting them to

public ridicule and abuse. Bystanders often hurled taunts, food, and objects. Police defended this practice with the argument that public humiliation helped deter crime. For example, on August 24, the Nigerian Immigration Service (NIS) in Lagos paraded 13 Chinese teenagers (11 females and two males) after authorities arrested them on suspicion of prostitution. An NIS public relations officer noted preliminary investigations revealed the females had been trafficked into Nigeria with the promise of receiving factory jobs.

In July the IGP announced the creation of an e-mail address for citizens to notify the police of police brutality and abuse. During a graduation ceremony of 217 officers from human rights training in March, the keynote speaker noted that, since the creation of human rights desks at police stations, the police had received more than 1,000 cases and dealt with approximately 500. An April statement by NOPRIN claimed the human rights desks had “at best been docile while human rights violations in the force continue unchecked.”

In September the IGP presented a new police code of conduct. The code of conduct introduced a list of values with an emphasis on service to the community, building public trust, and respect for personal rights. The code also laid out the primary responsibilities of a police officer and stressed the need for impartial performance of duties, discretion, reasonable use of force, confidentiality, integrity, cooperation with other agencies, professional development, and ensuring an officer’s private life does not discredit the police force. While the code offered a general statement on the use of force by police, it did not repeal or make any clarifications in regard to Police Order 237.

Police and military use of excessive force in response to violent attacks by Boko Haram resulted in numerous deaths and injuries (see sections 1.a. and 1.g.).

Security forces beat journalists during the year (see section 2.a.).

According to credible reports, during the year security forces committed rape and other forms of sexual violence against women and girls with impunity. In 2010 the Open Society Justice Initiative reported that rape was “a routine but unspoken aspect of policing” and was regarded by police as “one of the fringe benefits attached to night patrol.” This report on corruption within the police force highlighted the rape of arrested prostitutes by police. The report described police officers raping women who could not pay 1,000 naira (\$6.40) for their release. Police allegedly raped women who came to report crimes at police stations. The report also claimed officers, both male and female, sodomized women with bottles

and metal pipes. Also in 2010 HRW released a report detailing widespread police abuse of power, including acts, or threats, of rape or sexual assault, to extort bribes from female detainees or women traveling between road checkpoints. In May the minister of the interior denied allegations some female inmates were impregnated while serving time in prison.

AI reported in 2009 police frequently raped women in detention but victims did not report the abuse because of the social stigma attached to rape and the fact that police officers had committed these crimes.

Varying Sharia (Islamic law) penal codes existed in 12 northern states, and Sharia courts could deliver “hadd” sentences. Such sentences could include, for example, caning for minor offenses such as petty theft, public consumption of alcohol, and prostitution. There were no reported hadd sentences during the year.

Statutory Sharia law mandates state governors either impose a stay or implement sentences, regardless of their origin in Sharia or penal code, including sentences such as amputation or the death penalty. Authorities often did not carry out sentences under Sharia due to the lengthy process for appeals. Because no relevant case had been appealed to the federal level, federal appellate courts had yet to decide whether such punishments violated the constitution. Courts consistently overturned stoning and amputation sentences on procedural or evidentiary grounds, but the sentences had not been challenged on constitutional grounds. Caning is also a punishment under common law in the Northern Region penal code and was not challenged in the courts as a violation of statutory law. In some cases convicted persons paid fines or went to jail instead of being caned. Sharia courts usually carried out caning immediately. The Sharia criminal procedure code allows defendants 30 days to appeal sentences involving mutilation or death. For example, in September 2011 an Islamic court in Zamfara ordered the amputation of the right hands of two suspects found guilty of stealing a bull worth 130,000 naira (\$830). The suspects appealed the case, and their case remained pending at year’s end. Appeals often took months or years to decide. There were no new reported Sharia criminal cases during the year.

Ethnic or communal clashes resulted in deaths and injuries during the year (see section 6, National/Racial/Ethnic Minorities).

Prison and Detention Center Conditions

Prison and detention center conditions remained harsh and life threatening. Prisoners, a majority of whom had not been tried, were subject to gross overcrowding, food shortages, inadequate medical treatment, and infrastructure deficiencies that led to wholly inadequate sanitary conditions. Reports indicated guards and prison officials threatened inmates with extortion or levied fees on them to pay for the maintenance of the prison and subjected them to physical abuse; in some cases female inmates faced the threat of rape. Female prisoners pregnant at the time of incarceration gave birth to and raised their babies in prison.

Domestic and international human rights groups reported the existence of unofficial military prisons, including the Giwa military barracks in Maiduguri, Borno State. HRW and AI cataloged cases of illegal detention, inhumane and degrading treatment, beatings, torture, and extrajudicial killings in these prisons. AI estimated 200 to 500 people were detained at the Giwa barracks. Those interviewed for the reports claimed families and lawyers did not have access to suspects detained in these facilities, and authorities moved detainees frequently and without notice, making it difficult for families or lawyers to locate a detainee. The government claimed Giwa barracks was only used as a military barracks, and did not serve as a detention center. Boko Haram suspects were reportedly held in inhuman conditions at the Special-Anti-Robbery Squad (SARS) detention center, also known as the “abattoir,” in Abuja. On November 26, suspected Boko Haram militants attacked the SARS detention center, freeing an estimated 30 detainees, possibly including Boko Haram members.

Physical Conditions: The prison system included 12 maximum-security prisons, 83 satellite prisons, 10 farm centers, two women’s prisons, eight zonal offices, and six directorates, all of which held prisoners and detainees. The Nigerian Prison Service released statistics at the end of March indicating the prisons held 50,920 inmates. Of that inmate population, slightly less than 2 percent were females and 1 percent juveniles.

Overcrowding was a problem. Although national capacity stood at 47,284, an imbalance in the use of prisons resulted in underutilization at some facilities--some newer prisons had no inmates--while others were at 600 percent of their designed capacity. The Owerri Federal Prison had a capacity of 548 prisoners but held more than 1,784. Ogwuashi-Uku prison in Delta State, with a capacity of 64 prisoners, housed 541, while Port Harcourt prison, with a capacity of 804 prisoners, held 2,955. Ijebi-Ode prison in Lagos, with a capacity of 49 prisoners, held 309.

Most of the country's 234 prisons, built 70 to 80 years earlier, lacked basic facilities. Lack of potable water, inadequate sewage facilities, and severe overcrowding resulted in dangerous and unsanitary conditions. Disease remained pervasive in cramped, poorly ventilated prison facilities, which had chronic shortages of medical supplies. Inadequate medical treatment caused many prisoners to die from treatable illnesses. Prison illnesses included HIV/AIDS, malaria, and tuberculosis. Inmates with these illnesses lived with the general prison population. Although authorities attempted to isolate persons with communicable diseases, facilities often lacked the space to do so. Prison authorities claimed the death rate in prisons was 89 out of 1,500 prisoners per year; no reliable independent statistics existed on the number of prison deaths.

During a June 22 visit to prisons in Enugu State and Owerri, Imo State, an observer noted cells designed for 20 inmates held 80, authorities conducted no routine screening for tuberculosis, other infectious diseases, or pregnancy, and they had not established isolation wards, adequately equipped clinic facilities, or proper sewage disposal systems.

Only those prisoners with money, or whose relatives brought food regularly, had sufficient food; prison officials routinely stole money provided for food for prisoners. Poor inmates often relied on handouts from others to survive. Prison officials, police, and other security force personnel often denied inmates food and medical treatment as punishment or to extort money.

Prisoners with mental disabilities remained incarcerated with the general prison population. Individual prisons made efforts to provide mental health facilities, but most prisons did not provide mental health care.

The federal government operated all the prisons but maintained few pretrial jail facilities. Of the total prison population, 72 percent were pretrial detainees.

Authorities sometimes held female and male prisoners together, especially in rural areas, and prisons had no facilities to care for pregnant women or nursing mothers. Infants born to inmate mothers usually remained with the mother until weaned. Juvenile suspects were often held together with adult prisoners.

Although the law precludes the imprisonment of children, minors, many of whom were born there, lived in the prisons. A report by the African Union on the rights and welfare of the Nigerian child found an estimated 6,000 children lived in

prisons and detention centers. Despite a government order to identify and release such children and their mothers, authorities had not done so by year's end.

Authorities held political prisoners with the general prison population.

Administration: Prison authorities allowed visitors within a scheduled timeframe. However, few visitors came due to lack of family resources and travel distance. Prisoners could attend religious observances, although prisons often did not have equal facilities for Muslim and Christian worship. In some prisons outside clergy constructed chapels or mosques.

The country does not have an ombudsman to serve on behalf of convicted prisoners and detainees in considering such matters as alternatives to incarceration for nonviolent offenders to alleviate overcrowding; the status and circumstances of confinement of juvenile offenders; or improving pretrial detention, bail, or recordkeeping procedures to ensure prisoners do not serve beyond the maximum sentence for the charged offense.

Prisoner complaints centered on lack of access to court proceedings, as in many cases inmates lacked transportation to attend a court hearing. All prisons suffered from poor facilities and lack of resources.

Monitoring: The National Human Rights Commission (NHRC) monitored prisons throughout the year. The commission compiles an annual prison audit but the report for 2012 was not available by year's end. The Federal Ministry of Justice was also known to monitor prisons under the Federal Government Prison Decongestion Program. However, there were no regular outside monitors of the prisons, and no statistics on the mistreatment of prisoners or availability of food or medical care.

The government provided access to prisons for monitoring conditions, although few outside visits occurred. The local Red Cross made attempts to visit prisons but could not maintain a regular visit schedule. Authorities inconsistently maintained records for individual prisoners in paper form but without making them widely accessible.

Improvements: The government did not make widespread improvements to prisons during the year, but individual prison administrations attempted to collect donations from religious organizations, NGOs, and the National Youth Service Corps to benefit inmates. For example, on April 27, Junior Chamber International

Nigeria renovated and donated a five-room housing unit to the Akwa Ibom prison. On May 13, the youth service corps donated a psychology clinic for the rehabilitation and counseling of inmates at the Onitsha prison.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention; however, police and security forces continued to employ these practices. The JTF arbitrarily arrested hundreds of persons during sweeps for militants, and security force personnel made arbitrary arrests during the national elections.

Role of the Police and Security Apparatus

The NPF reports to the inspector general of police, who is appointed by the president and responsible for law enforcement operations. An assistant inspector general commanded each NPF state unit. The constitution prohibits state and local governments from organizing their own police forces; however, state governors may direct federal police for local emergency actions. The SSS remains responsible for internal security and reports to the president through the national security advisor. Due to the police's inability to control societal violence, the government continued to turn to the army in many cases. For example, throughout the year President Jonathan ordered the deployment of military, JTF, or Special Task Force units to Bauchi, Borno, Kano, Kaduna, Plateau, and Yobe states on a continuous basis in response to Boko Haram attacks and after local police could not contain outbreaks of ethnoreligious violence in Jos and Kaduna.

The NPF, SSS, and military reported to civilian authorities; however, these security services periodically acted outside of civilian control. The government lacked effective mechanisms to investigate and punish abuse and corruption. The NPF remained susceptible to corruption, committed human rights abuses, and generally operated with impunity in the apprehension, illegal detention, and sometimes execution of criminal suspects. The SSS also committed human rights abuses, particularly in restricting freedom of speech and press. In some cases private citizens or the government brought charges against perpetrators of human rights abuses in these units. However, most cases lingered in court or went unresolved after an initial investigation.

According to AI's 2009 report, only a fraction of the NPF annual budget reached state and local police stations, and the lack of funding contributed to many police failures. In May and July the new inspector general of police, Mohammed

Abubakar, publicly attributed poor performance and corruption among police to a lack of government support for the personnel, inadequate funding, poor work environment, lack of incentives, and low morale. On August 7, widows of slain police officers protested outside police headquarters in Abuja over the nonpayment of benefits (see section 4).

Arrest Procedures and Treatment While in Detention

Police and security forces have authority to arrest individuals without first obtaining warrants, if they have reasonable suspicion a person committed an offense, a power they often abused. By law police may detain persons for 48 hours before charging them with an offense. The law requires an arresting officer to inform the accused of charges at the time of arrest, transport the accused to a police station for processing within a reasonable time, and allow suspects to obtain counsel and post bail.

Arbitrary Arrest: Police routinely detained suspects without informing them of the charges or allowing access to counsel and family members. Provision of bail often remained arbitrary or subject to extrajudicial influence. Judges often set conditions of bail too stringent to be met. In many areas with no functioning bail system, suspects remained incarcerated indefinitely in investigative detention within the prison system. Authorities kept detainees incommunicado for long periods. Numerous detainees alleged police demanded bribes to take them to court to have their cases heard. If family members wanted to attend a trial, police often demanded additional payment.

Police held persons who happened to be in the vicinity of a crime for interrogation for periods ranging from a few hours to several months. After their release authorities frequently asked them to return for further questioning.

Security force personnel arbitrarily arrested numerous persons during the year. Human rights groups accused the government and security forces of arbitrarily arresting male inhabitants of Maiduguri or family members of suspected militants following Boko Haram attacks. The number of such cases remained unknown, but AI and HRW catalogued examples of such cases throughout the year.

Security forces detained journalists and demonstrators during the year (see sections 2.a. and 2.b.).

Unlike in the previous year, there were few reports EFCC officials singled out political opponents of the governing party in their arrest and detention of state, local, and federal government officials on corruption charges during the year. These allegations tended to rise and fall with election cycles (see section 4).

The rape of women in detention by police remained a problem (see section 1.c.).

On May 8, the chief magistrate's court sitting in Asaba, Delta State, sentenced six men to prison for wearing regalia of the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) and for announcing their membership in the organization. Counsel for the convicted men said they would appeal the judgment. MASSOB petitioned President Jonathan for the release of the six men, who remained jailed at year's end.

Pretrial Detention: Lengthy pretrial detention remained a serious problem, and human rights groups reported detainees awaiting trial constituted 72 percent of the prison population, with some awaiting trial more than 10 years. At year's end 36,934 pretrial detainees were held in the country's prisons, out of a total of 50,920 prisoners. The shortage of trial judges, serious trial backlogs, endemic corruption, and undue political influence continued to hamper the judicial system. Multiple adjournments in some cases resulted in serious delays. Many detainees did not have trials because police had insufficient vehicles to transport them to court on their trial dates.

The NHRC reported some detainees were held because authorities had lost their case files. Some state governments released inmates who were already detained for longer than the potential maximum sentences they would have received if found guilty. Although detainees had the right to submit complaints to the NHRC, the commission had yet to act on any complaint (see section 5). Detainees could try to complain to the courts but often found this approach impossible. Even detainees with legal representation often waited years to gain access to the courts.

In September 2011 the press reported Attorney General and Minister of Justice Mohammed Bello Adoke gave the Prison Decongestion Committee, established in July 2011, 90 days to free inmates who should not have been incarcerated. The nine-member committee, headed by the permanent secretary in the ministry, Alhaji Abdullahi Yola, toured prisons in all 36 states as part of the process. On July 4, the Joint Committee on Judiciary, Human Rights and Legal Matters, Interior and Police Affairs, led by Senator Umaru Dahiru, released a report that stated since 2006 the Federal Government had spent 8.7 billion naira (\$55.8 million) on the

decongestion plan with little to no results. Prison decongestion “contracts” were often awarded to legal groups or professionals who received payment to implement decongestion plans but often did not execute the contract. By year’s end there was no word of the permanent release of any inmates.

In June another committee on prison decongestion established by the acting inspector general of police released 182 suspects on bail and recommended the speedy trial of 601 other detainees.

Amnesty: In August the wife of the Adamawa state governor arranged for the release of 200 pretrial inmates from the Adamawa state prisons. She secured their release to help decongest the prison system. Her NGO, Adilaaku Free Legal Service, paid fines on their behalf totalling 900,000 naira (\$5,770).

e. Denial of Fair Public Trial

Although the constitution and law provide for an independent judiciary, the judicial branch remained susceptible to pressure from the executive and legislative branches and the business sector. Political leaders influenced the judiciary, particularly at the state and local levels. Understaffing, underfunding, inefficiency, and corruption continued to prevent the judiciary from functioning adequately. Judges frequently failed to appear for trials, often because they were pursuing other sources of income and sometimes because of threats against them. In addition court officials often lacked the proper equipment, training, and motivation to perform their duties, with the lack of motivation primarily due to inadequate compensation. During the year Supreme Court judges called for a more independent judiciary.

In August 2011 the National Judicial Council (NJC) recommended to President Jonathan he suspend the president of the Court of Appeals, Justice Ayo Isa Salami, after the latter refused the NJC’s directive to apologize to the NJC and to then chief justice Aloysius Katsina-Alu. Salami had accused Katsina-Alu of interfering in the proceedings of the 2007 Sokoto state gubernatorial court case. In an attempt to settle the dispute, the NJC set up three panels to investigate the disagreement. The panels declared neither justice was at fault, declared the issue resolved, and requested Salami apologize to the NJC and Katsina-Alu. The Nigerian Bar Association reached contrary findings, and Salami refused to apologize. After the NJC suspended Salami, President Jonathan used his constitutional authority to recommend the compulsory retirement of Salami and appointed Justice Dalhatu Adamu as acting president of the Court of Appeals.

On May 10, in response to a petition from an organization called Stakeholders Judicial Reform Committee, the NJC reversed its earlier recommendation and called on the federal government to reinstate Justice Salami. However, since Justice Salami had filed an appeal of his dismissal before the Court of Appeals, the federal government refrained from taking action while the case was pending. On September 5, Appeals Court Justice Hussain Muktar dismissed Justice Salami's appeal without prejudice, ruling Justice Salami had failed to provide sufficient records of the proceedings against him for the court to reach a decision. There was no indication the federal government would take any action to reinstate Justice Salami as long as his appeal was pending. The case raised questions regarding the partisan nature and level of independence within the judiciary. Salami appealed the ruling, and the court case continued at year's end.

The Ministry of Justice implemented strict requirements for education and length of service for judges at the federal and state level; however, no requirements or monitoring bodies existed for judges at the local level, which resulted in corruption and miscarriages of justice in those courts.

Sharia and customary (traditional) courts of appeal function in 12 northern states and the FCT. The constitution also provides the government should establish a federal Sharia court of appeal and a final court of appeal, but authorities had not done so by year's end.

The constitution provides that states may establish courts based on common-law or customary-law systems. The law also provides states may elect to use the Sharia penal code in the courts. While Sharia courts have operated throughout the North for centuries, in 2000 Sharia courts received authority to also hear criminal cases and pass sentences based on the Sharia penal code, which outlines hadd offenses and punishments, including caning, amputation, and death by stoning.

The nature of a case usually determined which court had jurisdiction. The impetus to establish Sharia courts stemmed at least in part from inefficiency, expense, and corruption in the regular court system.

Defendants have the right to challenge the constitutionality of Sharia criminal statutes through the common-law appellate courts; however, no challenges with adequate legal standing reached the common-law appellate system. The highest appellate court for Sharia-based decisions remained the Supreme Court, staffed by

common law judges not required to have any formal training in the Sharia penal code.

Trial Procedures

The constitution provides for public trials in the regular court system and individual rights in criminal and civil cases. The constitution does not provide for juries or the right to access government-held evidence. However, the criminal procedure act provides for this access, and the defendant can apply to access government-held evidence either directly or through a lawyer. Defendants enjoy the right to presumption of innocence, to be informed promptly and in detail of the charges (with free interpretation as necessary), to a fair and public trial without undue delay, to communicate with an attorney of choice (or to have one provided at public expense), to adequate time and facilities to prepare defense, to confront witnesses against them and present witnesses and evidence, not to be compelled to testify or confess guilt, and to appeal. Authorities did not always respect these rights. Although an accused person is entitled to counsel of his choice, no law prevents a trial from going forward without counsel, except for certain offenses for which the penalty is death. The Legal Aid Act provides for the appointment of counsel in such cases and stipulates that a trial should not go forward without it. Defendants were held in prison awaiting trial for well beyond the term allowed in the constitution (see section 1.c.). Human rights groups alleged terror suspects detained by the military were denied their right to access to legal representation, due process, or the opportunity to be heard by a judicial authority.

In both common law and customary courts (including Sharia), indigent persons without representation were more likely to have their sentences carried out immediately, although all convicted persons have the right to appeal. The federal government instituted a panel of legal scholars in 2003 to draft a uniform Sharia penal code to replace divergent Sharia codes adopted by northern states; however, the panel did not produce a report, and states continued to apply their individual codes.

No legal provisions in common law barred women or other groups from testifying in civil or criminal proceedings or gave their testimony less weight, but the testimony of women and non-Muslims usually was accorded less weight in Sharia courts. Some qadis (Sharia court judges) allowed separate evidentiary requirements to prove adultery or fornication for male and female defendants. For women, pregnancy represented permissible evidence in some Sharia courts. In contrast, men could be convicted only if they confess or there is eyewitness

testimony. Sharia courts provided women with certain benefits, including increased access to divorce, child custody, and alimony. It remained significantly easier, faster, and cheaper to get an audience in a Sharia court than in a common law court.

Military courts tried only military personnel.

Members of the military who serve in the army, navy, or air force under the Armed Forces Act are subject to that act regarding civil and criminal matters. Charges against members of the security forces accepted by a higher military authority are subject to trial by a four-member court-martial. The law provides for internal appeals before military councils, with a final appeal to the civilian Court of Appeals. Members of the armed forces charged with crimes committed while performing their duties during active service are liable to court-martial under the Armed Forces Act and not civilian criminal law.

On January 30, a Lagos High Court sentenced Major Hamza Al-Mustapha, who had been held since 1998, to death by hanging for the 1996 murder of Alhaja Kudirat Abiola, wife of former president-elect Chief Moshood Kashimawo Olawale Abiola. Al-Mustapha's attorneys announced they would file an appeal, but the appeal had not been heard by the court by year's end. Authorities had arrested him on treason charges for, among other allegations, the assassination attempts on former president Olusegun Obasanjo and prominent prodemocracy activists. In 2010 the judge acquitted Al-Mustapha of the treason charges but continued to pursue charges for his alleged role in the killing of Abiola. During examination by the prosecution, Al-Mustapha claimed his confession of involvement in the death of Abiola was made under duress and therefore remained inadmissible as evidence. The judge rejected the motion, and the court case continued.

Political Prisoners and Detainees

There were no reports of new political prisoners or detainees; however, persons arrested in previous years for alleged treason remained in detention at year's end.

Civil Judicial Procedures and Remedies

The constitution and law provide for an independent judiciary in civil matters. The executive, the legislature, and business interests, however, exerted undue influence and pressure in civil cases. Official corruption and lack of will to implement court

decisions also interfered with due process. The law provides for access to the courts for redress of grievances, and courts can award damages and issue injunctions to stop or prevent a human rights violation. However, the decisions of civil courts were difficult to enforce.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The law prohibits such actions, but authorities infringed on these rights during the year, and police entered homes without warrants. Human rights groups and the media reported security forces raided homes without warrants while searching for suspected Boko Haram militants. In some instances this occurred immediately following a bombing or attack by suspected militants. In others the security forces conducted searches and seizures during planned sweeps through neighborhoods in which they suspected Boko Haram militants resided. During the year the government did not punish family members for alleged offenses committed by individuals. However, reports indicated security forces arrested and detained the family members of suspected Boko Haram militants.

In Abuja the Federal Capital Development Authority continued to threaten eviction of residents in communities not deemed in compliance with the Abuja city plan. The FCT government typically claimed demolished homes, businesses, or churches lacked proper permits, even if owners were able to produce paperwork indicating the structures were built legally. No transparent legal process existed for deciding which homes would be demolished, and persons who lost homes lacked recourse to appeal and received no compensation. Many observers viewed the demolitions as motivated primarily by corruption and discrimination based on socioeconomic class, since mostly lower- and middle-class persons lost their homes and property. Once vacated, authorities sold these properties to wealthy persons with connections to government officials.

On August 16, the FCT Administration (FCTA) destroyed a series of shops in “illegal” settlements in the Abuja satellite town of Mpape. FCTA officials had previously announced an August 31 date for the demolitions. Attorney General Mohammed Bello Adoke delivered a letter to the FCTA requesting authorities halt the demolitions pending resolution of a suit on the matter by the FCT High Court. The FCTA argued the communities presented security and health risks, but many civil society groups and residents suspected Abuja property development interests had provided the real reason behind the demolitions. The FCTA did not continue with further demolitions by year’s end.

Between June 27 and July 2, the Rivers State government demolished houses in the Abonnema Wharf area in Port Harcourt. AI estimated that 10,000 to 20,000 people were forced out of their homes, many without any notice of the impending demolitions. Local civil society groups and AI contended that authorities did not offer most residents alternative housing or emergency shelter.

On July 16, Lagos State government authorities, in cooperation with the Nigeria Police Force, began demolishing dwellings in the waterfront community of Makoko, rendering upwards of several thousand people homeless. Police shot and killed one community leader during the course of the demolitions. After residents and civil society groups complained and international media brought heightened attention to the demolitions, government authorities halted the clearance of Makoko. In November and December, Makoko community leaders received conflicting signals from the Lagos State government; the Lagos Ministry of Physical Planning expressed interest in helping residents improve infrastructure in Makoko, while the Lagos Taskforce on Environment and Special Offences stated its intention to proceed with the clearance of the community. The issue was not resolved by year's end.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

The JTF committed numerous killings during the year. The government claimed these JTF members faced disciplinary charges, but there were no reported cases in which a JTF member faced a discharge or criminal charges. The JTF allegedly committed numerous killings in Bauchi, Borno, Kano, and Yobe states after attacks by Boko Haram.

Security forces used excessive force in the pursuit of Boko Haram suspects, often resulting in arbitrary arrest, detention, torture, or extrajudicial killing of civilians. For example, on March 9, members of the JTF shot and killed Ali Muhammad Sadiq while he and others sought shelter in the service pit of a gasoline station in Kano following an earlier Boko Haram attack on a police station in the city.

The Niger Delta region is home to a large oil industry that has a maximum production capacity of approximately 2.5 million barrels of crude oil per day. However, during the year, floods, oil theft, and pipeline sabotage lowered production to approximately 2.2 million barrels a day. From 2006 to 2009, militant groups used violence, including kidnapping oil company workers, as part of a campaign to demand greater control of the region's resources. In June 2009 the government announced a general and unconditional amnesty for militants in the

Niger Delta, and almost all major militant leaders accepted the offer by the October 2009 deadline. Although the amnesty led to a sharp decline in attacks by militants, kidnapping for ransom, armed robberies, gang wars, and fighting connected to the theft of crude oil, known as illegal oil bunkering, continued and contributed to the region's general insecurity and lack of economic vitality.

By year's end 26,368 former militants had benefitted in some way from the amnesty program. Many former militants received vocational training and stipends. At year's end 5,280 former militants were undergoing vocational training, with 1,538 attending courses abroad. The amnesty program resulted in a sharp decline in militant violence in the region. Some observers expressed concern, however, the militants used amnesty payments to purchase more arms.

The government's amnesty program reduced the level of conflict for much of the year. Disagreements arose between former militants and the government concerning who qualified for the amnesty program, the amount of cash payments, the availability of vocational training, and continued possession of arms by former militants. On multiple occasions groups claiming to be former militants protested to the federal government over treatment of former militants. For example, on July 30, hundreds of former militants staged a mass protest in Benin City, Edo State, demanding payment of their allowance. On August 22, a group claiming to be former militants protested outside the Federal Secretariat in Abuja demanding to be included in a new phase of the amnesty program. There was widespread suspicion many of those demanding inclusion in the program were probably not militants.

Criminal gangs, called "cults" in some parts of the region, copied the methods of more sophisticated militants to amass wealth and power. In a recent trend, kidnappers targeted businessmen, doctors, teachers, religious leaders, foreign residents, and others. Gangs extended their reach beyond the Niger Delta states, where they originated as politically sponsored thugs to intimidate opponents and aid election rigging. Kidnappings committed primarily for ransom increased throughout the country, including in the North (see section 6). In recent years power struggles between gangs resulted in extensive property damage and hundreds of deaths, including of civilian bystanders.

Killings: On July 27, suspected pirates off the coast of Bayelsa State attacked an Agip (Eni) oil boat, killing at least one employee and possibly others working on the boat.

On November 26, dozens of gunmen attacked the police SARS detention center on the outskirts of Abuja in the Federal Capital Territory, killing two policemen and aiding the escape of at least 30 detainees, including many suspected Boko Haram members. Boko Haram splinter group Jama'atu Ansarul Muslimina Fi Biladis Sudan (Ansaru) later claimed responsibility for the attack in an e-mail to media outlets. The group claimed the aim of the attack was to free Muslims captured "by the Nigerian security or by the Christians in Plateau State."

Boko Haram committed drive-by shootings and bombings; targeted killings of security personnel, local officials, religious leaders, and political figures; bombed churches; threatened, attacked, and bombed media outlets; coordinated attacks on police stations, military facilities, prisons, and banks; and conducted suicide bombings during the year, which resulted in the deaths of hundreds of persons. The rate of violent deaths at the hands of Boko Haram increased during the year to record levels.

On January 20, Boko Haram militants launched a coordinated assault on police stations and other government offices in Kano. The attackers employed assault rifles, car bombs, and other explosives in the attacks. The attacks killed between 150 and 200 persons, many of whom were civilians.

On April 8, a Boko Haram suicide bomber attacked a church in Kaduna during Easter services, leaving 25 to 40 dead and many more wounded.

On April 26, a Boko Haram suicide bomber attacked the *This Day* newspaper office in Abuja, killing seven people and injuring numerous others. A Boko Haram spokesman claimed the group targeted the newspaper because *This Day* defamed the Prophet Muhammad during a 2002 beauty pageant in Kaduna. The spokesman also threatened other news outlets.

In June Boko Haram suicide bombers attacked churches in Zaria, Kaduna State; Jos, Plateau State; and Bauchi State. The June 17 bombing of three churches in Kaduna State resulted in 20 to 50 killed and many more wounded. The attack sparked Christian reprisal attacks against Muslims in the surrounding areas, which resulted in up to another 50 deaths. A Boko Haram spokesman had announced that the group would make June the bloodiest month yet after a March statement by President Jonathan that Boko Haram would be gone by June.

On July 13, a 15-year-old suspected Boko Haram militant wearing a suicide vest detonated a bomb at the Central Mosque of Maiduguri. The bomber killed five

people but missed his presumed targets: Shehu of Borno Abubakar Garbai El-Kanemi and Borno State Deputy Governor Zannah Umar Mustapha. Similar attacks by suspected Boko Haram militants on the Emir of Fika Mohammed Abali Ibn Idrissa on August 3 and Islamic cleric Sheikh Ahmed Gumi on August 14 were also unsuccessful but resulted in fatalities of bystanders and security personnel.

Abductions: Government authorities responded to kidnappings in the Niger Delta by deploying the JTF, which reportedly used excessive force and engaged criminals in gun battles.

During the year criminals continued to kidnap the relatives (usually children or parents) of prominent politicians for ransom or to force payment for services such as protection details and voter intimidation during elections.

An increasing number of kidnappings had links with terrorism. For example, on December 19, 30 gunmen in Katsina State stormed the residence of a French engineer who worked for energy firm Vergnet. The gunmen killed one security guard and a neighbor during the attack. On December 23, the radical Islamist group Ansaru announced it had kidnapped the French citizen over proposed French military action in Mali against Islamist groups and the French ban on the full face veil known as the niqab. Ansaru continued holding the French hostage at year's end.

On January 26, gunmen kidnapped a German engineer at a road construction site outside Kano. On June 1, the captors shot and killed the hostage during a JTF raid on the house where he was held. Al-Qaeda in the Islamic Mahgreb claimed responsibility for his kidnapping and murder. A JTF spokesman claimed security forces did not know the German was in the building and that the operation was not a rescue operation but was intended to kill or capture a terrorist leader thought to be residing in the area.

Physical Abuse, Punishment, and Torture: During the year youths under the age of 18 took part in Boko Haram attacks. Reports suggested boys as young as 11 were paid to fight for Boko Haram, plant bombs, and serve as suicide bombers.

Witnesses of the June 17 suicide bombing of the Shalom Church in Kaduna described the suicide bomber as "young."

Also see the Department of State's annual *Trafficking in Persons Report* at www.state.gov/j/tip.

Other Conflict-related Abuses: Human rights groups and the media reported cases of security forces raping women while conducting raids to discover Boko Haram suspects. Both the AI and HRW cataloged accounts from witnesses who claimed they witnessed security forces raping women during raids. The groups also collected such accusations directly from women who alleged security force members had raped them while conducting operations.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

Although the constitution and law provide for freedom of speech, including for members of the press, the government sometimes restricted these rights in practice. Security forces beat, detained, and harassed journalists, sometimes for reporting on sensitive issues such as political corruption and security. Journalists were killed in the field while reporting stories. Journalists practiced self-censorship, and local NGOs claimed newspaper editors and owners did not report some killings and other human rights abuses, due in part to intimidation by security forces. Militant groups such as Boko Haram threatened, attacked, and killed journalists in connection with their reporting of the sect's activities (see section 1.g.).

Freedom of Speech: The constitution entitles every individual to “freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.” Federal and state governments generally respected this right; however, there were reported cases in which the government abridged the right to speech and other expression.

For example, on October 24, police in Bauchi State arraigned civil servant Abbas Ahmed Faggo before a court for allegedly defaming the character of Governor Isa Yuguda. The state attorney general and commissioner of justice requested the police investigate claims that, on September 4, Ahmed posted messages on his Facebook account accusing the governor of spending public funds on his son's wedding. On November 4, the court discharged Faggo, but media reported the state government fired him later that month.

Freedom of Press: On May 1, Freedom House released its annual survey of media independence, *Freedom of the Press 2012*, which described the press in Nigeria as “partly free.” A large and vibrant private domestic press frequently criticized the government. Because newspapers and television were relatively expensive and

literacy levels low, radio remained the most important medium of mass communication and information.

Violence and Harassment: Security forces beat, detained, and harassed journalists. On numerous occasions security forces and police arrested and detained journalists who criticized the government. Reporting on matters such as political corruption and security issues proved to be particularly sensitive.

On December 24, security forces without warrants raided the homes and offices of editor Musa Muhammad Awwal and reporter Aliyu Saleh of the Hausa-language weekly newspaper *Al-Mizan*. Security forces confiscated their laptops, cell phones, and detained the pair and their wives. On January 1, security forces released them but did not return their equipment. Human rights activists believed they were detained on account of an *Al-Mizan* front page story that alleged security forces were involved in the extrajudicial killing of suspected Boko Haram militants, although they were never given an official reason for their detention.

On August 9, staff of Lagos State University Teaching Hospital's mortuary beat a photojournalist, Benedict Uwalaka, from Leadership Newspapers for taking photographs of corpses from the DANA airlines crash while the bodies were being released to family members. Security and the public watched but did nothing to stop the attack. The Nigeria Union of Journalists and the Media Rights Agenda threatened to sue the hospital for the brutal assault. Police arrested the attackers two days later on the order of the Lagos State governor, while the Lagos State command commissioner of police, Umar Manko, began a formal investigation into the case. On August 31, one of the assailants was officially arraigned in court on a two-count charge of assault and destruction of Uwalaka's camera. The suspect pled not guilty on both counts, and a court date was set for February 2013.

Politicians and political parties harassed and attacked journalists perceived as reporting on them or their interests in a negative manner. During local and state elections, journalists were intimidated or attacked for covering certain election-related events.

For example, on January 5, thugs, reportedly hired by Governor Kwankwaso, attacked the Kano *Daily Trust* office.

On January 20, Henry Ibya sued Benue State Governor Gabriel Suswam and the commissioner of police over illegal detention and harassment from December 21, 2011, into January, after he had filed a story about the governor's wife. The police

had detained Ibya's wife and his father to force him to appear after he went into hiding.

On February 1, a gang attacked a group of six journalists covering elections in Sokoto.

Journalists received death threats during the year (see section 2.a., Nongovernmental Impact).

Journalists were killed while reporting stories. On January 20, unknown gunmen killed Channels TV reporter Enenche Akogwu while he was reporting on the Boko Haram attacks and bombings in Kano that day.

Other journalists were also killed during the year, but the motives could not be linked to their status as journalists: on January 20, Highland FM journalist Nansoh Silas was found with a wound to the head in Jos; on April 15, gunmen killed Independent Television cameraman Chuks Ogu in Benin City, Edo State; on May 15, gunmen conducting a robbery killed Federal Radio Corporation of Nigeria (Bronze FM) reporter Sashua Edeghagba in Benin City.

On July 25, unknown gunmen shot and wounded *Daily Sun* editor Steve Nwosu in Lagos.

Journalists also were at risk of abduction. For example, on June 6, assailants dragged editor of Imo Broadcasting Corporation Chief Ndubuizu Ugorji out of his car and abducted him. Ugorji was released less than a week later. It was not clear if the abductors were motivated by his status as a journalist.

Censorship or Content Restrictions: Journalists practiced self-censorship. Local NGOs claimed security forces intimidated newspaper editors and owners, which led them to censor some reports of killings and other human rights abuses.

The law requires local television stations to limit programming from other countries to 40 percent and restricts foreign content of satellite broadcasting to 20 percent. The 2004 National Broadcasting Commission's (NBC) prohibition of live broadcasts of foreign news and programs remained in force but did not apply to international cable or satellite services. The Voice of America was not allowed to broadcast programs through local affiliate stations, as in other countries in the region.

The government controlled much of the electronic media through the NBC, which was responsible for monitoring and regulating broadcast media.

Radio stations remained susceptible to political censorship and attacks by political groups. For example, in January some media figures alleged the NBC warned radio stations not to broadcast stories about the fuel subsidy protests.

Libel Laws/National Security: Libel is a civil offense and requires defendants to prove the truth of opinion or value judgment contained in news reports or commentaries, or pay penalties. This limited the circumstances in which media defendants could rely on the defense of “fair comment on matters of public interest” and restricted the right to freedom of expression. Penalties for defamation of character included two years’ imprisonment and possible fines.

Nongovernmental Impact: Boko Haram threatened media outlets and killed members of the press. During the year the group threatened to kill journalists and attack media outlets that failed to report what Boko Haram believed to be authentic stories about the group. For example, on March 11, a Boko Haram spokesperson threatened the *National Accord*, *Vanguard*, and *Tribune* after the newspapers attributed statements to Boko Haram the group claimed it did not make. On April 26, suicide bombers simultaneously attacked the Abuja and Kaduna offices of the *This Day* newspaper, resulting in the deaths of seven people. A May 1 statement from a Boko Haram spokesman claimed it carried out the attacks because the newspaper dishonored the Prophet Muhammad during a beauty pageant held in Kaduna in 2002. In the statement the spokesman also threatened media outlets *The Punch*, *Daily Sun*, *Vanguard*, *Guardian*, *Nation*, *Tribune*, *National Accord*, and VOA Hausa radio. On September 6, following Boko Haram attacks on cell phone towers, the sect threatened reporters working at the VOA for their role in “harming” Islam.

Unlike in the previous year, mob violence did not inhibit freedom of expression.

Internet Freedom

There were few government restrictions on access to the Internet or credible reports the government monitored e-mail or Internet chat rooms. The 2012 Gallup Poll found 20 percent of individuals used the Internet at least once a week; 91 percent of users accessed the Internet via mobile devices.

Several Internet news sites critical of the government experienced server problems, which site owners attributed to government interference. Such disruptions usually lasted a few hours.

Academic Freedom and Cultural Events

The federal government continued to restrict academic freedom by controlling elementary and secondary curriculums, including mandating religious instruction.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The constitution and law provide for freedom of assembly; however, the government occasionally banned gatherings when it concluded their political, ethnic, or religious nature might lead to unrest. In areas that experienced societal violence, police and security forces permitted public meetings and demonstrations on a case-by-case basis. Security forces used excessive force to disperse demonstrators during the year, resulting in numerous deaths and injuries (also see section 1.a.). Open-air religious services held away from places of worship remained prohibited in many states, due to fears they might heighten interreligious tensions. During national strikes and protests over the removal of fuel subsidies in January, numerous states, including Lagos, Enugu, Niger, and Kano, and the Federal Capital Territory, banned or broke up largely peaceful protests, citing fears the organizers planned to incite violence.

For example, on April 30, the Ondo State Police Command banned political rallies and campaigns until three months before the October 20 gubernatorial elections. Police said the ban was to avoid a crisis between political parties.

Freedom of Association

The constitution and law provide for the right to associate freely with other persons in political parties, trade unions, or other special interest organizations, and the government generally respected this right in practice. The constitution and law allow the free formation of political parties. There were 56 parties registered with the Independent National Electoral Commission (INEC) at year's end.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/j/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation; however, security officials restricted freedom of movement at times by enforcing curfews in areas experiencing terrorist attacks and ethnoreligious violence. Despite the IGP's order for police to dismantle all roadblocks, illegal roadblocks and checkpoints remained, often to help police extort money from travelers. Security officials continued to use excessive force at checkpoints and roadblocks.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers through the National Commission for Refugees (NCFR), its federal commissioner, and the National Emergency Management Agency. The Eligibility Committee, on which the UNHCR had observer status, governed the granting of refugee status, asylum, and resettlement, and it also reviewed refugee resettlement.

In-country Movement: During the year state officials imposed dusk-to-dawn curfews in response to sectarian conflicts. For example, authorities imposed curfews in July and August in areas of Kaduna and Plateau states, following reprisal attacks and ethnoreligious violence. At various times throughout the year the federal, state, or local governments imposed curfews or otherwise restricted movement in Bauchi, Borno, Kano, Kaduna, Kogi, Plateau, and Yobe states in the aftermath of Boko Haram attacks. Numerous states also imposed curfews or otherwise restricted movement during the January fuel subsidy protests.

Exile: There are no legal grounds for forced exile, and there were no examples of formal legal proceedings to exile a citizen. However, some citizens chose self-exile for political reasons.

Internally Displaced Persons (IDPs)

There was no national registration of internally displaced citizens and no accurate count, although the NCFR estimated the number to be approximately one million. There were many causes of displacement, including boundary and border disputes, sectarian and communal violence, localized political violence, forced evictions,

conflict in the Niger Delta and Plateau State, Boko Haram attacks in the North, the government's use of force in its efforts to eliminate extremist sects, altered cattle grazing patterns due to weather change, and major flooding in the Northwest and Northeast. The government's response to IDPs remained uneven, depending on the state affected. Federal NCFR budgets did not cover the need, and state and federal emergency management resources were inadequate.

Boko Haram attacks and JTF responses to these attacks resulted in a continuous movement of persons between communities throughout the North, and from the North to the South throughout the year. Many cities, including Maiduguri, Kano, and Damaturu, experienced an exodus of residents who vacated in fear of Boko Haram attacks, security force responses, and battles between the two. These IDPs largely sought refuge with family members in other communities and were not supported by the government. Unverified reports suggested many Christians in the predominately Muslim North fled to the predominantly Christian South. To a lesser degree, Muslims residing in the South were also reported to have fled to the North or to have sought refuge in local police barracks out of fear of reprisal attacks by Christians. No reliable estimate of the number of IDPs resulting from Boko Haram violence was available by year's end.

Ethnic disputes over land and political power along the borders of Benue, Taraba, and Nasarawa states resulted in violence, destruction of property, and the displacement of hundreds of persons. The federal government deployed mobile police units to affected areas to prevent further violence. As of May the UNHCR had assisted 21,000 IDPs who were victims of clashes between members of the Fulani and Tiv ethnic groups in Benue and Nasarawa states.

Beginning in early 2009, as many as 1,000 fishermen and their families from the Bakassi Peninsula sought refuge near Calabar due to reported violence committed by Cameroonian police forces. The peninsula formed part of the lands the International Court of Justice (ICJ) awarded to Cameroon in 2002, and which Nigeria formally transferred to Cameroonian control in 2008, pursuant to the Greentree agreement to settle the disputed land border between the two nations. Cross River State provided permanent housing and services to some of the displaced citizens, although no official statistics were available. On October 10, the 10-year window for the Nigerian government to appeal the decision expired. The government reaffirmed its commitment to the ICJ decision and did not file an appeal, despite coming under pressure from some political leaders from the South.

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government established a system for providing protection to refugees. In practice the government provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened on account of their race, religion, nationality, membership in a particular social group, or political opinion.

According to the UNHCR, the country had 3,154 refugees, with another 1,042 asylum seekers at year's end. Most of these refugees came from Cameroon and the Democratic Republic of the Congo.

An office operated by the NCFR in Maiduguri, Borno State, assisted refugees from Chad. Nigerian border posts did not include UNHCR information booths to facilitate the arrival of potential asylum seekers. Nigerian Immigration Service officials were trained on the rights of asylum seekers, the principle of nonrefoulement, and identification of relevant cases, and to disseminate relevant information to potential asylum seekers.

Access to Basic Services: The UNHCR provided food, education, and job skills training, and refugees could move and work freely in the country. However, refugees, like citizens, had poor access to the police and courts and few opportunities for employment.

Durable Solutions: As a result of repatriation and local integration, overcrowding in refugee camps decreased during the year. In 2011 authorities decommissioned the camp at Oru, near Lagos, although refugees continued to occupy buildings without permission. Some of the estimated 2,500 refugees in the camp received 75,000 naira (\$480) to integrate into the local community. On June 30, the government, in line with UNHCR policy, invoked the cessation clause for 5,289 Liberian refugees remaining in the country; most chose to remain.

Temporary Protection: The government also provided temporary protection to a few hundred individuals who may not qualify as refugees.

Section 3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens with the right to change their government peacefully through periodic, free, and fair elections held on the basis of universal

suffrage. Overall, authorities conducted credible general elections in April 2011. Some candidates alleged fraud and filed petitions before election tribunals, which upheld some results while overturning others. Such fraud and continued election irregularities abridged citizens' right to change their government to a limited extent.

Elections and Political Participation

Recent Elections: The government held presidential, gubernatorial, and legislative elections in April 2011. The elections were scheduled to begin on April 2, but logistical challenges caused the INEC to delay the start until April 9.

Thirty-seven parties participated in the legislative elections. The INEC initially estimated a voter turnout as high as 75 percent, although this number in fact varied from 20 to 60 percent, depending on the region. The legislative elections returned only approximately one-third of incumbents in either house, and opposition parties gained many seats. International observers witnessed generally calm and orderly voting at many polling stations.

The presidential election was held on April 16, 2011. President Jonathan, who had assumed the presidency in May 2010 following his predecessor's death, and Vice President Mohammed Namadi Sambo were elected to new four-year terms. Twenty parties were listed on the ballot in the presidential election. The INEC estimated a voter turnout of 35 percent of the approximately 70 million registered voters. According to the INEC, President Jonathan, the PDP candidate, tallied 58.9 percent of the vote, while CPC candidate Muhammadu Buhari obtained 32 percent. Project Swift Count 2011, a group of four domestic civil society organizations, conducted parallel vote tabulations and reported President Jonathan received 58.7 percent of the vote and Muhammadu Buhari received 30.8 percent. Project Swift Count deployed field observers to 1,497 polling units in all 774 local government areas in all 36 states and the FCT. Election observers judged the presidential election to be more organized than the legislative elections and largely free, fair, and transparent. However, observers reported some election precincts experienced fraud and electoral irregularities, including vote rigging and buying, underage voting, ballot stuffing, late openings and overcrowding of polls, insufficient voting materials, and intimidation and political violence.

Some violence occurred during the campaigns and on election day.

On election day a bomb explosion at a polling station in Maiduguri, Borno State, killed two persons, and in Delta State police shot and killed two individuals during an interparty dispute at a polling station.

Political violence occurred at federal, state, and local levels, as well as within political parties. In some cases before and after the election period, violence stemmed from rivalries and competition between political candidates. However, immediately following the April 16 presidential election, supporters of opposition CPC candidate Buhari began protests of President Jonathan's victory that led to an outbreak of violence in the North and the Middle Belt states. The northern states of Adamawa, Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Niger, Sokoto, Yobe, and Zamfara experienced violent riots. Incidents ranged in severity and included mass protests, machete attacks, prison breaks, and the burning of businesses, places of worship, houses, and government offices. Rioters targeted local opponents, political rivals, and innocent bystanders. The violence claimed lives, damaged property, and led to restrictions on movement. HRW stated election-related violence resulted in more than 800 deaths and displaced an estimated 65,000 persons in the 12 northern states. Police put total deaths from the violence at 520.

In October 2011 the government released the report on postelection violence of the Presidential Committee on the 2011 Election Violence and Civil Disturbances. Retired grand qadi Sheikh Ahmed Lemu led a panel that investigated the causes of postelection violence and developed recommendations to prevent such occurrences in the future. The panel found the causes of the violence included widespread public desire for change following failed promises to fix infrastructure, corruption, zoning policies that turned the election into an ethnoreligious contest, rumor mongering and negative campaigning, the failure of the government to enact previous panel recommendations, and the individual actions of some candidates. The report specifically identified CPC candidate Buhari as contributing to the violence. The panel found his comment to supporters to "guard their vote" was "misconstrued by many voters to include recourse to violence which they did."

During 2011 the courts continued to hear and adjudicate cases related to the April elections. Following the elections the CPC filed a petition challenging President Jonathan's victory in court. The CPC petitioned to have election results overturned in 20 states. In November 2011 the Presidential Election Tribunal upheld the presidential election results.

In April 2011 election rioters in Giade, Bauchi State, killed seven National Youth Service Corps members who manned polls on election duty, a policewoman, and two businessmen. A Bauchi magistrate court presided over the case, which included 20 suspects connected with the killings, as well as 21 others suspected of other postelection murders. The case remained in court at year's end.

Extremists also contributed to the political violence. For example, in January 2011 Boko Haram gunmen killed Borno State All Nigeria People's Party gubernatorial candidate Alhaji Modu Fanmani Gubo (brother of the then Borno governor) and six others in Maiduguri, Borno State.

Political Parties: Establishing a political party remained relatively easy if supporters paid the required fees. Parties generally formed around individuals rather than ideological grounds. Allegations continued the PDP established new parties to confuse voters with large numbers of candidates.

Membership in the majority party, PDP, conferred advantages, primarily in employment. On occasion police arbitrarily arrested opposition leaders or opposing voices within the PDP.

In January police arrested three national officers of the ACN and one member of the technical committee for allegedly holding an unlawful gathering after the party's convention to elect Cross River State executive officers.

Participation of Women and Minorities: Men continued to account for more than 90 percent of the country's appointed and elected officials in more than 500 ministerial and national assembly positions.

To promote national unity and loyalty, the law mandates the composition of the federal, state, and local governments and their agencies, as well as the conduct of their affairs, reflect the diverse character of the country. The Jonathan administration demonstrated this diversity. President Jonathan is an Ijaw from the southern state of Bayelsa, the vice president is a Hausa Fulani from the northern state of Kaduna, the senate president is an Idoma from the central state of Benue, and the speaker of the house is from the northwest state of Kebbi. The government attempted to balance other key positions among the different regions and ethnic groups; however, with more than 250 ethnic groups, ensuring representation of every group in the government was difficult.

The majority PDP also engaged in “zoning” for many key positions, a practice of rotating positions within the party among the different regions and ethnic groups to ensure each region was given adequate representation. The practice of zoning became an issue because Jonathan’s transition from vice president to president after the death of former president Yar’Adua, a northerner, upset the prior rotational scheme.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption; however, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Massive, widespread, and pervasive corruption affected all levels of government and the security forces. The constitution provides immunity from civil and criminal prosecution for the president, vice president, governors, and deputy governors while in office.

There was a widespread perception judges were easily bribed and litigants could not rely on the courts to render impartial judgments. Citizens encountered long delays and alleged requests from judicial officials for bribes to expedite cases or obtain favorable rulings.

Police corruption remained rampant. Reports of checkpoint bribery and shooting incidents decreased in February after newly appointed Inspector General of Police Mohammed Abubakar announced the closure of all police checkpoints across the country; however, illegal checkpoints remained common in some regions. Police routinely stopped drivers who did not commit traffic infractions, refusing to allow them to continue until they paid bribes. The Office of the Inspector General of Police attempted to strengthen the Police Monitoring Unit, which was charged with visiting police stations to search officers for signs of accepting bribes; however, the unit remained ineffective and made no arrests by year’s end. Citizens could report incidents of police corruption to the NHRC; however, the NHRC did not act on such complaints during the year, and no other mechanism existed to investigate security force abuse (see section 5).

In 2010 HRW released *Everyone’s in on the Game*, a report on corruption and human rights abuses by the police. HRW compiled information from 145 interviews and documented pervasive police extortion committed with impunity by police officers throughout the country. Police demanded bribes, threatened arrest and physical harm, and enforced a system of “returns” in which officers must pay up the chain of command a share of the money they extorted from the public. This

system undermined the rule of law and created a large disincentive for superior officers to hold their subordinates accountable for extortion and other abuses.

On January 14, police arrested the suspected mastermind of the Boko Haram 2011 Christmas Day bombing. The following day he escaped, reportedly in broad daylight and while still wearing handcuffs. Authorities later arrested, detained, suspended, and dismissed a police commissioner for his alleged role in the escape. The police commissioner eventually gained release from custody, and there were no further updates on the case.

Public officials, including the president, vice president, governors, deputy governors, cabinet ministers, and legislators (at both federal and state levels), must comply with financial disclosure laws, including the requirement to declare their assets to the Code of Conduct Bureau (CCB) before assuming and after leaving office. Violators risked prosecution, but cases rarely came to conclusion. In June the Socio-Economic Rights and Accountability Project and other groups demanded President Jonathan disclose his assets from 2007 to 2012. On June 24, the president refused the request. The President's Office and the PDP contended President Jonathan declared his assets in compliance with the provisions of section 140(1) of the constitution and submitted them to the CCB prior to his assumption of office, and there was no stipulation requiring publication of the information. On June 26, SERAP responded by filing a Freedom of Information Act (FOIA) request with the Presidency and the CCB requesting release of the information within seven days. The president had not released information on his assets by year's end, insisting the law required declaration of assets but not publication of the report. The constitution calls on the CCB to "retain custody of such declarations and make them available for inspection by any citizen of Nigeria on such terms and conditions as the National Assembly may prescribe." The Code of Conduct Act does not address the issue of publication.

In June the Legal Defense and Assistance Project (LEDAP) also filed a FOIA request with the Abuja Federal High court requesting members of the National Assembly disclose their salaries and allowances. After the National Assembly did not respond, LEDAP filed a suit in court demanding the information per the stipulations in the FOIA. The National Assembly attempted to argue the FOIA did not cover legislators' earnings. The court disagreed and ruled against the National Assembly. National Assembly members had not disclosed their assets by year's end.

In August the CCB began the process of verifying personal assets of the 36 state governors and those of serving ministers. The tribunal gave these officials three months to declare all personal assets. In October 2011 the Code of Conduct Tribunal commenced the trial of former governor of Lagos State Asiwaju Bola Ahmed Tinubu, who allegedly failed to disclose multiple foreign bank accounts he maintained while serving as governor. In December 2011 the court dismissed his case.

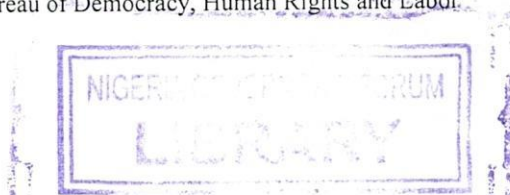
The anticorruption efforts of the ICPC and EFCC remained largely ineffectual. The ICPC holds broad authorities to prosecute all forms of corruption, whereas the EFCC is tasked with handling only financial crimes. Despite this wider mandate the ICPC had only achieved 60 convictions since its inauguration in 2000.

The 2008 replacement of the EFCC's internationally respected chairman, Nuhu Ribadu, and transfer of many of its senior personnel raised questions about the government's commitment to fighting corruption. In November 2011 President Jonathan removed EFCC Chair Farida Waziri after credible allegations that she was engaged in corrupt practices. On February 15, the Senate confirmed EFCC Director of Operations Ibrahim Lamorde as the new chair. On March 22, Lamorde publicly stated the EFCC itself suffered from corruption and needed a "clean up."

After he assumed office, the EFCC under Lamorde continued or brought new cases against 12 nationally prominent public officials. Despite the arrest of several high-ranking officials by the EFCC, allegations continued that agency investigations targeted individuals who had fallen out of favor with the government, while those who were in favor continued their activities with impunity.

In August 2011 HRW released *Corruption on Trial*, a report on the record of the EFCC. The report examined the EFCC's record of conviction and prosecution of members of the political elite implicated in corruption under Ribadu and his replacement, Waziri. The report found that although the EFCC had done a competent job of prosecuting apolitical financial crimes, it had less success in high-profile political corruption cases.

On April 18, a House of Representatives Committee led by Representative Farouk Lawan and charged with investigating the fuel subsidy program from 2009 to 2011 released a report showing massive fraud, corruption, and inefficiencies in the operation of the program. The report alleged misappropriation of nearly half the subsidy funds, with poor or nonexistent oversight by government agencies. The report estimated government money lost to "endemic corruption and entrenched



inefficiency” amounted to 1.067 trillion naira (\$6.8 billion). The committee recommended reform of the oversight and enforcement mechanisms and further endorsed investigation and prosecution of culpable officials.

In July the government released a list of those who had benefited illegally from the subsidy program, which included relatives and colleagues of key government officials. In late July the EFCC began arraigning suspects, first with a group of 20 indictments, including six oil companies and 11 individuals. By year’s end the EFCC initiated prosecutions of approximately 50 cases related to the subsidy scam. The majority of these cases involved companies and individuals who had fraudulently received subsidy revenue. Investigations and trials had not produced any convictions by year’s end.

On February 24, the EFCC instituted criminal charges against former governor of Bayelsa State Timipre Sylva for laundering close to five billion naira (\$32 million) of funds belonging to Bayelsa State. The court adjourned the trial until January 2013.

On March 21, the EFCC arrested Ondo State Oil Producing Communities Development Commission Chair Debo Ajimuda over an alleged 61.4 billion naira fraud (\$393 million).

On March 29, the EFCC arraigned six suspects for allegedly defrauding the Police Pension Fund of 32.8 billion naira (\$210 million). Included among the six was Atiku Abubakar Kigo, who served as director of the Police Pension Office before becoming permanent secretary in the Ministry of the Niger Delta. Justice Lawal H. Gumi of the FCT High Court ordered all bank accounts associated with the suspects frozen pending resolution of the case. On May 16, suspect Esai Dangabar filed an appeal of Justice Guma’s asset freezing order, but a three-judge panel of the Abuja Court of Appeal upheld the order. On December 17, police arrested Dangabar for interfering with properties the court ordered him to forfeit to the government in relation to the case.

In June allegations and a video surfaced, allegedly showing Lawan accepting a 94.2 million naira (\$605,000) bribe from entrepreneur Femi Otedola, who had advised Lawan on the investigation but whose company had not received fuel subsidy payments. After Lawan solicited the bribe from Otedola, the latter approached the SSS to record the hand-off as part of a “sting” operation. The attorney general referred the case to the police for further investigation. The

allegations initially overshadowed the committee's findings, but the EFCC continued with investigations at year's end.

In May 2011 the EFCC arrested former minister of works and housing Hassan Lawal for 24 counts of fraudulently awarding contracts, money laundering, and embezzlement of 75 billion naira (\$480 million). The case continued throughout the year, but the court adjourned the trial until February 2013.

In June 2011 the EFCC arrested Dimeji Bankole, former speaker of the House of Representatives, and Deputy Speaker Usman Nafada for the alleged misappropriation of one billion naira (\$6.4 million) and 40 billion naira (\$256 million) respectively. The case continued throughout the year, but the court adjourned the trial until January 2013.

In October 2011 the EFCC arrested four former governors who vacated office earlier in the year, including former Ogun governor Otunba Gbenga Daniel, former Oyo governor Chief Adebayo Alao-Akala, former Nasarawa governor Alhaji Aliyu Akwe Doma, and former Gombe governor Muhammed Danjuma Goje. The four allegedly misappropriated or stole 58 billion naira (\$372 million), 25 billion naira (\$160 million), 18 billion naira (\$115 million), and 12.8 billion naira (\$82 million), respectively. Their trials began in December 2011 and continued at year's end.

On February 27, former Delta State governor James Ibori pled guilty to charges in the Southwark Crown Court in London to charges of money laundering and other financial crimes totaling 12.4 billion naira (\$79 million) he had committed during his eight years in office. On April 17, the court sentenced Ibori to 13 years in prison. Soon after the court announced Ibori's conviction, the EFCC issued a statement it intended to pursue a case against Ibori in Nigerian courts.

The FOIA, signed into law in May 2011, allows any person to request information from a government office. The office must grant access to the information, explain why access was denied within seven days of receiving the request, or transfer the request to the appropriate office within three days. The FOIA makes it the responsibility of all public offices to keep records and provides immunity for public officers against any form of civil or criminal proceeding for "disclosure in good faith of any information" pursuant to the FOIA. The act provides a 30-day window within which anyone denied access by any public institution can bring the matter to court for a judicial review. The act includes a fine of 500,000 naira (\$3,200) for any institution or public officer who wrongfully denies access to

information or records. Destruction of records is a felony punishable by a minimum penalty of one year's imprisonment under the act.

Civil society groups continued to introduce an increasing number of cases at the national and state level to test the FOIA during the year. Despite the number of cases introduced, there was only one reported successful prosecution during the year.

On March 1, in response to one such FOIA case, a federal high court ordered the EFCC to disclose its sources of information regarding allegations it had made against former president of the Committee for the Defense of Human Rights Olasupo Ojo. Specifically, the EFCC, then under the leadership of Farida Waziri, had accused Ojo, a vocal critic of Waziri, of compromising himself and the committee by collecting 52 million naira (\$337,000) from persons under investigation by the EFCC. The EFCC had not complied with the order by year's end.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials sometimes cooperated and responded to their views. The government did not interfere with international human rights organizations that visited the country to research human rights violations, police abuses, and ethnic conflicts.

Government Human Rights Bodies: The NHRC, which the government tasked with monitoring and protecting human rights, maintained zonal affiliates in the country's six political regions. The commission published periodic reports detailing specific human rights abuses, including torture and poor prison conditions. The NHRC's operations were limited by insufficient funding. Until 2011 the commission also lacked an independent budget and judicial authority and could only make nonbinding recommendations to the government. However, in March 2011 the president signed the National Human Rights Commission Amendment Act. The law, which had remained in the National Assembly for six years awaiting presidential signature, secures the independence and funding of the NHRC through the Human Rights Fund. The law also provides greater recognition and enforcement of NHRC decisions.

In December 2011 the Senate Committee on Judiciary, Human Rights, and Legal Matters confirmed seven of 12 members to the board of the NHRC. In November Chairman of the Board Chidi Odinkalu and the remaining board members were confirmed and inaugurated. Numerous human rights activists alleged that during the 11-month hiatus without a functioning board the NHRC was unable to make decisions or promote human rights effectively.

On April 12, NPF personnel summoned NHRC Chairman Odinkalu to question him regarding his March 5 speech in which he asserted that the NPF was responsible for thousands of extrajudicial killings each year. Civil society and human rights groups expressed concern the NPF would arrest or detain the NHRC chair and made public demands the police cease any harassment of him and the NHRC. On April 17, Odinkalu visited police headquarters for a meeting with police that lasted most of the day but ended without event.

On July 27, police in Benin City, Edo State, arrested African Network for Environment and Economic Justice Executive Director Reverend David Ugolor on suspicion he arranged for the May 3 murder of Edo State Governor Principal Secretary Olaitan Oyerinde. On August 1, the SSS paraded six suspects who confessed they killed Oyerinde during a botched armed robbery. Ugolor remained in detention without charge or trial until August 31, when police arraigned him and the SSS' six suspects on charges of conspiracy, murder, and treasonable felony. On September 11, the court granted Ugolor bail. Civil society groups claimed the arrest was politically motivated and criticized police for the continued detention of Ugolor without charge and ignoring multiple court decisions ordering his release. On September 14, a Benin high court awarded Ugolor five million naira (\$32,000) for the NPF's violations of his fundamental human rights and liberty. On November 29, a Benin City chief magistrate's court acquitted Ugolor of the charges of robbery and murder.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on community, place of origin, ethnic group, sex, religion, or political opinion; however, the government did not enforce the law effectively. The constitution prohibits discrimination based on the circumstances of a person's birth. However, the constitution does not explicitly prohibit discrimination based on disability.

Women

Rape and Domestic Violence: The law criminalizes rape and provides penalties of 10 years to life imprisonment, as well as fines of 200,000 naira (\$1,280) for those convicted of rape. Societal pressure and the stigma associated with rape reduced the percentage of rapes reported and the penalties imposed for conviction. In 2006 AI issued a report criticizing the judicial system for a conviction rate of only 10 percent of the total number of rape prosecutions.

The law recognizes spousal rape as a separate offense; however, spousal rape was difficult to prove in court, and no such prosecutions were reported during the year. According to the 2008 Nigeria Demographic and Health Survey (NDHS), 3 percent of married women and girls between the ages of 15 and 49 experienced spousal rape.

Rape remained rampant in universities. In September 2011 a video allegedly showing five men gang-raping a female Abia State University student began circulating on the Internet. The video, which garnered extensive media coverage, led to criticism across the country. University and Abia State government officials initially denied the authenticity of the video. Police officials in Abia made initial arrests but eventually released the suspects without charge. Police stated they could not prosecute the case unless the victim came forward. The House of Representatives Justice Committee and the NHRC both called for an investigation of the case. There was no additional progress by year's end.

Rapes of elderly women were reported in the Opi community of Enugu State. During the year elderly women in the community reported young men attacked them in their homes. No arrests or prosecutions in connection with the cases were reported.

No national laws criminalize gender-based violence, and some federal laws allow such violence. For example, the penal code permits husbands to use physical means to chastise their wives as long as it does not result in "grievous harm," which is defined as loss of sight, hearing, speech, facial disfigurement, or life-threatening injuries. Penalties for the sexual assault of a man exceed the penalties for the same offense against a woman. The states of Ebonyi, Jigawa, Cross River, and Lagos are the only states to have enacted domestic violence laws.

Domestic violence remained widespread and often was considered socially acceptable. In a survey released in 2009, 28 percent of women reported experiencing violence after age 15, in most cases inflicted by a husband or partner. The Legislative Advocacy Coalition on Violence Against Women conducted a

survey of gender-based violence in 18 states from January through June 2010. Of the 479 cases surveyed, 44 percent involved cases of physical violations, 21 percent sexual violations, 18 percent domestic violence, 12 percent harmful traditional practices, and 3 percent economic violations, and 2 percent other. CLEEN Foundation's National Crime and Safety Survey for 2012 reported 31 percent of respondents nationwide claimed to have been victims of domestic violence.

Police did not intervene in domestic disputes. In rural areas courts and police remained reluctant to intervene to protect women who formally accused their husbands of abuse if the level of alleged abuse did not exceed customary norms in the areas. According to the 2008 NDHS, 43 percent of women and girls and 30 percent of men and boys between the ages of 15 and 49 agreed that a husband may justifiably hit or beat his wife for at least one of five specified reasons, including burning food and arguing.

Project Alert on Violence Against Women, a local NGO, continued various outreach efforts to combat domestic violence, including training programs to sensitize police to domestic violence, support groups and programs for male abusers, and assistance to faith-based organizations in counseling victims of domestic abuse. Project Alert also operated a shelter, Sophia's Place, for victims of domestic violence, which offered services such as counseling, legal aid, and acquisition of skills. The Women's Rights Advancement and Protection Alternative also served as a leading voice in the campaign to reduce violence against women and advocated passage of legislation to protect women's rights.

In 2010 the government deposed the traditional ruler of Akure Kingdom in Ondo State after he attacked one of his wives in the street in full view of witnesses. Police stated they would press assault charges against the perpetrator, and many in Ondo State and Abuja criticized the actions of the traditional ruler. In a countermeasure the accused filed an injunction naming police and the courts and asking the court to drop the case. There were no developments in the case by year's end.

Harmful Traditional Practices: Purdah, the cultural practice of secluding women and pubescent girls from unrelated men, continued in various parts of the North. In some parts of the country, widows experienced unfavorable conditions as a result of discriminatory traditional customs. "Confinement," which occurred predominantly in the Northeast, remained the most common rite of deprivation for widows. Confined widows stayed under social restrictions for as long as one year

and usually shaved their heads and dressed in black as part of a culturally mandated mourning period. In other areas communities viewed a widow as a part of her husband's property to be "inherited" by his family. In some traditional southern communities, widows fell under suspicion when their husbands died. In order to prove their innocence, they were forced to drink the water used to clean their deceased husband's bodies.

Polygyny remained legal and widely practiced among many ethnic and religious groups.

Female Genital Mutilation/Cutting (FGM/C): See section 6, Children.

Sexual Harassment: Sexual harassment remained a common problem. No statutes prohibit sexual harassment, but authorities may prosecute violent forms of it under assault statutes. The practice of demanding sexual favors in exchange for employment or university grades remained common. Women suffered harassment for social and religious reasons in some regions. Women's rights groups reported the Abuja Environmental Protection Board forcibly abducted women, including students and businesswomen, taking them into custody under the pretext of eradicating commercial sex workers in Abuja throughout the year. Activists reported the protection board forced women to buy their freedom or confess to prostitution and undergo rehabilitation, and that any woman outside her home after dark in Abuja was vulnerable. In October the Nigerian Women's Trust Fund and NHRC formally complained to the government. There were no updates by year's end.

Reproductive Rights: Couples and individuals generally had the right to decide freely and responsibly the number, spacing, and timing of children; however, effective information and counseling on reproductive health was not widely available to women and couples. According to the 2008 NDHS, 70 percent of women knew about at least one method of family planning; 15 percent used birth control; and 10 percent used modern methods. Approximately 50 percent of the population consisted of adolescents; many of them were sexually active, but few had access to contraceptives. The UN Population Fund reported the maternal mortality rate at 840 deaths for every 100,000 live births in 2008, a high rate partially due to births to adolescents and women at high risk of complications from pregnancy. Approximately 54,000 women and 250,000 newborns died annually from complications of childbirth. A trained health professional assisted at an estimated 39 percent of live births. Women married young and averaged a fertility rate of 5.7 children; 36 percent of mothers did not receive any prenatal care, and 38

percent of new mothers received postnatal examinations within two days of delivery.

Discrimination: The constitution provides for equality and freedom from discrimination; however, women experienced considerable economic discrimination. No laws bar women from particular fields of employment, but women often experienced discrimination under traditional and religious practices. The country's NGO coalition expressed concern over continued discrimination against women in the private sector, particularly in access to employment, promotion to higher professional positions, and salary equity. According to credible reports, many businesses operated with a "get pregnant, get fired" policy. Women remained underrepresented in the formal sector but played active and vital roles in the informal economy, particularly in agriculture, processing of foodstuffs, and selling of goods at markets. The number of women employed in the business sector increased every year, but women did not receive equal pay for equal work and often encountered difficulty in acquiring commercial credit or obtaining tax deductions or rebates as heads of households. Unmarried women in particular endured many forms of discrimination.

Some women made considerable progress in both the academic and business worlds, but women overall remained marginalized. No laws bar women from owning land, but some customary land tenure systems allowed only men to own land, and women could gain access to land only through marriage or family. Many customary practices also did not recognize a woman's right to inherit her husband's property, and many widows became destitute when their in-laws took virtually all the deceased husband's property.

Women in the 12 northern states were affected to varying degrees by Sharia. In Zamfara State local governments enforced laws requiring the separation of Muslim men and women in transportation and health care. The Kano State prohibition on commercial motorcycle taxis taking women as passengers remained in place; however, authorities did not strictly enforce the prohibition.

The testimony of women received less weight than that of men in many criminal courts. No law bars women from arranging surety bonds for bail for persons detained by the police, but in practice women could not provide such bail arrangements at most police detention facilities across the country.

Children

Birth Registration: Citizenship of a child is derived from the parents. The government did not require birth registration, and the majority of births remained unregistered. Lack of documents did not result in denial of education, health care, or other public services.

Education: Public schools remained substandard, and limited facilities precluded access to education for many children. The law calls for the government--when practical--to provide free, compulsory, and universal primary education. However, authorities rarely provided compulsory primary education and often charged school fees. Most educational funding came from the federal government, with state governments required to pay a share; some states did not disclose their funding share. Of the country's estimated 30 million primary school-age children, approximately seven million did not enroll in the conventional school system. As a result of the government's failure to pay teacher salaries for months at a time, primary, secondary, and university teachers frequently went on strike. In many parts of the country, girls were discriminated against in access to education for social and economic reasons. When economic hardship restricted families' ability to send children to school, many girls became involved in activities such as domestic work, trading, and street vending. Many families favored boys over girls in deciding which children to enroll in elementary and secondary schools.

In May 2011 the government released the findings of the 2010 Nigeria Education Data Survey, a follow-up report to the 2008 NDHS. According to the survey, attendance rates in primary schools ranged from 35 to 80 percent. The lowest attendance rates were in the Northeast and Northwest, where rates for boys and girls hovered around 43-47 percent and 35-38 percent, respectively. Overall, 63 percent of boys and 58 percent of girls attended school. According to UNICEF, for every 10 girls in school, more than 22 boys attended. For young persons between the ages of 17 and 25, 25 percent had fewer than two years of education. Boko Haram was suspected to have caused the destruction of primary and secondary schools in Borno and Yobe states. The attacks prohibited an unknown number of children from continuing their education in the Northeast.

Child Abuse: Child abuse remained common throughout the country. The government criticized child abuse and neglect but did not undertake significant measures to combat it. Human rights groups reported sexual assaults and rapes of young girls, especially in the North.

Children accused of witchcraft were abused in some states. Children accused of witchcraft suffered kidnapping, torture, and death. According to two local NGOs

that operated shelters, Stepping Stones Nigeria (SSN) and the Child Rights and Rehabilitation Network (CRARN), attackers drove nails into children's heads, cut off fingers, tied children to trees, and abandoned them in the jungle. The state governor, reacting to international press stories of persecution of children accused of witchcraft in Akwa Ibom, issued arrest warrants for the leaders of the SSN and the CRARN for alleged misappropriation of funds and personal gain. The cases remained pending at year's end, with outstanding warrants for the shelter's directors. During a senior level foreign official's visit to Akwa Ibom in August, the SSS detained CRARN administrators who were released only after the official's intervention.

In June 2011 police raided a hospital in Aba, Abia State, and rescued girls allegedly being held to produce babies for sale for use in witchcraft rituals. The police rescued 32 of the girls, ages 15 to 17. Male babies reportedly sold for up to one million naira (\$6,400) for use by trafficking rings or in witchcraft rituals. The owner of the hospital claimed the hospital served as a shelter for pregnant teenagers. Authorities held him for trial at year's end.

In September 2010 the media reported public criticism and efforts by the government, particularly in Akwa Ibom State, had caused a drop in new reported cases of children abused for alleged witchcraft. In November 2010 the government of Akwa Ibom State set up the Commission of Inquiry into Witchcraft Accusations and Child Rights Abuses. On May 10, the commission adjourned, but its findings were not available by year's end.

Self-proclaimed "bishop" Sunday Williams publicly claimed to have killed 110 child witches and asserted Akwa Ibom State had as many as 2.3 million witches and wizards among its population of 3.9 million. In 2008 authorities arrested Williams and charged him with torture and murder; authorities arraigned him in 2009, and the case continued at year's end.

Child Marriage: The Child Rights Act, as passed by the National Assembly, stipulates a minimum age of 18 years for marriage. Most states, especially northern states, did not adopt the act, and those states did not uphold the federal official minimum age for marriage. The government did not take significant steps to stop traditional practices harmful to children, such as sales of young girls into marriage. According to credible reports, there were incidents of poor families selling their daughters into marriage to supplement their incomes. Families sometimes forced young girls into marriage as early as puberty, regardless of age,

to prevent “indecent” associated with premarital sex or for other cultural and religious reasons.

In 2010 Zamfara Senator Sani Ahmed Yerima married a 14-year-old Egyptian girl at the central mosque in Abuja, in violation of the 2003 Child Rights Act adopted by the FCT. He maintained he was not subject to civil laws, only Sharia. The National Agency for the Prohibition of Trafficking in Persons (NAPTIP) investigated the case, but authorities did not prosecute Yerima.

Harmful Traditional Practices: The law criminalizes female genital mutilation/cutting (FGM/C), the removal of any part of a sexual organ from a woman or girl, except for medical reasons approved by a doctor. According to the provisions of the law, an offender is any woman who offers herself for FGM/C; any person who coerces, entices, or induces any woman to undergo FGM/C; or any person who, for other than medical reasons, performs an operation removing part of a woman’s or a girl’s sexual organs. The law provides for a fine of 50,000 naira (\$320), one year’s imprisonment, or both, for a first offense and doubled penalties for a second conviction.

The federal government publicly opposed FGM/C but took no legal action to curb the practice. Twelve states banned FGM/C; however, once a state legislature criminalized FGM/C, NGOs found they had to convince local government authorities that state laws applied in their districts. The Ministry of Health, women’s groups, and many NGOs sponsored public awareness projects to educate communities about the health hazards of FGM/C. Underfunding and logistical obstacles limited their contact with health care workers.

The 2008 NDHS reported 30 percent of women in the country suffered FGM/C. While practiced in all parts of the country, FGM/C remained most prevalent in the southern region among the Yoruba and Igbo. Infibulation, the most severe form of FGM/C, infrequently occurred in northern states but was common in the South. The age at which women and girls were subjected to the practice varied from the first week of life until after a woman delivered her first child; however, most female victims suffered FGM/C before their first birthday.

FGM/C often resulted in obstetrical fistula (a tearing of the vaginal area as a result of prolonged, obstructed labor without timely medical intervention). Most fistulas resulted in the death of the baby and chronic incontinence in the woman. The social consequences of fistula included physical and emotional isolation, abandonment or divorce, ridicule and shame, infertility, lack of economic support,

and the risk of violence and abuse. The absence of treatment greatly reduced prospects for work and family life, and affected women had to rely on charity.

Sexual Exploitation of Children: There is no statutory rape law. Child prostitution is prohibited, with penalties of up to seven years' imprisonment for the adult involved. The minimum age of consensual sex is 18. The Child Rights Act provides a 10-year prison term for anyone hiring or using a child for the production of pornography or for any pornographic performance and a fine of 50,000 naira (\$320) or imprisonment for five years or both for anyone found guilty of printing, publishing, selling or possessing "harmful" publications, but it was not implemented in all states.

Infanticide or Infanticide of Children with Disabilities: On April 16, the navy court-martialed Moses Joseph for throwing a three-week-old baby, who was abducted from his girlfriend, into the lagoon in Lagos two months prior.

Displaced Children: In 2010 then acting president Jonathan stated the country had 17.5 million vulnerable children, including 7.3 million orphans. According to 2009 UN statistics, 1.2 million children became orphans due to HIV/AIDS. UNICEF noted 25 percent of children in the country, including orphans, suffered from inadequate nutrition, poor access to health care, and infrequent school attendance.

Many children remained homeless and lived on the streets. The government did not have statistics on their numbers. Major factors causing children to turn to the streets included instability in the home, poverty, hunger, abuse and violence by parents, and displacement caused by clashes in the community.

In 2010 the Ministerial Committee on Madrasah Education reported that 9.5 million children worked as "almajiri," children whose parents sent them from their rural homes to urban areas with the expectation they would study and live with Islamic teachers. Instead of receiving an education, however, many almajiri became child beggars and were forced to work manual jobs or beg for money that was then turned over to their teacher. The religious leaders often did not provide almajiri with sufficient shelter or food, and many of these children effectively became homeless (also see sections 1 and 2.d.).

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For

information see the Department of State's report on compliance at http://travel.state.gov/abduction/country/country_3781.html.

Anti-Semitism

There were no reports of anti-Semitic acts during the year. An estimated 700 to 900 members of the Jewish community, all foreign employees of international firms, resided in Abuja.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

Persons with Disabilities

The constitution does not prohibit explicitly discrimination based on disability; however, it prohibits discrimination based on the circumstances of one's birth. No laws prohibit discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, or the provision of other state services. At year's end the president had not yet signed into law a disabilities bill passed in 2007 that sought to ensure education and accessibility for persons with disabilities. Government responsibility for persons with disabilities falls under the Ministry of Women's Affairs and Social Development.

Mental health facilities were almost nonexistent. Officials at a small number of prisons attempted to include separate mental health facilities for prisoners with mental conditions, usually through private donations. All disabled prisoners stayed with the general inmate population without regard to disability, and no additional services were available.

Persons with disabilities faced social stigma, exploitation, and discrimination, and relatives often regarded them as a source of shame. Many families viewed children with disabilities who could not contribute to family income as liabilities and sometimes severely abused or neglected them. Many indigent persons with disabilities begged on the streets.

The government ran vocational training centers in Abuja and Lagos to train indigent persons with disabilities. Individual states also provided facilities to assist

those who were blind and other persons with physical disabilities to become self-supporting. Persons with disabilities established self-help NGOs, such as the Hope for the Blind Foundation in Zaria, Kano Polio Victims Trust Association, Joint National Association of Persons with Disabilities, Albino Foundation, and Comprehensive Empowerment of Nigerians with Disabilities. In 2008 the federal Ministry of Education estimated there were 3.25 million school-age children with disabilities. Of these, an estimated 90,000 (2.76 percent) enrolled in primary school and 65,000 (1.85 percent) in secondary school.

National/Racial/Ethnic Minorities

The ethnically diverse population consisted of more than 250 groups. Many were concentrated geographically and spoke distinct primary languages. Three major groups--the Hausa, Igbo, and Yoruba--together constituted approximately half the population. Members of all ethnic groups practiced ethnic discrimination, particularly in private-sector hiring patterns and the segregation of urban neighborhoods. A long history of tension existed between some ethnic groups.

Many groups complained of insufficient representation in government.

The law prohibits ethnic discrimination by the government, but claims of marginalization continued, particularly by members of southern groups and Igbos. Ethnic groups of the Niger Delta continued their calls for senior representation on petroleum agencies and committees and within security forces.

The constitution requires the government have a "national character," meaning that cabinet and other high-level positions must be distributed to persons representing each of the 36 states or each of the six geopolitical regions. Traditional relationships were used to pressure government officials to favor particular ethnic groups in the distribution of important positions and other patronage.

All citizens have the right to live in any part of the country, but state and local governments frequently discriminated against ethnic groups not indigenous to their areas, occasionally compelling individuals to return to a region where their ethnic group originated but to which they no longer had personal ties. State and local governments sometimes compelled nonindigenous persons to move by threats, discrimination in hiring and employment, or destruction of their homes. Those who chose to stay sometimes experienced further discrimination, including denial of scholarships and exclusion from employment in the civil service, police, and military.

For example, in Plateau State the predominantly Muslim and nonindigenous Hausa and Fulani faced significant discrimination from the local government in land ownership, jobs, access to education, scholarships, and government representation.

Religious differences often mirrored regional, ethnic, and occupational differences. For example, in many areas of the Middle Belt, Muslim Fulani tended to be pastoralists, while the Muslim Hausa and Christian Igbo and other ethnic groups tended to be farmers or work in urban areas. Consequently, ethnic, regional, economic, and land use competition often correlated with religious differences between the competing groups.

Incidents of communal violence between ethnic groups in the Middle Belt, also divided along Christian-Muslim lines, resulted in numerous deaths and injuries, the displacement of thousands of persons, and widespread property destruction.

Ethnoreligious violence, often triggered by disputes between farmers and herders, resulted in numerous deaths and significant displacement during the year. The largest number of examples of such conflict occurred in Jos and the farmland surrounding the city. In July as many as 150 persons, including a federal senator and representative of Plateau State, died after a series of Fulani attacks on settlements south of Jos and at a mass funeral ceremony to bury victims of a previous attack.

Land disputes, ethnic differences, settler-indigene tensions, and religious affiliation all contributed to these attacks. Determining motives behind any single attack remained difficult. "Silent killings" occurred throughout the year, in which individuals disappeared and later were found dead. Reprisal attacks at night in which assailants targeted and attacked individual homes or communities occurred frequently. For example, on April 30, unknown assailants believed to be Fulani herdsmen killed as many as 13 people and burned 30 houses in six villages around Riyom, a community south of Jos. Authorities did not convict any perpetrators of such violence during the year or those involved in attacks by Muslim Fulani herdsmen in 2010 that left an estimated 700 persons dead.

The Presidential Advisory Committee on the Jos Crisis delivered its report in 2010. The report contained recommendations regarding land ownership, indigeneship, the creation of new local government areas, the establishment of a culture of nonviolence, the problem of youth unemployment, and community sensitization. Authorities had not implemented the recommendations by year's end. Ethnic

groups cited economic exploitation, environmental destruction, and government indifference as their major problems in the oil-producing Niger Delta region. Incidents of ethnic conflict and confrontation with government officials and security forces continued in the Niger Delta (see section 1.g.).

Conflicts over land rights continued among members of the Tiv, Kwalla, Jukun, Fulani, and Azara ethnic groups living near the convergence of Nasarawa, Benue, and Taraba states.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Consensual same-sex sexual activity is illegal under federal law and punishable by prison sentences of up to 14 years. In the 12 northern states that adopted Sharia, adults convicted of engaging in same-sex sexual activity may be subject to execution by stoning, although no such sentences have been imposed.

Because of widespread societal taboos against homosexuality, very few persons openly revealed a homosexual orientation. The NGOs Global Rights and The Independent Project provided lesbian, gay, bisexual, and transgender (LGBT) groups with legal advice and training in advocacy, media responsibility, and HIV/AIDS awareness. Organizations such as the Youths 2gether Network also worked under the Coalition for the Defense of Sexual Rights in Nigeria and provided access to information and services on sexual health and rights for LGBT persons, sponsored programs to help build skills useful in social outreach, and provided safe havens for LGBT individuals.

The government and its agents did not impede the work of these groups during the year.

In November 2011 the Senate passed the Same Sex Marriage (Prohibition) Bill, 2011, which would prohibit participating in or witnessing same-sex marriage ceremonies, criminalize public displays of affection between same-sex couples, and criminalize LGBT organizations. The bill includes penalties, including a 14-year prison sentence for individuals entering into a same-sex marriage; a 10-year sentence for public displays of same-sex affection; a 10-year sentence for any individual who registers, operates, or participates in LGBT clubs, societies, organizations, processions, or meetings; and a 10-year sentence for any individual aiding, abetting, or witnessing the solemnization of a same-sex marriage. The House of Representatives conducted a second reading of the bill in November

2012 but adjourned for the year before conducting a third and final reading and vote. The bill remained at this stage at year's end. LGBT activists claimed an increased level of hostility towards those accused of same-sex activities since the bill's introduction.

On March 21, an upper area court in Mararba, Nasarawa State sentenced two men to two years in jail without bail and ordered each to pay a fine of 5,000 naira (\$32) for engaging in same-sex relations. The police arrested a 17-year old male and a 32-year-old male on March 12 for engaging in same-sex acts. The presiding judge expressed his hope the sentence would serve as a deterrent to others engaged in same-sex relations. There were also unverified reports of communities rounding up suspected homosexuals, stripping them naked, and parading them through villages.

Authorities took no action against persons who stoned and beat members of the House of Rainbow Metropolitan Community Church, an LGBT-friendly church in Lagos, in 2008. The attacks occurred after four newspapers published photographs, names, and addresses of church members. The Lagos church and partner groups cancelled conferences on sexual rights and health scheduled for Lagos and Abuja in December 2011 due to concerns about the safety of conference attendees after the proposed Same-Sex Marriage (Prohibition) bill refocused negative attention on the church.

Other Societal Violence or Discrimination

There was widespread societal discrimination against persons with HIV/AIDS. The public considered the disease a result of immoral behavior and a punishment for homosexual activity. Persons with HIV/AIDS often lost their jobs or were denied health-care services. Authorities and NGOs sought to reduce the stigma and change perceptions through public education campaigns.

Various reports indicated street mobs killed suspected criminals during the year. In most cases there were no arrests reported from these mob actions and no developments in cases from previous years. On October 5, a mob in a community near the University of Port Harcourt beat and burned to death four university students accused of stealing laptops and cell phones. Some witnesses claimed the four went to collect a debt from another individual who then falsely accused them of the thefts in order to incite a mob. On October 17, a Port Harcourt chief magistrates' court arraigned 13 people on a five-count charge of conspiracy and

murder. On December 20, the court arraigned another three suspects before adjourning until February 2013.

Communal violence between herders and farmers continued unabated in the local government areas south of Jos. In August, following a series of attacks in Plateau State between ethnic Berom and Hausa-Fulani, in which as many as 150 persons were killed, the president sent a delegation to work with community leaders. It met separately with ethnic Berom and Hausa-Fulani leaders to work towards a solution. Berom leaders supported the implementation of recommendations suggested in reports produced by Plateau State-led committees. The Hausa-Fulani, on the other hand, would only support recommendations suggested in reports from federally led committees, claiming they did not agree with, and did not have input into, the state-led reports (see section 6).

On May 2, a group of armed robbers shot and killed up to 50 people at a cattle market in Potiskum, Yobe State. During an attack earlier in the day in which the robbers had shot and injured an unknown number of people, traders caught and hanged a member of the gang. The robbers were reportedly retaliating against traders in the market for his lynching.

On October 1, unknown gunmen killed 46 students at the Federal Polytechnic Mubi, Adamawa State. The gunmen reportedly went door-to-door at the university hostel and called out the names of specific students before slitting their throats or shooting the students execution style. A majority of those killed were members of the winning side of the student union elections held a week earlier, leading to speculation the killings were related to the university elections. Boko Haram denied responsibility for the killings. The police made initial arrests and detentions, but no suspects were on trial by year's end.

Kidnappings and related violence were a serious problem. During the year kidnappers abducted traditional leaders, doctors, religious figures, university lecturers, and the relatives of politicians. On July 27, kidnappers abducted the daughter of former senator Nimi Barigha-Amange, Diepreye Dagi Darego. The abductors released her on July 29 after security services began a search for her.

Ritualists kidnapped and killed people in order to harvest body parts for rituals and ceremonies believed to confer mystical powers. For example, on September 3, the body of Tonia Ibelefa was discovered in Ogere, Osun State--missing organs, including tongue, breasts, and clitoris--two weeks after she was kidnapped.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides all workers, except those in certain categories, with the rights to form or belong to any trade union or other associations, conduct legal strikes, and bargain collectively. Some statutory limitations substantially restricted these rights. Under the Trade Unions Act, labor unions must be registered with the government and must have a minimum of 50 members. Other trade unions may not be registered if a trade union already exists in that trade or profession.

Workers, except members of the armed forces and employees designated under the Trade Unions Act as essential public sector workers, may join trade unions. Essential workers included government employees in the police, prison service, immigration and customs departments, mint, and Central Bank. Trade union federations, called in the Trade Unions Act “central labor organizations,” must register with the government. Each federation must consist of 12 or more affiliated trade unions, and each trade union must be an exclusive member in a single federation.

The law generally does not ensure a union’s ability to conduct its activities without interference by the public authority. The law narrowly defines what union activity is legal. The Minister of Labor has broad authority to cancel the registration of workers’ and employers’ organizations. In addition, the Registrar of Trade Unions has broad powers to supervise union accounts at any time.

The law stipulates every collective agreement on wages be registered with the National Salaries, Income, and Wages Commission, which decides whether the agreement becomes binding. Workers and employers in export processing zones (EPZs) are subject to the provisions of the labor laws and the 1992 Nigeria Export Processing Zones Decree. Under this decree workers in the EPZs are allowed to organize and engage in collective bargaining, but there are no explicit provisions to ensure workers in EPZs have the right to organize freely their administration and activities without interference by the public authorities. The law does not allow worker representatives free access to the EPZs to organize workers, nor does it allow workers to strike for 10 years following the commencement of operations within a zone. In addition the Nigerian Export Processing Zones Authority, which the federal government created to manage the EPZ program, has the exclusive authority to handle the resolution of disputes between employers and employees, thereby limiting the autonomy of the bargaining partners.

The law limits the right to strike to disputes of rights, including those arising from the negotiation, application, interpretation, or implementation of an employment contract or collective agreement, or those arising from a collective and fundamental breach of an employment contract or collective agreement, such as one related to wages and conditions of work. Strikes in essential services are prohibited. Under the Trade Disputes Act, essential services include, among others, services for, or in connection with, the Central Bank of Nigeria; Nigerian Security Printing and Minting Company Limited; any corporate body licensed to carry out banking business under the Banking Act; postal service; sound broadcasting; maintenance of ports, harbors, docks, or airports; transportation of persons, goods, or livestock by road, rail, sea, or river; road cleaning; and refuse collection. Strike actions, including many in nonessential services, may be subject to a compulsory arbitration procedure leading to a final award, which is binding on the parties concerned.

Strikes over national economic policy are prohibited. Penalties for participating in an illegal strike include both fines and imprisonment for up to six months. The International Labour Organization (ILO) ruled the law's restrictions on the right to strike contravened ILO conventions. The ILO recommended the relevant laws be amended to ensure workers enjoy the full right to strike, including recourse to protest strikes aimed at criticizing the government's economic and social policies, without sanction, particularly penal sanction, for participating in a peaceful strike. Instead of imposing an outright ban on strikes in such categories of services, the ILO recommended the government establish a system of minimum service and that workers not defined as essential have the right to strike, although they have to provide advance notice.

Workers under collective bargaining agreements cannot participate in strikes unless their unions complied with legal requirements, including provisions for mandatory mediation and referral of disputes to the government. Workers may bring labor grievances to the judicial system for review. Laws prohibit workers from forcing persons to join strikes; blocking airports; or obstructing public byways, institutions, or premises of any kind. Persons committing violations are subject to fines and possible prison sentences. The law further restricts the right to strike by making "check-off" payment of union dues conditional on the inclusion of a no-strike clause during the lifetime of a collective agreement, in the case of strikes that commence without due cause. The law does not prohibit antiunion discrimination and does not provide for reinstatement for workers fired for union activity. No laws prohibit retribution against strikers and strike leaders, but strikers who believe they are victims of unfair retribution may submit their cases to

the Industrial Arbitration Panel with the approval of the Ministry of Labor. The panel's decisions are binding on the parties but may be appealed to the National Industrial Court. The arbitration process was cumbersome, time consuming, and ineffective in deterring retribution against strikers. Individuals also have the right to petition the Ministry of Labor and may request arbitration from the National Industrial Court.

While workers exercised some of these rights in practice, the government generally did not effectively enforce the applicable laws. In addition the Trade Unions Act was last updated in 2004, while the Labor Act was last updated in 1990. As a result, inflation reduced the value of many fines. For instance, some fines under the Labor Act may not exceed 100 naira (\$0.64).

Officials reported union membership had declined in recent years, and a majority of workers operated in the informal economy. Many workers in the informal sector belonged to thrift and cooperative societies, which helped with daily savings and with loans to meet business needs.

In many cases workers' fears of negative repercussions inhibited their reporting of antiunion activities. For instance, a union reported it was having trouble organizing in the aviation sector due to fears the employer would hire nonunion employees.

According to labor representatives, the police rarely gave permission for public demonstrations and routinely used force to disperse protesters. During the January fuel subsidy protests, police generally used restraint when dispersing protesters and striking workers, but in some cases they used tear gas and small arms fire to disperse gatherings in various cities. Some state authorities, particularly in the Southeast, reportedly issued orders prohibiting participation in strikes and demonstrations. In February the Lagos State Police Command reportedly arrested 16 activists during a procession in honor of the victims of the January fuel subsidy protest.

On July 11-12, the National Labor Congress held a delegate congress at the Bishop Mcgretric Pastoral Center in Abakaliki, the Ebonyi State capital. Mobile police broke up the meeting with force.

On July 20, the military occupied the Egbin Power Station and Eko Electricity Distribution Company in response to a strike by the National Union of Electricity Employees. On July 21, soldiers took over the Power Holding Company of

Nigeria in Abuja. The military remained at these sites for months after the end of the three-day warning strike.

Authorities arrested local labor leader Osmond Ugwu and union member Raphael Elobuike in October 2011 after police in Enugu State reportedly broke up a union meeting that Ugwu was leading. The men were charged with assault and attempted murder but were released on bail on January 26 after AI and the Civil Liberties Organization helped bring attention to their case.

Collective bargaining occurred throughout the public sector and the organized private sector but remained restricted in some parts of the private sector, particularly in the banking and telecommunications sectors. According to the International Trade Union Confederation, government and some private sector employers occasionally failed to honor their collective agreements. For example, the government failed to respect a collective agreement that stipulated a new salary structure for academics and more funding for universities. University staff held a short strike in December over the nonpayment of allowances. In May health care workers went on strike at federal hospitals in response to the government's failure to pay allowances. In January the striking Rivers State University of Science and Technology staff members were ordered to resume work or to face dismissal. Some state governments failed to implement the 2011 minimum wage, which was negotiated between the government and organized labor, prompting protests and strikes (see below).

Union members complained about the increased use of contracted labor and short-term labor contracts by employers seeking to avoid pension contributions and other obligations to their employees.

A local NGO reported workers were required to sign, as a condition of employment, contracts that explicitly prohibited employees from attempting to join a union. Some employers dismissed workers involved in organizing unions. Chinese employers reportedly continued to fail to comply with labor laws pertaining to the protection of union organizing, especially in the construction and textile sectors.

In December police reportedly used tear gas and small arms fire to disperse protesting workers in Plateau State.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, including by children; however, some laws, including the Labor Decree of 1974, Merchant Shipping Act, the Trade Disputes Act of 1990, and Nigerian Press Council Act of 2002 (as amended), contain provisions for sanctions that include imprisonment with compulsory prison labor. The laws provide for fines and imprisonment for individuals convicted of engaging in the practice of forced or compulsory labor. Enforcement of the law remained ineffective in many parts of the country. The government took steps to identify or eliminate forced labor, but its efforts were hampered by insufficient resources and complicated by jurisdictional issues between state and federal governments. There were no data on the number of victims removed from forced labor during the year.

Forced labor remained widespread, particularly bonded labor and domestic servitude. Children worked in agriculture, artisanal building, stone and gravel mining, artisanal gold mining, petty trading, fishing, and domestic labor.

UNICEF reported children were sometimes encouraged to participate in ethnic conflicts, but forced involvement was difficult to prove. Children were forced into criminal activity, and poverty induced children to engage in crime and violent activities.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip.

c. Prohibition of Child Labor and Minimum Age for Employment

The law sets a general minimum age for employment of 14 years. Persons under age 15 may be employed only on a daily basis, must receive the day's wages at the end of each workday, and must be able to return each night to their parents' or guardian's residence. Under the Labor Act these regulations do not apply to domestic service. The law also provides exceptions for light work in agriculture and horticulture if the employer is a family member. No person under the age of 16 may work underground, in machine work, or on a public holiday. No young person may be employed in any job that is injurious to health, dangerous, or immoral. For industrial work and work on vessels where a family member is not employed, the minimum work age is 15 years, which is consistent with the age for completing educational requirements. The law states children may not be employed in agricultural or domestic work for more than eight hours per day. Apprenticeship of youths above the age of 12 is allowed in skilled trades or as domestic servants.

Despite the law children were not adequately protected, due to weak or nonexistent enforcement. The Labor Ministry is responsible for enforcing labor laws. The federal government passed the Child Rights Act in 2003; it required state-level ratification for full implementation. Twenty-four states, and the FCT, have passed the act. The remaining states are primarily in the North, where Sharia is in effect. UNICEF continued to advocate passage and enforcement in all states.

The Ministry of Labor dealt specifically with child labor problems and operated an inspections department to enforce legal provisions on conditions of work and protection of workers. From January to November, the ministry reported a total of 7,840 labor inspections in all areas, resulting in 500 cases of violations. Although the inspectorate employed approximately 444 inspectors for all business sectors, there were only 86 factory inspectors for the entire country. The Nasawara State Office of the Ministry of Labor and Productivity's staffing and resources, for example, were well below the level needed for the task and had little capacity to address labor law issues in the large informal sector. Labor inspections mostly occurred randomly but occasionally occurred when there was suspicion, rather than actual complaints of, illegal activity. The ministry conducted inspections mostly in the formal business sector, where the incidence of child labor was not reported to be a significant problem. The National Agency for the Prohibition of Traffic in Persons (NAPTIP) has some responsibility for enforcing child labor laws, although it primarily rehabilitates trafficking and child labor victims. Victims or their guardians rarely complained due to intimidation and fear of losing their jobs. During the year the Ministry of Labor and Productivity issued no citations nor collected any fines from employers of child labor.

The government's child labor policy focused on intervention, advocacy, sensitization, legislation, withdrawal of children from potentially harmful labor situations, and rehabilitation and education of children following withdrawal. In an effort to withdraw children from the worst forms of child labor, the Ministry of Labor established and upgraded skills acquisition and vocational training centers in Kaduna, Ibadan, Enugu, and Lagos; four other centers were being developed. New centers in Calabar, Bauchi, and Warri were completed. NGO-run or state-run vocational training centers were also in operation.

Private and government initiatives to eliminate child labor continued but remained mostly ineffective. The government gradually implemented the ILO/International Program for the Elimination of Child Labor (ILO/IPEC) Sustainable Tree Crop Program in the cocoa and other agricultural subsectors. A component of the

ILO/IPEC project sensitized farmers to matters relating to hazardous child labor and child trafficking for labor exploitation. Akwa Ibom, Ondo, Cross River, and Abia states participated in the program during the year. In October 2011 the government launched an ILO/IPEC project to reduce child labor and trafficking in stone quarries in Ogun State.

Child labor was widespread, and the Ministry of Labor and the NAPTIP estimated more than 15 million children participated in child labor, including 2.3 million employed in hazardous work.

The worst forms of child labor identified in the country included commercial agriculture and hazardous farm work; street hawking; exploitive cottage industries; hazardous mechanical workshops; exploitive and hazardous domestic work; commercial fishing; exploitive and hazardous pastoral and herding activities; construction; transportation; mining and quarrying; prostitution and pornography; forced and compulsory labor and debt bondage; forced participation in violence, criminal activity, and ethnic, religious, and political conflicts; and involvement in drug peddling.

Many children worked as beggars, street peddlers, bus conductors, and domestic servants in urban areas. Among child workers the government estimated that as many as 9.5 million “almajiri” children were engaged in street begging in the North (see section 6, Children). Children also worked in the agricultural sector and in mines. Boys worked as bonded laborers on farms, in restaurants, for small businesses, in granite mines, and as street peddlers and beggars. Girls worked involuntarily as domestic servants, street peddlers, and commercial sex workers.

In addition to children who were citizens, there were reports of thousands of trafficked Beninese children forced to work in granite mines in Abeokuta, Ogun State. An international agency worked with state government officials to eliminate the number of child workers under age 14 and acted as an ombudsman to advocate for 14-to-16-year-old workers. Near Lafia, in Nasawara State, local children could be seen hammering down large pieces of rocks, stacking them into piles, and carrying them on their heads. In Zamfara State children were employed in industrial facilities used to process gold ore, exposing them to hazardous conditions. No remediation efforts began during the year.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

A national monthly minimum wage of 18,000 naira (\$115) was established by an amendment to the law in March 2011. Employers with fewer than 50 employees are exempt from provisions of the law, and the large majority of workers are not covered by the law.

The Labor Act mandates a 40-hour workweek, two to four weeks of annual leave, and overtime and holiday pay, except for agricultural and domestic workers. The Labor Act does not define premium pay or overtime. The law prohibits excessive compulsory overtime for civilian government employees.

The law establishes general health and safety provisions, some of which are aimed specifically at young or female workers. The 2010 Employees Compensation Act raised the amounts paid to workers who suffered job-related injuries. The act also extended coverage to women involved in work not previously covered. The law requires employers to compensate injured workers and dependent survivors of those killed in industrial accidents. The Factories Act provides for the protection of factory employees in hazardous situations, including the right of employees to remove themselves from such situations. The law did not provide other, nonfactory workers with similar protections. The labor laws apply to legal foreign workers, but not all companies respected these laws in practice. The Ministry of Labor is responsible for enforcing these standards.

Implementation of the minimum wage act remained slow, particularly by state governments, despite worker protests and warning strikes. For instance, workers in Plateau State participated in a strike from June to December over the state's refusal to increase government salaries to the minimum wage.

The Ministry of Labor did not properly monitor and enforce health and safety conditions due to insufficient inspectors. The inspectorate division of the Ministry of Labor inspects factories for compliance with health and safety standards. However, this division was underfunded, lacked basic resources and training, and consequently did not sufficiently enforce safety regulations at most enterprises, particularly construction sites and other nonfactory work locations. In addition the compensation law was not enforced strictly. Enforcement of these standards did not occur in the informal sector.

While the Ministry of Labor was unable to provide occupational health and safety statistics, multiple sources indicated unsafe conditions were common at worksites

across the country. There were no reports of government action during the year to prevent violations and improve working conditions, particularly for hazardous sectors or vulnerable groups. For example, there was no concrete action to address the lead poisoning in artisanal gold mines in Zamfara, despite the fact that the government had allocated money for that purpose.