

Report

Fact-finding trip to Nigeria (Abuja, Lagos and Benin City) 12-26 March 2006



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Landinfo – The Country of Origin Information Centre

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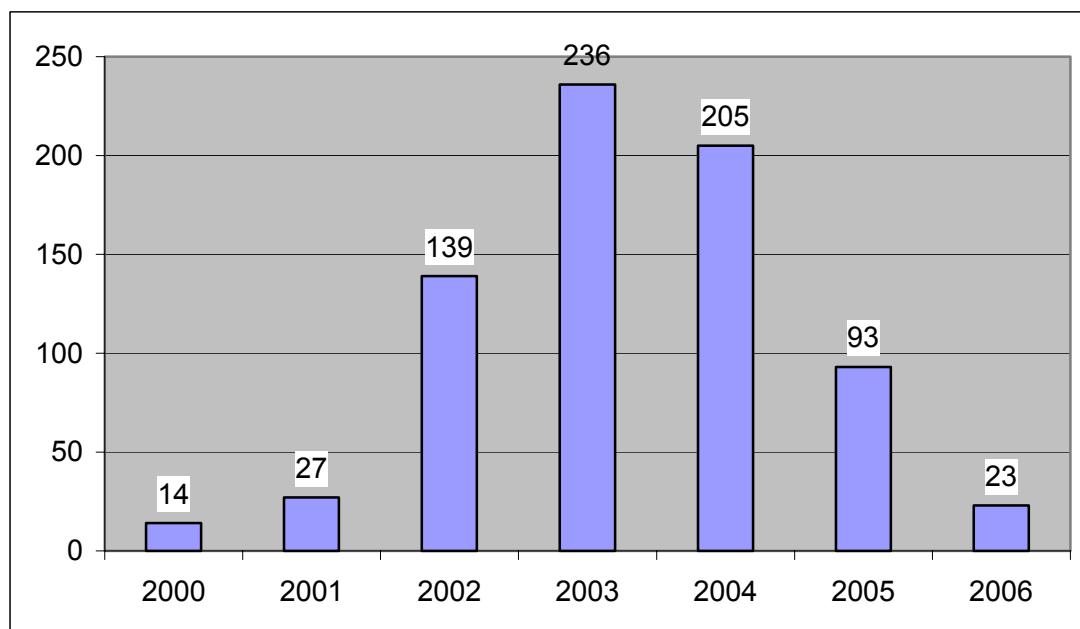
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1. INTRODUCTION

This report is based on information gathered during a fact-finding trip to Nigeria 12-26 March 2006. The first part of the trip (12-16 March) was arranged by the Ministry of Foreign Affairs and led by Senior Adviser Tove Skarstein, Coordinator for Human Trafficking Issues at the ministry, and was focused on the issue of human trafficking of Nigerians to prostitution in Norway. The other members of the delegation were Director Liv Jessen and Cultural Mediator Patricia Akinyemi from ProSentret,¹ Helge Årvoll from Kirkens Bymisjon Stavanger, Adviser Ingrid Olram from the Norwegian Directorate of Migration,² Adviser Bent Skogen from the Immigration Appeals Board³ and Regional Adviser Geir Skogseth from Landinfo – The Country of Origin Information Centre. The information on the issue of human trafficking has been published in a separate report.⁴

The delegation from the Norwegian immigration authorities – Adviser Ingrid Olram, Adviser Bent Skogen and Regional Adviser Geir Skogseth – remained in Nigeria until 26 March to look into issues concerning Nigerian asylum seekers, and this is the focus of this fact-finding report.

Norwegian immigration authorities conducted a similar fact-finding to Nigeria in February 2004.⁵ The number of asylum seekers from Nigeria to Norway saw a rise until 2003, but has since decreased significantly:



Nigerian asylum seekers to Norway 2000-2006 (2006: 1 January to 1 July).

¹ www.prosentret.no

² www.udi.no

³ www.une.no

⁴ See Skogseth 2006.

⁵ See Skogseth 2004.

The decrease in the number of Nigerian asylum seekers to Norway since 2004 generally reflects a drop in the number of asylum seekers both in Norway and in the rest of Europe in general over this period. It is difficult to say if it has any relation to the current situation in Nigeria. The decrease notwithstanding, Nigerian asylum claims remain unusually varied considering the relatively low number of arrivals to Norway – the claims have also changed focus over time. Therefore, assessing Nigerian asylum applications remains a challenge for the immigration authorities in Norway.

The purpose of the trip was to collect information with relevance for the processing of asylum applications presented by Nigerians in Norway, and as a consequence, the report concentrates on issues related to certain important asylum claims, such as regional and ethnic movements, issues related to *juju* and traditional religion, gender and health issues. Topics which are important in a Nigerian human rights context, but which do not feature in asylum claims submitted by Nigerians in Norway, are only discussed briefly or left out of the report.

It was decided in advance that the report would be made public. All sources were informed of this during the meetings. Some sources asked not to be quoted directly in the report on some or all issues we discussed during the meetings, and this has been respected while writing the report. All sources agreed to be listed in the References section of the report.

The meetings were arranged through invaluable assistance from the Royal Norwegian Embassy in Abuja. I would especially like to thank First Secretary Jens Grøndahl for his considerable work in setting up meetings and logistics ahead of and during our trip to Nigeria.

2. THE GENERAL POLITICAL AND SOCIO-ECONOMIC SITUATION IN NIGERIA

As one of our main sources professor Abengowe, put it: «The sheer size of Nigeria's population makes for big numbers in general,» i.e. even an issue which concerns a relatively small percentage of Nigerians does have implications for a large number of people. The frustration with the slow pace in development of infrastructure, widespread corruption, crime and general disintegration is considerable.

Disturbances and violence between different groups – often along ethnic and/or religious lines – continue to erupt regularly, and the very unstable situation in the oil producing areas of the Niger Delta is a source of escalating worry. 2007 will see presidential elections in the country, and contenders for the presidential post have already started to position themselves. Meanwhile, the economy is boosted by increased income from the oil sector.

2.1 ECONOMIC AND SOCIAL RIGHTS

Bukhari Bello, executive secretary of the National Human Rights Commission (NHRC), stated that the commission's main focus is on economic and social rights:

Most problems that Nigerians experience are due to widespread poverty as a result of bad governance and squandering of resources. There is a clear lack of good governance, and resources are not channelled correctly. The irony is that there was more accountability during the military dictatorship than there is under Nigerian democracy now.

Because of the federal structure, the Nigerian states have wide autonomy, and there is little accountability. In principle, local government should be closer to the people, but local authorities relocate very little resources to the population – there is no reception of funds on the ground level. The educational system, the health sector and general poverty alleviation are all still in crisis – and these issues are not addressed properly.

2.2 CIVIL AND POLITICAL RIGHTS

According to Bukhari Bello (NHRC), there is generally free expression in Nigeria, with some exceptions, like criticism of the State Security Services (SSS): «When we see examples of the SSS reacting against criticism in the media, it reminds us of the military dictatorship.» Still, generally speaking, he was of the opinion that the newspapers are free to criticise on most issues.

2.2.1 The death penalty

The issue of the death penalty continues to be a priority for the National Human Rights Commission. Bukhari Bello (NHRC) stated that «there seems to be an unofficial moratorium on executions.» According to Tony Ojukwu, Deputy Director of the National Human Rights Commission (NHRC), the commission's National Study Group recommended an official moratorium to reflect the "unofficial" one in October 2004. So far, such an official moratorium has not been implemented. Complete abolition of the death penalty remains a long-term aim: «however, this involves a constitutional amendment, so it will take time,» Bukhari Bello (NHRC) said.

The last execution in Nigeria was the hanging of Ken Saro-Wiwa and eight fellow MOSOP⁶ activists in November 1995. According to Amnesty International, death sentences were passed in Nigeria during both 2004 and 2005⁷ – thus the number of people currently awaiting capital punishment in the country is increasing.

2.2.2 The position of the National Human Rights Commission

Bukhari Bello (NHRC) explained that the commission is sponsored by the government, but formally independent. He told us that so far, he has never experienced any serious confrontations with government figures because of the commission "going too far", but stated that the lack of adequate funding for the commission's work was clearly a way of interfering with them.

2.3 NIGERIAN MIGRATION

Nigerian emigration is considerable, and there are large Nigerian diaspora communities in many countries in West Africa, as well as in South Africa, Europe, USA, Canada and the Arabian Gulf Countries. Large numbers of Nigerians continue to see emigration as a tempting prospect for improving their own lives and the financial situation of their families. Poor Nigerians generally move within the country or the region, whereas more well off Nigerians have more distant goals: Europe and North America for southern Nigerians, and Arab countries for northerners.

2.3.1 Nigerian asylum seekers in the region

One indication of the conflict level in a country can be the number of people who choose to take refuge in neighbouring countries.

Alphonse Malanda, UNHCR representative for Nigeria and ECOWAS, stated that only very few Nigerians have applied for refugee status at UNHCR offices in neighbouring countries, the main exception being a large group who crossed into Cameroon after riots in Taraba and Benue states in 2000. Voluntary repatriation for this group came to an end in December 2005.

⁶ Movement for the Survival of the Ogoni People.

⁷ See Amnesty International 2005 and 2006.

2.4 SUPPORT NETWORKS

In a country without a welfare system, people mainly rely on their immediate and extended family in times of need and crisis. Even though several sources stated that family ties seem less binding today than they used to, people generally have few others they can rely on. As long as other support networks are limited, most people do try to maintain close ties with relatives in order not to jeopardise this network for times when they may have to rely on their help. Therefore, most Nigerian migrant – both inside Nigeria and outside – keep in close touch with relatives in their place of origin in Nigeria. Nigerians living in other parts of Nigeria than their place of origin also tend to go back to the villages where they have extended family regularly to maintain such ties – that may be crucial in times of crisis.

Relying on immediate and extended family is not the only option, however – many Nigerians try to establish other support networks that may complement or (in some cases) replace the extended family. Examples of such support networks are religious congregations, religious organisations, age grades/sets,⁸ political organisations, charities, secret societies and guilds. Many such organisations are expected to aid their members in ways that would be fairly unusual in a European context. For instance, it would not be very unusual for a grassroot level member of a political group to appeal to the local leader of the organisation for financial assistance towards a child's hospital bill and the like.

Support networks like these may be limited to a certain ethnic group, but not necessarily.

2.4.1 Religious congregations

Religious affiliation continues to be an issue evoked regularly in Nigeria, especially in situations of political conflict where people want to mobilise others on their side. However, an issue rarely mentioned in reports on Nigeria is the source of support religious congregations can be for ordinary Nigerians – and not only on a spiritual level. Religious congregations are also important networks and sources of assistance in times of need. Note that Christian and Muslim congregations generally consider the ethnicity of congregation members to be irrelevant.

2.4.2 Pentecostal congregations as support networks



⁸ In anthropology, an age set is a social category or corporate social group, consisting of people of similar age, who have a common identity, maintain close ties over a prolonged period, and together pass through a series of age-related statuses. This is in contrast to an age grade, through which people pass individually over time.

One of the most important developments in the religious sphere in Nigeria has been the enormous growth of the charismatic Pentecostal movement has experienced since the early 1970s.⁹

The delegation attended the third Sunday service of the Good Tidings Bible Church International in Abuja on 19 March, and met with Pastor Dayo Olutayo after the service. Pastor Olutayo focused on «solidarity between brothers and sisters» in his congregation. He saw his church as a family, with the pastor as the father «who provides for the needs of his household. And the head of the family has a responsibility in times of trouble.» He interpreted his role as a pastor as someone who should enlighten the congregation to deal with their problem through spiritual guidance: «We believe that problems stem from unseen influence from the evil forces.» However, his solution was mainly to help people help themselves:

We can help through the church by teaching people to be diligent in their work. We do job training, as we want to bring out people's potential and talents, make them use their own hands to work. Some people we help financially, but people have taken advantage of that and misused the resources, so now we try to finance ideas, we don't give money directly to people any longer. We want the aid to be lasting.

In his service, Pastor Olutayo focused on *negative family structures* – «inherited behaviour and medical patterns, problems recurring over generations» – using God's word to break these structures. This highlights a phenomenon where the religious congregation may not only complement someone's family network, but in some cases even replace them. In discussing pentecostalism in the neighbouring anglophone western province of Cameroon, Akoko Robert Mbe has pointed out the following:

Some [members of charismatic pentecostal congregations] do not associate with family members considered 'unbelievers' and as such have no financial obligations towards their own needy ones, despite the African extended family structure in which members are usually mobilized to assist everyone. This abstention reduces their financial burden as compared to those who have to provide for such things. (Mbe 2002:372)

Thus, joining a pentecostal congregation can in some cases also be a strategy to avoid obligations towards the extended family. Though it also involves new obligations towards members of the congregation, these are generally not as much of a burden as the obligations towards one's own extended family.

⁹ Religious revival and Islamist trends among Nigerian Muslims can be seen as a parallel phenomenon. However, as most Nigerian asylum seekers come from ethnic groups with origins in southern Nigeria and are predominantly Christian, changes in religious trends among Nigerian Muslims will not be discussed in this report.

3. REGIONAL AND ETHNIC MOVEMENTS

3.1 ETHNIC AND RELIGIOUS BALANCE AS AN UNDERLYING SOURCE OF POLITICAL TENSION IN NIGERIA

In principle, Nigerian politicians and political parties cannot champion group interests when these are based on ethnicity, religion or regional origin. According to article 222 of the Nigerian constitution of 1999, paragraphs b and e, establishing political parties on basis of ethnicity, religion or regional origin is not allowed:

No association by whatever name called shall function as a political party, unless -

- (a) *the names and addresses of its national officers are registered with the Independent National Electoral Commission;*
- (b) *the membership of the association is open to every citizen of Nigeria irrespective of his place of origin, circumstance of birth, sex, religion or ethnic grouping;*
- (c) *a copy of its constitution is registered in the principal office of the Independent National Electoral Commission such form as may be prescribed by the Independent National Electoral Commission;*
- (d) *any alteration in its registered constitution is also registered in the principal office of the Independent National Electoral Commission within thirty days of the making, of such alteration';*
- (e) *the name of the association, its symbol or logo does not contain any ethnic or religious connotation or give the appearance that the activities of the association are confined to a part only of the geographical area of Nigeria; and*
- (f) *the headquarters of the association is situated in the Federal Capital Abuja.¹⁰*

¹⁰ The Nigerian constitution is available from <http://www.nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm> [accessed 25 April 2006].

Even so, ethnicity remains a very important issue in Nigerian politics. Politicians both on the federal and state levels are often expected to favour the interests of their own ethnic group, co-religionists or geographical region of origin, though perhaps less so than in many other countries in the region.¹¹ On the other hand, the political elite is by many considered to constitute a class mostly focused on securing its own position. As Anver Versi, editor of *African Business*, has put it: «The Nigerian elite focuses on maintaining a status quo where they control more than 99 % of the country's resources.»¹²

The balance between the three large ethnic groups, the Hausa, the Yoruba and the Igbo, and the smaller ones (especially in the South-South, the Mid-Belt and the North-East), is one important dimension, and so is the balance between Christians and Muslims. However, it is important to point out that many social scientists stress the fluid nature of ethnicity in Nigeria, and that local perceptions of identity are subject to considerable change over time. Ethnic divisions do not necessarily imply clear linguistic, cultural or political differences, and especially within the three large ethnic groups in Nigeria, there is considerable internal variation. These internal differences, including linguistic ones, can sometimes be more substantial between different subgroups of a large ethnicity than between one such subgroup and another ethnic group.

The issue of religion in Nigeria is also considerably more complex than simply the balance between Christians and Muslims. First, a fairly large minority of Nigerians are neither Christians nor Muslims. Second, there is considerable variation among both Christians and Muslims as to how they practice their religion – on a wide scale from strict orthodoxy on one side to a very syncretistic one on the other.¹³

3.1.1 Ethnic balance and the question of rotation of the presidency between regions

During our stay in Nigeria, there was a heated debate on the question of whether the constitution should be changed to allow a president the possibility of serving three terms, instead of the current two.

¹¹ It can be considered a paradox that this issue is often raised as *criticism* towards politicians – i.e. people of the same ethnic group or religion, or people with the same geographical origin, criticise them for forgetting “their own” and thinking only of themselves, or becoming too involved in internal political power struggles. This is especially the case for politicians on a federal level.

¹² Remark made at the conference *Norway and Nigeria's oil adventure* in Oslo 26 April 2006. The conference was organised by the Norwegian Council for Africa, the Norwegian NGO Future in our hands (FIVH) and the Nigerian NGO Centre for Democracy & Development (CDD). See <http://www.afrika.no/Detailed/11828.html>.

¹³ Syncretistic in this context can mean both that Christian or Muslim practices are heavily influenced by and mixed with animist religious practice – often referred to by Nigerians as "juju" – and modern religious phenomena where features of Christianity, Islam, animism and even other world religions are mixed in new local sects.

Bukhari Bello (NHRC) commented that many people work for the presidency to go to a certain region, i.e. the south-east, but that internal divisions in practice stop them from being able to unite behind one candidate. He found it a paradox that there seemed to be less opposition to the possibility of a third term in Igboland than in Lagos and the north.¹⁴ He was of the opinion that the whole discussion around the third term issue in itself is worrying, as an attack on the principle of rotation in higher political offices.

In principle, the issue was settled in May 2006, when the Nigerian senate threw out the bill with proposed changes to the constitution, including allowing a third presidential term.

3.1.2 Ethnic balance and the 2006 census

The Nigerian National Population Council (NPC) held a nation-wide census from 21 March this year. It was originally planned for November 2005, but was postponed because of the huge logistics involved. Even with the postponement, the census was marred by large practical problems. These problems were covered in detail in the Nigerian press during and after the census.

The local newspapers also printed numerous articles on how controversial the census issue is. Many of the commentators were highly critical to the decision to exclude questions regarding geographical origin and ethnicity in the 2005 census – even though many Nigerians tend to see a census as a competition for the position of largest ethnic group between Hausa-Fulanis, Yorubas and Igbos. The Economist Intelligence Unit has given the following description of the situation:

The reason given by the authorities for excluding questions of origin was to prevent interested groups from attempting to manipulate the census. The president, Olusegun Obasanjo, appealed to Nigerians to view the headcount as an exercise vital for social and economic planning and not as a political contest. Census exercises have always been highly controversial in Nigeria where the data is key in determining the distribution of political representation and economic resources among states and regions. The results of previous censuses – In 1953/55, 1963, 1973 and 1991 – were all clouded by disputes fuelled by ethnic interests. Partly as a result of this, nobody really knows the population of Nigeria, with current estimates ranging between 120m to 150m. (EIU 2006:26)

¹⁴ President Olusegun Obasanjo is a Yoruba from the southwest where Lagos is the main centre. As a former general, he had strong support in both elections within the northern-dominated armed forces.

3.2 SEPARATISM

Bukhari Bello (NHRC) emphasised the fact that separatism is against the Nigerian constitution (see quote in section 3.1 above). Thus organisations like MASSOB (Movement for the Actualisation of the Sovereign State of Biafra), MEND (Movement for the Emancipation of the Niger Delta) and OPC (O'odua People's Congress) are illegal, but he also stated that there is also the question of the right to self-determination. The focus of the National Human Rights Commission regarding separatists was to make sure that they go through due process when they are taken to court.

3.2.1 Igbo separatism: MASSOB

MASSOB-affiliation is claimed in a number of asylum cases both in Norway and in other European countries. The separatist group is increasingly in conflict with Nigerian authorities, and is seen as a clear threat by the political elite.

A clear indication that the issue of MASSOB is controversial, and therefore may be underreported to a certain extent in the Nigerian press, is a statement made by Vice President Abubakar in August 2005:

Vice President Atiku Abubakar, yesterday declared that the activities of the Movement for Actualization of the Sovereign State of Biafra (MASSOB) were treasonable, warning media practitioners to shun publicizing the group's antics. (Lohor 2005)

According to Bukhari Bello (NHRC), MASSOB activists have never approached the National Human Rights Commission regarding their grievances with the Nigerian state.

MASSOB explicitly presents itself as a peaceful and non-violent organisation, but as one source put it – politics are never peaceful in Nigeria. Still, Nigerian media have on several occasions reported on acts of violence committed by people who claim to be MASSOB supporters – recently both during the national census in March¹⁵ and during the June unrest in Onitsha.¹⁶ However, such actions may be the work of other, more violent separatist groups critical towards MASSOB's policy of non-violence.

3.2.1.1 MASSOB and the Nigerian civil war 1967-70

MASSOB sees itself as a successor to the Biafra political leaders of the 1960s. In doing so, MASSOB understates the fact that the organisation was only established in the late 1990s, choosing instead to evoke a continuing separatist struggle since the proclamation of the Biafran republic on 30 May 1960.

Bukhari Bello (NHRC) pointed out that the link between the current MASSOB leadership and the Biafra separatists of the late 1960s is in fact weak. In his opinion, it seems that Ralph Uwazuruike was not known to the 1960s Biafra leaders before MASSOB started its activities in the late 1990s.

¹⁵ See BBC 2006a, Irin News 2006b, Vanguard 2006a and Vanguard 2006b.

¹⁶ See BBC 2006b.

Other sources have stressed that the memories of the Nigerian civil war are still strong, especially among Nigerians old enough to remember it. Many of these, also Igbos, see the separatist issue as a lost battle.¹⁷

3.2.1.2 Are Igbos marginalised in Nigerian society?

Bukhari Bello (NHRC) stated that marginalisation in a Nigerian context concerns the poor versus the elites, but that it was not a question of ethnicity. He denied that there was any sort of “glass ceiling” stopping Igbos from advancing to the top levels of the Nigerian political society.

3.2.1.3 Popular support for MASSOB

It is difficult to assess how much popular support MASSOB actually has. Festus Keyamo, Legal Practitioner and Legal Adviser to Movement for the Actualisation of the Sovereign State of Biafra (MASSOB), claimed that MASSOB enjoys large grassroot support among Igbos, and that Igbo marketwomen, motorcycle drivers and similar people pay a voluntary tax to the organisation. He denied claims that have come up in Nigerian media that the MASSOB leadership should be forcing people to contribute funds to the organisation. According to Keyamo, “we have to differentiate between supporters and members. I believe we have the support of some 80 % among Igbos.” He did not forward any figures concerning membership in the organisation.

Bukhari Bello (NHRC), on the other hand, stated that MASSOB does not enjoy majority support even in core Igbo areas of Nigeria.

Marc Fiedrich, Head of Sector (Good Governance) of the European Commission’s Delegation to Nigeria, stated that it was his impression that MASSOB does enjoy popular support among Igbos. He mentioned the grievances within the Igbo community regarding a lack of representation on a high level in Nigerian politics as one possible reason for such support, but also pointed out that the frustration out of which popular support grows, is similar to the frustration felt by Nigerians from other ethnic groups. It is thus not unique to Igbos.

Tom Ashby, Reuters Chief Correspondent in Nigeria, was of the impression that MASSOB has quite a lot of support, especially among young, unemployed Igbos in Igboland who cannot remember the civil war in the late 1960s.

None of our sources, including Festus Keyamo, backed claims that people are assumed to be MASSOB supporters just on the basis of being Igbos. Neither did anyone state that Igbos who support MASSOB’s political aims and views, but who do not participate in political meetings, demonstrations, etc, are targets of harassment or persecution.

Festus Keyamo stated that MASSOB activities continue, despite the fact that Uwazuruike is in prison, and that the “area leaderships” run things while he is in custody.

¹⁷ For a study of the long-term legacies of this war on Igbos residing in Kano in northern Nigeria, see Anthony 2002.

3.2.1.4 Security forces' attitudes towards MASSOB members

According to Festus Keyamo (lawyer of MASSOB), people brought in by the police during MASSOB events are mainly detained, but usually not maltreated. MASSOB's attorneys are generally given access to MASSOB members in police custody. On the other hand, he stated that the State Security Service (SSS) does maltreat MASSOB activists during investigations. The SSS does not give MASSOB's attorneys access to MASSOB members in custody, unless there is a court order, and even then it can be difficult to get access.

Keyamo also made it clear that the State Security Service (SSS) is generally not proactive, and almost never act on intelligence, information on meetings given to them by informants, etc.

3.2.1.5 Persecution of MASSOB supporters

According to Bukhari Bello (NHRC), some MASSOB supporters may fear state persecution, but not many.

Festus Keyamo (lawyer of MASSOB) stated that MASSOB has no records of ordinary members being arrested, except if they participate in events organised by MASSOB. He added that being in possession of Biafra currency and/or the Biafra flag also can lead to arrest. According to Keyamo's figures, more than one hundred MASSOB supporters were in detention as of March 2006 – of these, twelve (including Uwazuruike) are in Abuja, others in Aba, Onitsha and Kaduna. Many of these have not been charged. Keyamo stated that when MASSOB members are actually charged, the charge is generally "belonging to an illegal organisation". If caught with leaflets or similar objects (like the Biafra currency and/or flag), they may be charged with "treasonal felony".

According to Keyamo, Ralph Uwazuruike is badly treated in prison, and he and his team have complained to the court regarding Uwazuruike being chained to the floor and other forms of maltreatment.

3.2.1.6 MASSOBs policy on asylum seekers claiming to be MASSOB supporters

Festus Keyamo (lawyer of MASSOB), stated the following on behalf of MASSOB leader Ralph Uwazuruike:

The MASSOB leadership has decided that members should stay in Nigeria and fight for self-determination within the country. No decision has been taken to send MASSOB activists abroad to continue the struggle from outside.

Most asylum seekers claiming MASSOB membership are fraudulent and may have no connection to MASSOB. When people contact MASSOB for support and substantiations of their asylum claims (either while still in Nigeria or from abroad), MASSOB turns them down. This is also the case when (potential) asylum seekers offer MASSOB money for such letters of support.

Keyamo went as far as to say the following:

We encourage you to deny asylum to people who claim asylum as MASSOB members. The MASSOB policy is to stay in Nigeria to dare all consequences and fight for self-determination. It is unfair that fortuneseekers go abroad and use the platform of MASSOB to claim asylum.

3.2.2 Niger Delta separatism: MEND

Bukhari Bello (NHRC) stated that the economic and social problems in the Niger Delta are especially bad:

We all know what the problems are: The relevant states have more resources allocated to them than other states, in addition, there is the existing Niger Delta Development Corporation. Still, little development goes on. The oil workers' compounds have good infrastructure whereas the local populations have virtually nothing, most rely on these compounds for the little they get – i.e. water, health services, etc. Poverty is endemic everywhere in Nigeria, but in the Delta the situation is even worse – especially since the contrast between the local population and the conspicuous consumption of the oil workers is so glaring.

The delegation did not hold specific meetings regarding this issue on this fact-finding trip.¹⁸

¹⁸ See Crisis Group 2006 for a thorough report on this issue.

4. ISSUES RELATED TO “JUJU”, TRADITIONAL RELIGION AND TRADITIONS

Asylum applications presented by Nigerians regularly contain claims that the applicant fears persecution from persons or groups threatening to use occult powers, or *juju*. This is the common term in Nigerian English for all religious practices with some sort of basis in traditional African animist religion. Such practices are common among the substantial minority of Nigerians who are neither Christians nor Muslims, but they also influence the religious life and outlook of many Christian and Muslim Nigerians, whose religious practice must be categorised as syncretistic. Even more importantly, many Christian and Muslim Nigerians who themselves will not get involved in rites and rituals associated with traditional religion, may still regard occult forces as very real influences to be reckoned with in their lives.¹⁹ Thus the fear of being a victim of other people’s (attempted) manipulation of supernatural forces is very widespread. As Pastor Dayo Olutayo put it, «many are suspicious that people are after them, and think they don’t succeed because of other people’s evil intentions». Pastor Olutayo also stressed that it is not unusual that people blame other people’s use of witchcraft as an excuse for not dealing with their own problems.

Interestingly, people often fear relatives and others who are close to them more than strangers, as the anthropologist Peter Geschiere has pointed out:

Even in modern contexts – for instance, in the big cities – witchcraft is supposed to arise, first of all, from the intimacy of the family and the home. This is why it is both such a dangerous and unavoidable threat. In many respects, witchcraft is the dark side of kinship: it is the frightening realization that there is jealousy and therefore aggression within the family, where there should be only trust and solidarity. (Geschiere 1997:11)

Nearly everywhere in Africa, it is inconceivable, still today, to formally refuse maintaining family ties: the family remains the cornerstone of social life, and one cannot live without its intimacy. Yet it is precisely this intimacy that harbors deadly dangers since it is the very breeding ground of witchcraft. (Geschiere 1997:212)

Grace Osakue, founder of the NGO Girls Power Initiative (GPI), pointed out that the dynamics of *juju* is constantly changing, and that in Edo state an internationalisation is taking place within this sector, normally perceived as “traditional”: «These shrines now have branches internationally, and members in other countries in the world. It’s a booming business, and the picture we have of a native doctor is changing.»

¹⁹ The fact that many Nigerians believe in occult forces having direct impact on people’s lives, does not imply that they attribute everything to such forces. There is no contradiction between a general belief in the existence of occult forces and scepticism against claims that specific events are supposedly the result of the intervention of such invisible forces, nor is such scepticism by no means limited to urban people with higher education.

4.1 CULTS

The term *cult* is very freely used in Nigeria, and may refer to any organised group of people where there is some sort of secrecy around the group members' reasons to organise and/or modes of operations. The term also implies a religious dimension, generally linked to practice of *juju*. Organisations ranging from the famous Ogboni secret society via ethnically based vigilante groups to university fraternities are all referred to as cults in Nigerian media.

According to Bukhari Bello (NHRC), cults and secret organisations are common in the south of Nigeria, but considerably less so in the north. Tony Ojukwu (NHRC) stated that secret brotherhoods operate all the way up to elite levels of society, this view was supported by another Nigerian source. Here it must be stressed that it is widely believed in Nigeria (like elsewhere in the region) that people in power form secret networks where conspiracies and abuse of occult powers are a matter of routine:

In contemporary postcolonial West Africa, where the everyday suffering of the vast majority stands in stark contrast to the fantastic accumulation of the small elite, the tropes of sorcery, witchcraft and supernatural evil have provided a powerful way to express the inequalities of wealth.

Representations of magic and the supernatural are not escapist fantasies but are believed by audiences to be part of the everyday world in which they live and rumors are rampant that behind material wealth lies magical production. (Larkin 2001)

Such beliefs also form the basis for a large number of locally produced films (so-called *Nollywood*-films), that reach huge audiences in Nigeria, the neighbouring countries and the West African diaspora in Europe and elsewhere.

4.1.1 University fraternity cults

Fraternity cults are a widespread phenomenon on university, polytechnic and college campuses in Nigeria, and their activities receive considerable media attention.²⁰ Fear of persecution from such cults is a common asylum claim submitted by Nigerians in Europe and North America.²¹ Such claims refer to persecution in the form of extortion for money or services, pressure to join cults, threats to former cult members who have left the cult, sexual harassment (especially of female students), etc.

In media reports and other studies, names such as the Vikings, the Buccaneers (Sea Lords), the Amazons, the National Association of Seadogs, the Black Axe/Neo-Black Movement, the KKK Confraternity [sic], the Eiye or Air Lords Fraternity, the National Association of Adventurers and the Icelanders feature regularly. These names and similar ones are regularly evoked in Nigerian asylum applications submitted in Norway and elsewhere.

²⁰ For an interesting account of daily life for an American exchange student in the University of Port Harcourt, see Hoyle 2005.

²¹ I refer to reports made by colleagues abroad doing research on country of origin information, see Danish Immigration Service 2005, section 3.5; IRB (Canada) 2005 and MFA (Netherlands) 2005, section 3.4.6. The issue was also covered briefly in a previous fact-finding report from Nigeria, see Skogseth 2004, section 3.4.

Bukhari Bello (NHRC) confirmed the claim that university cults commit murders on university campuses. However, he informed us that his information on the subject came mostly from press reports about the phenomenon: «When I was in university, there were no such cults there.» In his opinion, «universities in the south are more prone to this problem.» Tony Ojukwu (NHRC) stated that university cults operate very differently from other secret societies, i.e. the secret brotherhoods of the elite, etc.

Cult groups, with names like the ones mentioned above, sometimes operate in several universities, but it is very difficult to tell whether groups with similar or identical names in different universities are actually connected, and feel obliged to assist each other. According to Tony Ojukwu (NHRC), university cults have powerful networks, and can use these to find and persecute people also outside their own university campus – in the local area, but also elsewhere in the country through links to similar groups operating in other universities. Ojukwu stressed that although there is a certain risk of persecution outside university campus for someone who has angered student cultists, it only happens in very few cases.

Bukhari Bello (NHRC) showed considerably more scepticism towards university cults' abilities to persecute people outside of their university campus, and stressed that only a small minority of university students are involved in cult activities. He explained the cultists' behaviour and lack of inhibitions as a consequence of drug abuse.

In this respect, it is useful to point out that Nigerian criminal networks are notoriously loosely organised:

Nigerian organised criminals are a prime example of organising according to a network model. This distinguishes them from e.g. hierarchical organisational models common among e.g. Chinese or Italian groups. (...) Short term alliances are formed for specific projects, and the network as such is in constant change. (Carling 2006)

There is reason to believe that this also applies to university cults. In loose networks such as these, the members feel little or no *formal* obligation to assist other affiliated groups, unlike in hierarchical systems like the Italian mafia. Accordingly, the question remains whether a cult group in a university in, say, Lagos would really feel obliged to persecute someone simply because a similar cult group in, say, the University of Port Harcourt asks them to do so – i.e. would the Black Axe group active on the Unilag campus feel compelled to do the dirty work of the Black Axe operating in Uniport in a case which does not concern them?

Tony Ojukwu (NHRC) stated that the influence of university cults is linked to the influential positions held by the cultists' parents. This is a common viewpoint, and is echoed in an interview with a Nigerian sociologist:

Taiwo Adepoju, a sociologist, believes it will be hard to eliminate campus cults without addressing the root causes of the problems that make students to join the group in the first place. "The nature of the Nigerian society is such that most people want to get power at all cost for their economic benefits," he says.

Sowore says the cult students, who are mainly the children of Nigeria's ruling class, seek to control the universities in the manner their parents control the country. "The cultists are the youth wing of the ruling class. Most of them are the children of military officers, chiefs and influential Nigerians who were responsible for the rot in the larger society," he says. (Olukoya 2004)

The Nigerian researcher Adewale Rotimi points out that not all cult members necessarily have this background, but that students with influential parents are indeed actively recruited:

Students who are sought after by secret cults vary in social backgrounds. They might be children of professors, judges, politicians, senior police officers and so on. The status of their parents in society guarantees them some protection from the claws of law enforcement agents in the event that they get into trouble. (Rotimi 2005:84)

Misty Bastian, an anthropologist who has published a number of articles on this issue, links student cults with general ideas about secret societies in Nigeria:

Rumours about campus occultism are directly tied to ideas about the magical activities of Nigerian politicians, military and businessmen. Cult violence at the universities does not occur only in the Nigerian imaginary, but has exploded into an all too real epidemic of rape, physical (as well as psychological) wounds and death on campus during the past decade. (Bastian 2001:80)

Another source²² stated that children of university staff who are themselves students in the same university may be threatened by cult members, for these students to try to influence their parents to improve the grades of the cult members. University lecturers are also targets for such threats directly from cult members, and violence against faculty members does take place – sometimes even resulting in deaths.

According to Tony Ojukwu (NHRC), the staff in most universities is generally aware of which of their students are involved in cult activities, at least the leaders. In his opinion, it is often possible to verify asylum claims related to university cults with university administrative staff. He also stressed that it is always possible to verify whether an asylum seeker has actually been a student of a certain university.

4.2 RITUAL MURDERS

Several of our sources stated that it is their impression, through e.g. media reports, that ritual murders do take place in Nigeria. Examples mentioned were kidnappings from public transportation (especially highjacked minibuses), stories of corpses found with heads and/or body parts missing, and rumours about poor people's children being abducted – in some cases for use in occult rituals, in others for the sale of organs on the international black market.

²² This Nigerian source requested anonymity because she talked from her own experience as the daughter of a lecturer in a local university.

Rumours of such abductions and ritual murders are widespread not only in Nigeria, but across Africa.²³ However, it is very difficult to tell to what extent such rumours reflect real acts of murder and violence, and to what extent they must be classified as urban legends.

4.3 REFUSAL TO TAKE POSITIONS AS VILLAGE/CLAN CHIEFS

It is a common claim from Nigerian asylum seekers in many European countries that they fear persecution in Nigeria for having refused to inherit a position as village or clan chief.²⁴ According to Bukhari Bello (NHRC), it is extremely rare that people refuse such a position, as traditional thrones are subject of great competition in the local communities. In his opinion, it is likely that someone else will want the position if the one first in line to inherit it refuses it.

4.4 CHRISTIANITY AND “JUJU”

Pastor Dayo Olutayo stated that Nigeria is a deeply traditional country, where there is widespread belief in traditional supernatural forces. He put forward a common position among Nigerian Christians, that God is stronger than these forces: «I believe that even though there is such a thing as witches, God has given us the power over them. The word of God is superior, and enlightenment is the answer.»

Grace Osakue (GPI) supported this view: «We use religion by opposing Christ to the traditional spirits, then the rituals will no longer have a hold on you.» Bisi Olateru-Olagbegi of the NGO Women's Consortium of Nigeria (WOCON) agreed that the use of “orthodox” Christian (or Islamic) tenets can be effective in order to break the power of the *juju*.

Christian churches deal differently with their congregations’ beliefs in occult forces outside of the Christian universe, and some researchers have suggested that one factor behind the success of pentecostal congregations is that their church leaders relate to such powers:

Pentecostal movements continue to have wider impact because of their contextualisation of their emphases to the contemporary situation. For example, in their emphasis on deliverance, as an aspect of the teaching on healing, Charismatics have come to terms with the cultural powers such as witches, ancestral curses that had earlier been denied or ignored by the Protestant churches. (Ojo 2004:5)

²³ See Bastian 2001:81, Ellis & ter Haar 2004:125 and Sanders 2001:161.

²⁴ Confirmed by colleagues working with country of origin information from most Western European countries on several occasions. See IRB (Canada) 2000a, 2000b and 2004. Similar claims are also presented by asylum seekers from other countries in the region, i.e. Cameroon and Ghana.

5. GENDER ISSUES

5.1 FEMALE GENITAL MUTILATION

Bukhari Bello (NHRC) stated that the commission is very engaged in the issue of FGM. He stressed that it is not practised all over the country, but that it is very difficult to present reliable figures – as FGM is not performed in hospitals etc. Modupe Omopintemi, Programme Officer – Good Governance & Human Rights at the European Commission, supported this view. In general terms, Bello and Omopintemi shared the impression that FGM is more widespread in the south-south of Nigeria (i.e. the Niger Delta states), and less so in the north and the midbelt. The phenomenon also seems more widespread in rural areas than in urban areas. Tony Ojukwu (NHRC) pointed out that the urban/rural distinction is often unclear, as most people who live in urban areas regularly visit their villages of origin for traditional rites of passage, funerals, rites for the new born and weddings. In such situations, it is not uncommon for relatives in the village to check whether girls and women living in the city have had FGM performed on them.

In Bello's opinion, the cases where FGM is performed in later years cause more concern, as there are more medical complications in such cases.

Bello went on to explain that resorting to the commission is a real possibility, both for women and for parents of girls facing pressure from the extended family to have FGM performed on themselves or their children. The commission can mediate in such situations, and if this does not work, it offers legal assistance – including bringing cases to court. He suggested that people living in urban areas, who are more likely to object to performing FGM on their children, are also more likely to know of the possibility to resort to the National Human Rights Commission and its role as an *ombudsman* for Nigerian citizens.

Bello added that the commission is still waiting for the federal law against FGM to be implemented on state level in all the states, incorporated in the legislation on children's rights. He also stressed the general need for awareness building on the issue, as it is a fairly recent phenomenon that this issue is discussed in public.

5.2 DOMESTIC VIOLENCE

Bukhari Bello (NHRC) stated that domestic violence against women is one of the commission's biggest caseloads. In his opinion, the main problem is that the police tend to send women with abusive husbands (or other family members) back to the family for them to sort out the issues within the family circle. Therefore, the commission tries to improve awareness of the issue among police officers. On the other hand, police officers regularly inform the commission that in the cases where they actually do detain abusive husbands or investigate such cases, the women often ask them to stop the legal proceedings, as they are not financially independent and thus not in a position where they perceive leaving their abusive husbands as a possible option.

Modupe Omopintemi (the European Commission) stated that an abused woman's family may intervene on her behalf, even beat up a violent husband, and that the church could also be of assistance. The police, on the other hand, will often dismiss such cases as matters to be dealt with within the family.

5.3 SEXUAL HARASSMENT OF FEMALE STUDENTS

According to Modupe Omopintemi (the European Commission), sexual pressure against female students from teachers and lecturers is common, mainly in universities and colleges, but it also takes place in secondary schools. Prostitution among female students also seems to be increasing. This view finds support both in the local press and in academic research on the issue.²⁵

²⁵ For an informal report on this issue, see Hoyle 2005. For academic research, see Ladebo 2003.

6. HEALTH ISSUES

Health issues are rarely the sole basis for asylum claims, but are important when it comes to humanitarian considerations in such cases. During the fact-finding to Nigeria, the delegation visited two hospitals in Abuja – the private institution Abuja Clinics, and the public Asokoro Districts Hospital – to get an impression of the facilities available.

A third world country like Nigeria has great challenges in the health sector. Basic health care is still not generally available in all rural areas, and infectious diseases like HIV/Aids and tuberculosis are affecting large numbers of people. Professor Abengowe stated that infant mortality rates and life expectancy rates are improving, but as a result, people fall sick with other diseases instead of infections – chronic, non-communicable conditions like cancer, diabetes, hypertension and heart conditions are on the increase. As the health care so far has had a focus on infectious disease, the changing situation presents a challenge in training medical personnel to deal with these changes.

6.1 GENERAL HEALTH CARE

Dr Ambrose Awogu (Abuja Clinics) stated that a health insurance scheme is being implemented which eventually will benefit many people. However, there is still a long way ahead, and the coverage of the scheme is limited. For the elite living in politically important cities (i.e. the federal capital Abuja, state capitals and cities with university hospitals), the health care situation has improved over the last years. Here they can find university hospitals and private clinics of such a standard that fewer wealthy people choose to go abroad for treatment than before.

Dr. Michael Aghahowa, Senior Consultant Surgeon and Chairman at Asokoro District Hospital in Abuja, informed us that all 774 local government areas of Nigeria has a general hospital, but that the standard may vary. Most states have one so-called second level general hospital of some 5-600 beds, serving the whole state (the federal district of Abuja has several smaller ones instead of one large).

6.1.1 Tuberculosis

Professor Abengowe stated that effective treatment for tuberculosis is available in Nigeria, but this depends on patients actually being diagnosed with the disease. Many people have tuberculosis without being diagnosed, which has consequences for their own health and causes a spreading of the disease. Tuberculosis is one of the most threatening infections for Nigerians living with HIV/AIDS (see section 6.2 below).

6.1.2 Sickle cell anaemia

Sickle cell anaemia is an inherited disease especially common in West and Central Africa, including Nigeria. Professor Abengowe stated that public health care facilities in urban areas generally have sufficient resources to provide necessary treatment. In rural areas, the situation is more difficult, but also here the standards are improving.

6.1.3 Facilities for children with learning disabilities

According to professor Abengowe, the facilities available for children with all sorts of learning disabilities (autism and down's syndrome were mentioned) are extremely limited in Nigeria, even in private health care institutions in Abuja and Lagos. In some cases, someone working in a university clinic might take a special interest, but s/he would have few resources available to do something for the child. «Poor people simply deal with such situations themselves, whereas some of the well-to-do will possibly send them abroad for treatment.» He went on to say that missionaries can sometimes offer help, and there are some homes for such children: «Compared to the size of the population, however, it's a drop in the ocean. It is not unheard of that these children are abandoned by their parents, but fortunately, people are generally accommodating towards people with mental disabilities.»

Dr Ambrose Awogu (Abuja Clinics) stated that «these kinds of afflictions are not a priority in a third world country which is struggling to provide basic health care to its population».

6.1.4 Mental health

According to Dr Ambrose Awogu (Abuja Clinics), the situation for the mentally ill is bad. The resources available in Nigeria are very limited, and there are few professionals with the appropriate background. There are only five functioning psychiatric hospitals, and people from all over the country go there to have their relatives admitted. Professor Abengowe emphasised the crowded conditions resulting from this situation, making the staff overworked and less efficient.

6.1.5 Geriatric care

According to Dr Ambrose Awogu (Abuja Clinics), there is a general lack of facilities for geriatric care in Nigeria.

6.2 HIV/AIDS

6.2.1 Prevalence and affected groups

The estimated adult HIV/AIDS prevalence rate for Nigeria is 5,4 %, which means some 3.6 million Nigerians are living with HIV. This means only South Africa and India has a larger effective number of people living with HIV/AIDS than Nigeria in the world.²⁶

Professor Babatunde Osotimehin of the National Action Committee on AIDS (NACA) stated that sex workers and long transport drivers are among the main risk groups for HIV. Mother to child-transmission also remains a big challenge, according to professor Abengowe, but in his opinion, contaminated blood is no longer an important source of HIV infection. Blood screening has improved, but not all blood is screened the way it should.

²⁶ Data published by UNAIDS in December 2005, available at <http://www.globalhealthfacts.org/country.jsp?c=162&sn=1> [accessed 4 May 2006].

According to professor Osotimehin (NACA), some regions in Nigeria are worse hit than others, but it is difficult to get a clear picture. Women are generally harder hit than men, but due to extensive internal migration, the difference between rural and urban areas is negligible in his opinion.

Condom use is increasing, professor Osotimehin (NACA) pointed out, and there are indications that young people are postponing their sexual debut (resulting in fewer teenage pregnancies and abortions, as well as lower rates of other sexually transmitted diseases among the young).

6.2.2 Government focus on the HIV/Aids situation

The government focuses its efforts on HIV/AIDS through the National Action Committee on AIDS (NACA). Professor Osotimehin (NACA) stated that their efforts include an aggressive prevention strategy, as well as consciousness building work to overcome stigma and promote the issue that HIV is a big problem for Nigerian society. As he said, «prevention is the key to the issue, in my opinion». One important focus is the education sector, with i.e. developing an appropriate curriculum to inform children about the issue before they become sexually active.

Professor Osotimehin (NACA) stated that «I must stress that the health care system here is not like in Norway, but when that is said, we will not abandon our own. We are providing adequate access [to necessary treatment for HIV/AIDS], and we struggle to make it universal.»

6.2.3 Availability of subsidised treatment

From 2006, treatment with antiretroviral drugs (ARVs) for people living with HIV/AIDS in Nigeria is free. Professor Osotimehin (NACA) estimated that such treatment is currently available at some 75 sites, and programs are also run in an additional 25 sites through US government aid. According to an article in *The Guardian*, «[some] people still pay for their drugs at some treatment sites» (Olawale 2006). The article furthermore stated that only some 40 000 of more than three million estimated HIV-positive Nigerians are currently being treated with ARVs, but that many patients have developed resistance to one or several of the ARVs available.

According to professor Osotimehin (NACA), the free treatment includes several combination antiretroviral drugs, so that patients who do not respond to one treatment or who are developing resistance are offered another. Medical follow-up is included, as is treatment for opportunistic infections that HIV-positive people are vulnerable to – typically diarrhoea, pneumonia, yeast infections, malaria and tuberculosis. He stated that only 15-20 % of HIV-positive patients need antiretroviral treatment.

The focus article in *The Guardian* mentioned above raises several important issues concerning the situation of HIV-positive Nigerians – especially the availability of laboratory tests involved in monitoring such patients. In this article, a senior research fellow at the Nigerian Institute of Medical Research, Dr. Dan Onwujekwe, stressed the following:

«It is not all about free drugs. You have to do laboratory tests at base line before you place the patient on treatment. This enables the doctor [to] assess the patient's immunity level, as not every infected person would need ARV. You could therefore do the CD4 count, the virology test to determine the viral load and also some haematology tests to ascertain whether the patient is anaemic. There is also the need to check the kidney and liver functions since all these organs would help him or her manage the drugs.»

(...)

He also spoke of some monitoring tests, which ordinarily ought to be conducted monthly but [are] carried out every three or six months. They help to determine viral load, CD4 count and response to drugs.

Unfortunately, most [people living with HIV/AIDS] cannot afford to run these routine tests due to cost except at a few treatment sites where there is free, comprehensive treatment.

The researcher shed more light on consequences of not carrying out these monitoring tests. «Where these tests are not run, we will not be able to detect virological failure, for instance. That is, a person may look robust and healthy but you may not know that the drugs are not helping him or her. Sometimes before clinical failure is discovered, it may be too late. It is from the result of the test that you know whether some people need a drug-switch because most of the time, virological failure occurs before clinical failure.»

(...)

Onwujekwe warned against the tendency among health planners to say that the tests are not necessary and so should be skipped, as they are too expensive. (Olawale 2006)

The monthly tests mentioned above are often not included in the government sponsored treatment, and can come at considerable cost for the patients – according to the article, the price for one such test is N10 000 (approx. €61).

Another problem brought up in this article, is that for the moment, ARV treatment is only available at tertiary level health institutions, i.e. teaching hospitals and large state hospitals. This means that people living a distance away from such hospitals must cover sometimes substantial costs for regular trips to the hospital for treatment and check-ups. According to the article, only 25 of Nigeria's 36 states (plus the federal territory of Abuja) have treatment sites – more than ten in Abuja alone, and five in Lagos.

6.2.4 Availability of antiretroviral drugs

According to professor Abengowe, antiretroviral drugs are mostly still imported to Nigeria, and expensive (even though the country has access to generic antiretrovirals). *ThisDay* reported on 24 March 2006 that the generic antiretroviral drug Archivir is now in production by the local company Archy Pharmaceuticals (Ibiam 2006), and professor Osotimehin (NACA) confirmed this.

6.3 OTHER HEALTH SECTOR CHALLENGES

6.3.1 Health personnel brain drain

Brain drain is a considerable problem in the health sector in African countries in general, and Nigeria is no exception.²⁷ Professor Abengowe stated that a lack of facilities and resources available in the local health sector (which creates inadequate working conditions and few possibilities to keep up to date) as well as low salaries are important causes for this problem.²⁸ English-speaking countries and the Arab Gulf countries are the main destinations for Nigerian health professionals who choose to emigrate.

6.3.2 Corruption in the health sector

Corruption is a general problem in the public sector in Nigeria, but according to professor Abengowe, patients having to bribe public health sector staff in order to receive free or subsidised treatment is not a common phenomenon. None of our other sources contradicted this view.

6.3.3 Fake drugs

The problem of fake drugs is widespread in West Africa, but according to professor Abengowe, there are less fake drugs around in Nigeria than what was the case a few years back. Press reports quoting officials from the Nigerian National Agency for Food and Drug Administration and Control (NAFDAC) support this.²⁹

²⁷ See Irin News 2006c.

²⁸ Awofeso 2004 supports this, but also points out unemployment among doctors in Nigeria as a factor.

²⁹ See Irin News 2005b.

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- Bukhari Bello, Executive Secretary

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