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Australian Government

Department of Foreign Affairs and Trade



DFAT COUNTRY INFORMATION REPORT NIGERIA

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ACRONYMS

DSS	Department of State Services (also called SSS)
FCT	Federal Capital Territory (Abuja)
FGM/C	Female Genital Mutilation/Cutting
ICG	International Crisis Group
IMN	Islamic Movement in Nigeria
IPOB	Indigenous People of Biafra
MASSOB	Movement for the Actualization of the Sovereign State of Biafra
MEND	Movement for the Emancipation of the Niger Delta
MOPOL	Mobile Police: a paramilitary police force
NAPTIP	National Agency for the Prohibition of Trafficking in Persons
NCFRMI	National Commission for Refugees and Internally displaced Persons
NDA	Niger Delta Avengers
NDHS	Nigeria Demography and Health Survey
NDLEA	National Drug Law Enforcement Agency
NDPVF	Niger Delta People's Volunteer Force
NDSF	Niger Delta Strike Force
NGO	non-government organisation
NHRC	National Human Rights Commission
NIS	Nigeria Immigration Service
NOPRIN	Network on Police Reform in Nigeria
NPS	Nigeria Prisons Service
OPC	O'odua Peoples Congress
PAP	Presidential Amnesty Programme
PDVL	Protection Against Domestic Violence Law
SARS	Special Anti-Robbery Squad
SSS	State Security Service, also called DSS
VAPP	Violence against Persons Prohibition Act

GLOSSARY

Terms used in this report

high risk	DFAT is aware of a strong pattern of incidents
moderate risk	DFAT is aware of sufficient incidents to suggest a pattern of behaviour
low risk	DFAT is aware of incidents but has insufficient evidence to conclude they form a pattern

official discrimination

1. legal or regulatory measures applying to a particular group that impede access to state protection or services that are available to other sections of the population (examples might include but are not limited to difficulties in obtaining personal registrations or identity papers, difficulties in having papers recognised, arbitrary arrest and detention)
2. behaviour by state employees towards a particular group that impedes access to state protection or services otherwise available, including by failure to implement legislative or administrative measures

societal discrimination

1. behaviour by members of society (including family members, employers or service providers) that impedes access by a particular group to goods or services normally available to other sections of society (examples could include but are not limited to refusal to rent property, refusal to sell goods or services, or employment discrimination)
2. ostracism or exclusion by members of society (including family, acquaintances, employers, colleagues or service providers)

1. PURPOSE AND SCOPE

1.1 This Country Information Report has been prepared by the Department of Foreign Affairs and Trade (DFAT) for protection status determination purposes only. It provides DFAT's best judgment and assessment at time of writing and is distinct from Australian Government policy with respect to Nigeria.

1.2 The report provides a general, rather than an exhaustive country overview. It has been prepared with regard to the current caseload for decision makers in Australia without reference to individual applications for protection visas. The report does not contain policy guidance for decision makers.

1.3 Ministerial Direction Number 56 of 21 June 2013 under s 499 of the Migration Act 1958 states that:
Where the Department of Foreign Affairs and Trade has prepared a country information assessment expressly for protection status determination processes, and that assessment is available to the decision maker, the decision maker must take into account that assessment, where relevant, in making their decision. The decision maker is not precluded from considering other relevant information about the country.

1.4 This report is informed by DFAT's on-the-ground knowledge and discussions with a range of sources in Nigeria. It takes into account relevant and credible open source reports, including those produced by United Nations departments, US Department of State, UK Border Agency, the European Asylum Support Office (EASO), the World Bank and the International Organization for Migration. DFAT consulted recognised human rights organisations such as Amnesty International, Human Rights Watch, and international non-governmental organisations such as Transparency International and the International Committee for the Red Cross, as well as Nigerian governmental and non-governmental organisations and reputable news organisations. Where DFAT does not refer to a specific source of a report or allegation, this may be to protect the source.

1.5 This updated Country Information Report replaces the previous DFAT report released on Nigeria published on 10 February 2015.

2. BACKGROUND INFORMATION

RECENT HISTORY

2.1 Since independence in 1960, Nigeria has faced civil war, military rule, sectarian and interethnic clashes, flawed elections, and insurgency. Several coups and counter-coups during the 1960s and 1970s led to the assassinations of a large number of military rulers.

2.2 In 1967, three south-eastern states seceded as the Republic of Biafra, sparking civil war. The conflict and subsequent famine killed an estimated one to three million people, making it one of the deadliest conflicts in Africa. The Biafran cause remains current in southeast Nigeria, propagated by the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) and more recently the Indigenous People of Biafra (IPOB).

2.3 In December 1983, Major General Muhammadu Buhari seized power in a bloodless coup, before being ousted by Ibrahim Babangida (then chief of army) in August 1985. The following years saw similar power shuffles until 1999, when the country returned to democratic rule.

2.4 Goodluck Jonathon, leader of the governing People's Democratic Party (PDP), ran for the presidency in 2011, having taken power as Vice-President after the death in office in 2010 of President Umaru Musa Yar'Adua. President Jonathon's election upset an informal power-sharing arrangement between the northern and southern states. The election resulted in the opposition Congress for Progressive Change (CPC), as it was then known, winning the northern states and the PDP winning the majority of southern and middle belt states. Protests followed the 2011 elections in the middle belt and northern states, resulting in several deaths and thousands of internally displaced people.

2.5 External observers regarded the March 2015 elections as the fairest and best organised since Nigeria's return to civilian government. An umbrella opposition party, the All Progressives Congress, defeated the PDP, which had governed the country since 1999. Maj. Gen. (ret.) Muhammadu Buhari, a former military ruler (see above), won the presidential election, becoming the first opposition candidate to win a Nigerian presidential poll. Mr Buhari has distanced himself from military rule, promising to respect democracy and govern as a civilian leader. He and Vice President Oluyemi 'Yemi' Osinbajo took office on 29 May 2015.

DEMOGRAPHY

2.6 Nigeria comprises 36 states and the Federal Capital Territory (FCT) of Abuja. The states and the FCT are grouped into six geographical zones:

- North East: Bauchi, Borno, Taraba, Adamawa, Gombe and Yobe
- North West: Zamfara, Sokoto, Kaduna, Kebbi, Katsina, Kano and Jigawa
- North Central: Niger, Kogi, Benue, Plateau, Nassarawa, Kwara and FCT
- South East: Enugu, Imo, Ebonyi, Abia and Anambra

- South West: Oyo, Ekiti, Osun, Ondo, Lagos and Ogun
- South South: Bayelsa, Akwa Ibom, Edo, Rivers, Cross River and Delta.

2.7 Nigeria is one of the most populous countries in the world. According to the United Nations in 2016, Nigeria has a population of just under 187 million. This figure is often disputed and can vary by up to five million depending on the source consulted. Nigeria held its last census in 2006. The next national census is planned for 2018, but many doubt it will occur given the Nigerian Population Commission (NPC) estimates the cost at 223 billion naira (USD708 million).

2.8 Nigeria is home to around 200 ethnic groups with 500 indigenous languages. The largest ethnic groups are the Hausa-Fulani in the north-west, the Kanuri in the north-east, the Igbo in the south-east, and the Yoruba in the south-west. Both the south and north central have populations spread over a large number of smaller ethnic groups. The official language is English and a number of indigenous languages, including Hausa, Yoruba, Igbo (Ibo) and Fulani, are used. Pidgin English is the lingua franca.

2.9 An estimated fifty per cent of Nigerians are Muslim, forty per cent Christian and ten per cent follow indigenous religious beliefs. The predominant Islamic group is Sunni but Nigeria also has Shia and Izala (Salafist) minorities. Christian groups include Roman Catholics, Anglicans, Baptists, Methodists, Presbyterians, evangelicals and Pentecostals, and The Church of Jesus Christ of Latter-day Saints (Mormons). Christianity is the majority religion in the southern states and Islam is the majority religion in northern states. The British ruled directly in southern Nigeria and promoted large-scale conversion to Christianity. By contrast, the colonial government applied a policy of indirect rule in the north through Muslim emirs. Christianity and western education were less prevalent in the north, creating significant cultural differences that continue to be a strong feature of Nigerian society today.

2.10 Just over half of Nigerian residents live in small to medium-sized urban centres. Most urban centres, including the capital Abuja, have populations of fewer than 3 million. The largest city is Lagos : the United Nations estimates its population at 14 million; the Lagos state government claims 21 million. In 2016, almost half (44 per cent) of Nigerians were aged under 15 years.

ECONOMIC OVERVIEW

2.11 Nigeria is Africa's largest economy with an estimated GDP of USD405 in 2016, down from USD568 billion in 2015. Achieving lower-middle income status in 2007, Nigeria's GDP per capita was USD2,450 in 2016. Nigeria continues to have one of the lowest rankings on the UNDP Human Development Index, rated 152 out of 187 countries in 2016.

2.12 Nigeria's economy is driven by the extractives sector, particularly oil production, which accounts for the majority of export revenues. The economy is struggling to recover from its worst recession since 1991, brought about by the collapse in global oil prices, poor governance and low productivity in the non-oil economy. Nigeria has historically suffered from fluctuating high rates of inflation, which has averaged above 10 per cent over the past six years, peaking at 18.7 per cent in January 2017.

2.13 Nigeria ranked 136 out of 176 countries on Transparency International's 2016 Corruption Perceptions Index. This represents an improvement on earlier rankings and indicates that Nigeria has taken important steps to combat corruption. The World Bank's Ease of Doing Business Report for 2017 ranked Nigeria 169 out of 190 countries. Nigeria demonstrated improvements in credit accessibility and the ease of starting a business, but continued to rank poorly with respect to property registration and the ease of paying taxes.

2.14 DFAT assesses that economic conditions in Nigeria create push factors for internal and external migration for individuals seeking employment opportunities. Despite strong economic growth and abundant natural resources, the Nigerian National Bureau of Statistics estimates the number of people living in extreme poverty (under USD1.25 a day) has risen from 52 per cent of the population in 2004 to 67 per cent in 2016. The World Bank attributes Nigeria's high poverty rates to poor governance, and an estimated five million people are in urgent need of food assistance due to the Boko Haram insurgency and ethnic conflicts throughout the country.

2.15 The Nigerian diaspora is significant with many Nigerians seeking employment overseas. Nigeria receives the highest rate of international remittances in Africa and is the fifth highest globally. Remittances declined by 10 per cent in 2016 due in part to diversion of remittances to informal channels after the introduction of foreign exchange controls in 2015. The World Bank projects a 3.3 percent increase in Nigerian remittances in 2017 to USD34 billion.

Health

2.16 Nigerians have poor access to health care and poor health outcomes, particularly outside major urban centres. Nigeria spent USD94 per person on health care in 2016 and demand for public health care significantly exceeds supply. Medical and health services are the responsibility of all levels of government. Access to and availability of quality medical services are inadequate, with most Nigerian unable to afford health care.

2.17 Life expectancy is 53 years for men and 56 for women. Infant mortality rates are significantly higher than the global average at 71.2 deaths per 1000 births in 2016, compared with (global average). The reported incidence of HIV for adults (aged 15 to 49 years of age) was 3.1 per cent in 2015. While relatively low, the country's large population means that Nigeria has one of the highest numbers of sufferers of the disease in the world.

2.18 Nigerians continue to die from common treatable diseases including rubella, yellow fever, meningitis, cholera, diarrhoea and measles. Malaria, tuberculosis and Guinea worm disease are widespread, although Nigeria celebrated one year without a case of polio in 2015 and only a few isolated cases reported in 2016.

Mental Health

2.19 The Nigerian government formulated its first mental health policy in 1991 but never formally assessed its implementation. In 2003, the government introduced a Mental Health Bill but withdrew it 2009. The bill was re-introduced to the National Assembly in 2013 but is yet to be enacted.

2.20 The World Health Organisation (WHO) reports significant gaps in mental health services in Nigeria. There are fewer than 150 psychiatrists in the country and few neurologists. The government reports approximately five psychiatric nurses per 100,000 population and very few clinical psychologists, social workers, neuro-physiotherapists, and occupational therapists. Psychotropic drugs are rarely available and health information systems do not incorporate mental and neurological health measures.

2.21 Mental health issues remain highly stigmatised in Nigeria, with many families hiding conditions or blaming family members' mental illness on curses or witchcraft. DFAT is aware of several cases in rural areas of individuals suffering from a mental illness being chained and/or caged in churches or dwellings.

Education

2.22 Nigeria's adult literacy rate is 51 per cent and primary school enrolments have stalled at around 57 per cent since the early 2000s. Girls' participation in formal education is low, particularly in the northern states and rural areas. Only one state in southern Nigeria has primary school attendance rates of less than 35 per cent, compared to four states that have rates less than 10 per cent in northern Nigeria. According to UNICEF, 40 per cent of Nigerian children aged 6-11 do not attend any primary school, with the northern regions recording the lowest school attendance rates in the country, particularly for girls. The gender gap remains particularly wide in the north and the proportion of girls to boys in school ranges from half to a third in some states.

2.23 Targeting of schools by the terrorist group Boko Haram in northern states (see [Security Situation](#)) exacerbates the situation. Boko Haram attacks caused the closure of all public schools in the northeast state of Borno in March 2014. While many schools re-opened from late 2015, some parents remain reluctant to send their children, especially girls, back to school for fear of violence.

2.24 According to current data from UNICEF and the Nigerian government, 30 per cent of pupils drop out of primary school and only 54 per cent transit to Junior Secondary Schools, mainly due to economic hardship, child labour and early marriage for girls.

Employment

2.25 Almost six million people enter the labour market each year in Nigeria but only ten per cent secure a job in the formal sector. The highest rates of engagement are in informal sectors including agriculture, which employs the majority of the total labour force (70 per cent). The industrial sector currently employs 10 per cent and the services sector employs 20 per cent. Unemployment is highest for the 15-24 and 25-34 age groups, with the 2016 official rates reaching 25.2 per cent and 15.4 per cent respectively.

2.26 According to the June 2017 National Bureau of Statistics (NBS) Unemployment/Underemployment Watch report, the unemployment rate rose to 14.2 per cent in October-December 2016 from 13.9 per cent in the previous quarter. The NBS defines the unemployed as people who were looking for work, but could not find more than 20 hours of employment in a week. Using the International Labour Organisation definition – anyone who is not working at all but seeking employment – Nigeria's jobless rate was 7.2 per cent in October-December 2016.

POLITICAL SYSTEM

2.27 Nigeria has a three-tiered federal system of government with a constitutional power-sharing arrangement between federal, state (of which there are 36) and local government areas (of which there are 774). At the federal level, an elected President who is Head of State, Head of Government and Commander-in-Chief of the Armed Forces heads the government. Nigeria operates three legal systems: common law, Islamic sharia and, to a lesser degree, customary law.

2.28 Federal legislative power is vested in the National Assembly, which has two chambers: the House of Representatives and the Senate. The House of Representatives has 360 members, elected for four-year terms in single-member constituencies. The Senate has 109 members, 108 of whom are elected for four-year terms in its 36 constituencies, which correspond to the 36 states. One member is selected in the single-seat constituency of the Federal Capital Territory. Women's participation in political processes remains low, holding seven per cent of seats in the National Assembly (the House of Representatives and the Senate combined) since the early 2000s.

2.29 The states are financially dependent on the central government for their budgets. Only the states of Lagos and Kano generate a significant portion (around 30 per cent) of their revenue internally. The central government administers the police and military forces.

HUMAN RIGHTS FRAMEWORK

2.30 Nigeria is a party to the following international covenants and conventions:

- Covenant on Economic, Social and Cultural Rights
- Convention on the Elimination of All Forms of Racial Discrimination
- Convention on the Elimination of All Forms of Discrimination against Women
- Covenant on Civil and Political Rights
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Convention on the Rights of the Child
- Convention on the Rights of Persons with Disabilities.

2.31 Nigeria's Constitution guarantees basic human rights including the right to life, freedom of religion, freedom of expression and freedom of movement and prohibits discrimination on the grounds of race, religion, gender, ethnicity or political affiliation.

2.32 In August 2017, Acting President Yemi Osinbajo announced the appointment of a Judicial Commission to review compliance of the Nigerian armed forces with human rights obligations and rules of engagement, especially in local conflict and insurgency situations.

National Human Rights Institution

2.33 The National Human Rights Commission Act established the National Human Rights Commission (NHRC) in 1999 to investigate and monitor human rights violations, to make recommendations to Government in relation to any such violations, and to seek remedies for victims. An amendment to the act in 2010 granted the NHRC operational and financial independence and enhanced its investigative and enforcement powers. The High Court enforces NHRC decisions. Refusal to comply with NHRC enquiries, summons, directives, recommendations or awards is now a punishable offence. The NHRC has investigated and submitted reports critical of government actions, including a report into alleged extrajudicial killings of Boko Haram members in Borno State in April 2013, which called for reforms within the military. The NHRC published the report on its website.

2.34 The International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights rated the NHRC as fully compliant with the Paris Principles (A Status), the internationally accepted benchmark for human rights institutions. Although relatively independent, the NHRC suffers from low capacity and funding. Moreover, the government routinely denies or ignores NHRC findings. In response to allegations, both the military and Nigeria Police Force (NPF) have accused the NHRC of corruption and falsehood: the NPF questioned the NHRC Chair after it published a report alleging police involvement in extra-judicial killings.

SECURITY SITUATION

2.35 The security situation in Nigeria is volatile and numerous terrorist attacks have occurred in recent years on the civilian population and on foreign buildings. Conflict and terrorism killed a reported 4,751 people in 2017; the actual number of deaths is likely to be higher. Nigeria's northeast remains under a state

of emergency due to conflict between government security forces and the terrorist group, Jama'atu Ahlis Sunna Lidda'awati Wal-Jihad, commonly known as Boko Haram. The number of civilian deaths decreased in 2016 reportedly due to increased military operations and the Boko Haram factional split. Nonetheless, the group continues to launch deadly suicide attacks and wield considerable influence in the north-east.

2.36 Southern Nigeria is also volatile due to confrontations between armed criminal groups and security forces predominantly in relation to the theft of and control over oil resources in the Niger Delta region. Inter-ethnic land disputes in the central region of Nigeria, known as the middle belt, and the central north escalated in 2016. Conflicts between the largely Muslim Fulani nomadic pastoralists and Christian farmers of the Berom tribe have traditionally occurred mainly in Plateau state over the past decade. The conflict has recently moved into the central northern states of Katsina, Nassarawa, Benue and Kaduna states.

Boko Haram (Jama'atu Ahlis Sunna Lidda'awati Wal-Jihad)

2.37 Boko Haram is a radical Islamic movement that seeks to impose a strict form of sharia, or Islamic law, in northern Nigeria. 'Boko Haram' means 'western education is sinful' in the Hausa language and the movement forbids Muslims from taking part in political or social activities associated with western society including voting in democratic elections or receiving a secular education. Notwithstanding recent forays into Cameroon and rhetoric of establishing an Islamic state across the region, Boko Haram is primarily a domestic insurgency in Nigeria, not an international operation.

2.38 Boko Haram was initially a fringe movement, which provided social and financial help to Muslims and called for strict observation of sharia. The group transitioned into an insurgency in 2009 following the extrajudicial killing of its founding leader, Muhammad Yusuf, when tensions with government security forces escalated over the application of sharia law in the northeast states of Borno, Yobe and Adamawa. Since 2009, Boko Haram has attacked individuals seen as supporting the government, including police, military and politicians; individuals seen as supporting 'western' concepts including secular education; and Muslims that do not support its cause.

2.39 Boko Haram has carried-out targeted assassinations against Muslim preachers who refuse to join the group, including prominent clerics such as Bashir Kashara (killed in October 2010), Ibrahim Ahmad Abdullahi (killed in March 2011), and Ibrahim Birkuti (killed in June 2011). In July 2014, Boko Haram targeted a prominent moderate cleric, Sheikh Dahiru Bauchi, with a bomb attack in Kaduna.

2.40 In 2013, the Office of the Prosecutor in the International Criminal Court (ICC) declared the fighting in north-eastern Nigeria to be a non-international armed conflict. The government has deployed thousands of troops to Borno, Yobe and Adamawa States but has thus far been unable to defeat Boko Haram. International observers have expressed concerns over a lack of discipline in military operations and have accused the military of killing Boko Haram members without due process (see [Extrajudicial Killings](#)).

2.41 In April 2014, Boko Haram abducted more than 200 female students from a secondary school in Chibok, Borno State. Schools in the area had been closed for weeks due to violence, but the girls had returned to sit their final exams when they were abducted. In May 2017, 82 of the girls were freed in a prisoner swap with Boko Haram. Over 100 girls are still in captivity.

2.42 In 2016, Boko Haram split into two factions. One faction, headed by Abu Musab al Barnawi, pledged allegiance to the Islamic State of Iraq and al-Sham (ISIS), calling itself the Islamic State of West Africa (ISIS-WA). The other, headed by Abubakr Shekau, retains the original Boko Haram name, Jama'atu Ahl as-Sunnah li-Da'awati wal-Jihad (JASDJ). Most Nigerians still refer to both groups collectively as Boko Haram.

2.43 The conflict in the north-eastern states of Borno, Yobe and Adamawa acts as a push factor for internal and external migration. Thousands of Nigerians have fled into neighbouring Chad, Cameroon and

Niger in response to the conflict. Boko Haram violence has led to the internal displacement of as many as 2.5 million Nigerians. Internally displaced people in Nigeria lack adequate humanitarian support, and displaced women and girls are vulnerable to sexual violence and abuse from security forces and vigilantes. In its 2017 world report, Human Rights Watch states that military operations against Boko Haram intensified in 2016, with most areas controlled by the group recovered by security forces, noting there was also a decline in civilian deaths from 3,500 in 2015 to 550 in 2016.

2.44 Targeted attacks increased in June to September 2017, with bomb blasts at the Dalori IDP camp, Maiduguri university, Molai general hospital in Maiduguri, and a major coordinated gun attack on the Maiduguri city itself. On 21 November 2017, suicide bombers killed 50 men and boys at a mosque during morning prayers. Fighters believed to be Boko Haram abducted up to 115 schoolgirls from a science and technical college in Dapchi, Yobe State in February 2018.

Militia Groups in the Niger Delta

2.45 Violence in the oil-rich Niger Delta continues to recur between militia groups competing for land and resources, and between militia and security forces sent to restore order. Several vigilante groups operate in the region, including the Movement for the Emancipation of the Niger Delta (MEND) and the Niger Delta Avengers (see [MEND](#)). The federal government has had varied results in suppressing their activities. Security forces occasionally directly target civilians in the region. DFAT considers credible international and local reports that Nigerian security forces have damaged property, and killed and injured several villagers accused of harbouring militia members in the Niger Delta region.

Communal Violence – Middle Belt Region

2.46 Christian ‘settlers’ and Muslim ‘herdsman’ continue to clash in central and northern Nigeria over land disputes and often in connection with national elections. While the clashes amplify a complex set of religious, ethnic and political tensions, in essence they represent competition for limited resources including land and political power.

2.47 More than 300 Muslims and Christians died in violent clashes in Plateau state in January 2010. In July 2012, Muslim Fulani herdsman shot Gyang Dantong, a Christian senator representing Plateau North, near Jos. Christians accused Fulani herdsman of killing approximately one hundred Christians in Kaduna state in relation to land disputes in February 2014. International Crisis Group (ICG) estimates that 2,500 people died in 2016 because of the conflict.

2.48 Although often attributed to religious violence between Christians and Muslims, issues of regional identity, ethnicity, ‘indigeneity’ and ‘settlement’, access to land and livelihoods are drivers of the armed violence in Plateau state. Drought and desertification have degraded pastures, dried up many natural water sources across Nigeria’s far-northern Sahelian belt and forced large numbers of herders to migrate south in search of grassland and water for their herds. The Boko Haram insurgency has also forced increasing numbers of herdsman to migrate south. During 2018, a spike in violent clashes between herders and local farmers, particularly in Benue State, have resulted in more than 100 fatalities and the destruction of crops and housing.

2.49 International Crisis Group assesses that the core of the dispute is the competing claims to land, power and resources of the indigenous Berom/Anaguta/Afizire (BAA) group and the Hausa/Fulani settlers. The federal constitution enshrines the ‘indigene principle’ and protects the cultural and political identity and

traditional institutions of ethnic minorities from being submerged by the larger Hausa-Fulani, Igbo and Yoruba groups.

3. REFUGEE CONVENTION CLAIMS

RACE/NATIONALITY

3.1 Nigeria is a highly diverse nation made up of hundreds of different ethnicities. Official discrimination on the grounds of race, nationality or ethnicity is rare.

Igbo

3.2 The Igbo people constitute 18 per cent of Nigeria's total population and are one of the most politically influential groups in Nigeria. Some Igbo have campaigned for an independent state since 1999 (see [Political Opinion – MASSOB](#)).

3.3 The Igbo originate in south-eastern Nigeria and live in large numbers in the states of Abia, Anambra, Ebonyi, Enugu and Imo. Many Igbo have migrated to other areas of Nigeria including northern states. The Igbo speak a number of Igbo dialects. They are predominantly Christian.

3.4 There are no legal provisions directed towards the Igbo population in Nigeria. The Igbo are able to participate in political, social and cultural life in Nigeria without interference. The Igbo, like all Nigerians, are able to move freely within Nigeria.

3.5 The Igbo have faced attacks from Boko Haram in the middle belt and northern states of Nigeria. In January 2011, forty Igbo people were taken from a bus and killed after the bus had entered a predominantly Muslim area in the city of Jos in Plateau State. In November 2011, Igbo residents in the middle and northern states of Plateau, Kaduna, Nasarawa, Niger and Borno evacuated to the south in response to attacks by Boko Haram. However, there are no recent reports of Igbo specifically targeted due to their ethnicity. Past attacks have been opportunistic, isolated and infrequent. DFAT assesses the Igbo people do not face societal violence on a day-to-day basis in Nigeria.

3.6 Belief in witchcraft continues to exist in some Igbo communities. The United Nations High Commissioner for Refugees (UNHCR) reported continuing violence against people accused of witchcraft in Nigeria. DFAT assesses that individuals of Igbo ethnicity are at a low risk of being accused by their own community of witchcraft. If accused, however, they may face societal violence. Such individuals may be attacked by fellow villagers, often with the blessing of their family, or by individuals from near-by villages. Such attacks are infrequent and are often driven by revenge.

Non-Indigenes

3.7 An indigene in Nigeria is a person who can trace his or her ancestry back to the original inhabitants of a particular state. The term non-indigene is most often used to identify 'settlers' and is used as a way of expressing tribal and ethnic distinctions. Non-indigenes are not officially defined, nor discriminated against, under federal Nigerian law. However, local policies can discriminate against such individuals.

3.8 Throughout Nigeria, public institutions require individuals to identify their state of origin, or their indigeneity, before they can access public services. DFAT considers credible advice from local sources that non-indigenes can face restrictions in relation to property ownership. At the federal level, indigenous quotas sometimes apply to positions in the civil service or at state universities. Non-indigenes are legally able to vote in federal, state or local government elections. However, it is extremely difficult for non-indigenes to run for an elected position at the state level. For example, non-indigenes in Kano State have been unable to run for parliament.

3.9 DFAT understands that all states, apart from Lagos and the Federal Capital Territory (Abuja), implement these practices to varying degrees. Federal policies are intended to preserve ‘federal character’ to prevent over- or under-representation by any ethnic group in the public service or at universities. It is difficult to determine the level of application of these policies at state level. Some local governments issue “certificates of indigeneity” which serve as documentary proof that the bearer is an indigene of the area.

3.10 Non-indigenes are entitled to access essential public services, including health care, primary and secondary education; however, societal norms discourage them from attempting to do so. Nigerians can freely relocate to another state; however, they may face restrictions in a different state (see [Internal Relocation](#)).

RELIGION

3.11 The Nigerian Constitution guarantees freedom of religion, as well as the freedom for individuals to change their religion and to propagate their religion or belief through worship, teaching, practice and observance. State and local governments are prohibited from adopting a state religion or from giving preferential treatment to any religious community. All religious groups must apply to the federal Corporate Affairs Commission to build a church, mosque or other religious facility. In accordance with the Constitution, school students must receive religious instruction in their own religion. The Government observes a range of religious holidays including Eid-El-Maulud, Good Friday, Easter Monday, Eid-El-Fitr, Eid El-Adha, and Christmas.

3.12 Christianity is the major religion amongst the Igbo and Yoruba people in the south and Islam is the major religion of the Hausa-Fulani and Kanuri people in the north. Many observers continue to propagate the historical Christian-south, Muslim-north divide, although in-country sources insist the divide is not clear-cut. Muslims and people of predominantly Hausa-Fulani and Kanuri ethnicity are the majority in the northern states, and Christians of predominantly Igbo and Yoruba ethnicity are the majority in the southern states. However, many Christians live in the north and Muslims live in the southern states. A mix of Muslims and Christians of various ethnicities comprise the middle belt, and major cities remain a fluid mix of different ethnicities and religions.

3.13 In accordance with the Constitution, twelve northern states maintain courts that adjudicate civil matters, including divorce, inheritance and domestic disputes, in accordance with sharia (see [State Protection – Sharia Courts](#)).

Boko Haram – Christians and Muslims

3.14 Both Christians and Muslims have suffered violence at the hands of Boko Haram due to their religious beliefs. Boko Haram opposes Christianity as well as less restrictive forms of Islam. DFAT considers credible local and international advice that Boko Haram attacks Muslim communities more frequently than

Christian communities and that the groups has kidnapped and assassinated individual Muslims. Christians are less commonly targeted individually.

3.15 Numerous attacks have been perpetrated on predominantly Muslim occupied villages in the north-eastern states of Borno, Yobe and Adamawa. Boko Haram attacks in Nigeria have killed more than 100 civilians since November 2017, though Amnesty International claims the real figure may be higher still as some attacks may have gone unreported.

3.16 The girls abducted from Chibok in April 2014 by Boko Haram (see [Security Situation – Boko Haram](#)) are understood to include both Muslims and Christians. Boko Haram has targeted Christians in the north-eastern states of Borno, Yobe and Adamawa and occasionally in the central state of Plateau.

3.17 DFAT assesses that both Christians and Muslims living in the north-eastern states of Borno, Yobe and Adamawa face a moderate risk of violence from Boko Haram, particularly if they live close to the fighting. Attacks on Christians by Boko Haram are opportunistic and infrequent, and highly unlikely to target individual Christians. Many Christians have moved internally within Nigeria to escape the risks posed by the Boko Haram insurgency. DFAT assesses that Christians and Muslims residing in the middle belt and southern states face an extremely low risk of violence from Boko Haram or ISIS-WA.

POLITICAL OPINION (ACTUAL OR IMPUTED)

3.18 Political protests relating to the 2007 and 2011 national presidential elections resulted in a number of deaths. The protests represented complex ethnic and religious differences along the north-south geographic divide more than differences arising from strongly held political views (see [Religion](#)). Politicians often switch between the two major parties, the People's Democratic Party (PDP) and All Progressives Congress (APC). International observers viewed the 2015 presidential elections as the most peaceful and fairest yet, with very little violence compared to previous elections.

Election Violence

3.19 The 2015 presidential election represented Nigeria's first peaceful transfer of power when incumbent President Goodluck Jonathan conceded electoral defeat to former military head of state, Muhammadu Buhari (see [Recent History](#)).

3.20 DFAT assesses that individuals engaged in election protests face a moderate risk of violence, in the form of excessive use of force by police and security forces responding to the violence. Outside election cycles, individuals affiliated with political parties or processes are unlikely to face violence or discrimination on a day-to-day basis.

Movement for the Actualization of the Sovereign State of Biafra (MASSOB)

3.21 Formed in 1999, the Movement for the Actualization of the Sovereign State of Biafra (MASSOB) campaigns for the independence of the Igbo people in the southeast region known as Biafra. The organisation reflects a lingering Biafran secessionist sentiment that has continued to exist since the end of the Nigerian Civil War (also known as the Biafran War) in 1970. MASSOB members are commonly from the Igbo speaking southeast states of Abia, Anambra, Ebonyi, Enugu and Imo.

3.22 Clashes between members of MASSOB and Nigerian security forces have occurred from time to time since 1999 and the federal government has threatened to ban the group on several occasions, most recently

in June 2013. The current leader of MASSOB, Ralph Uwazuruke, has been arrested on at least four occasions while participating in MASSOB events. Uwazuruke was arrested in September 2005, for participating in a Biafra Day ceremony, along with six MASSOB deputies on charges of treason. Uwazuruke remained in custody for two years during a protracted bail hearing in the High Court. Most recently arrested in 2011, Uwazuruke was released shortly after on order of President Jonathon.

3.23 Government security forces have previously injured, arrested and killed MASSOB supporters participating in protest rallies. In June 2013, local media reported that government security forces killed ten individuals during a MASSOB protest in the southern state of Anambra. The Nigeria Police Force claimed security forces had acted in self-defence after attempting to stop the protesters from looting local businesses.

3.24 Factional fighting has plagued the MASSOB during the past two years, with the creation of splinter movements such as the Biafran Zionist Movement. However, the splinter groups have not been particularly successful or influential in building mass popular support.

3.25 DFAT assesses that individuals associated with MASSOB live free from violence and discrimination on a day-to-day basis, however individuals participating in protests face a low risk of being arrested or injured by security forces. Leaders may face a higher risk of arrest when engaged in MASSOB events.

The Indigenous People of Biafra (IPOB)

3.26 The Indigenous People of Biafra (IPOB) also seeks the creation of a Biafran state. The Nigerian government on 14 October 2015 detained the leader of IPOB, political activist and Radio Biafra Director Nnamdi Kanu. He was released on bail in April 2017. Since August 2015, members and supporters of IPOB have held a series of protests, marches and gatherings. According to an investigation published by Amnesty International in November 2016, Nigerian security forces killed at least 150 peaceful activists between August 2015 and 2016. Biafra Remembrance Day on 30 May 2016 saw the largest number of deaths when an estimated 1,000 IPOB members and supporters gathered for a rally in Onitsha, Anambra State. Amnesty International found that security forces killed at least 60 people on this occasion. IPOB and MASSOB themselves claimed that 2 000 people had died, while 750 people were missing. Another 567 people went to different hospitals for related injuries.

3.27 IPOB has led a resurgence of independence protests in the southern region of Biafra in recent years, some of which have degenerated into violence. In 2016, police killed 17 protesters and arrested 100 IPOB supporters during demonstrations that Amnesty International described as 'peaceful'.

3.28 DFAT assesses that individuals associated with IPOB do not face official violence on a day-to-day basis; however, individuals participating in Biafran protests, particularly on Biafran Remembrance Day, face a high risk of violence by security forces during protest activity.

Movement for the Emancipation of the Niger Delta (MEND)

3.29 The Movement for the Emancipation of the Niger Delta (MEND) is one of the largest militant groups in the Niger Delta region. The organisation aims to protect the homes of locals and the natural environment from damage caused by the production of oil in the Niger Delta region. DFAT considers credible local and international reports that, between 2006 and 2009, MEND engaged in violent activities and attacks on petroleum operations, including sabotage, theft, property damage and kidnapping.

3.30 Although some analysts identify MEND as an Ijaw militia, it also includes non-Ijaw groups and is considered as an umbrella organisation. Other well-known groups were the Niger Delta People's Volunteer Force (NDPVF) and the Niger Delta Strike Force (NDSF).

3.31 The federal government initiated the Presidential Amnesty Programme (PAP) in 2009, which granted unconditional amnesty as well as financial compensation to militants who surrendered their arms. The programme was successful until rolled back in December 2015. The Buhari administration cancelled security contracts and delayed payments to militants and former militant leaders. As a result, violence erupted again in 2016. A new group called the Niger Delta Avengers (NDA), who distanced themselves from MEND, is one of the more prominent current groups, as well as Red Scorpions.

3.32 DFAT assesses that individuals associated with MEND and other Niger Delta militia groups do not face official discrimination or violence on a day-to-day basis.

GROUPS OF INTEREST

Human Rights Organisations

3.33 Several domestic and international human rights organisations operate throughout Nigeria. Historically, fewer organisations have operated in northern Nigeria than in the south. Human rights defenders are generally able to function independently and without interference in terms of their establishment, funding and operation. Some human rights organisations and high profile individuals have faced harassment from the Nigeria Police Force (NPF) and the Department of State Services (DSS), also known as the State Security Service (SSS), the primary domestic intelligence agency in Nigeria. The harassment normally coincides with reporting on sensitive issues including military operations against Boko Haram, militias in the south and conflicts between Muslim farmers and Christian 'settlers' in the middle belt. The Nigerian government argues that state security activity is grounded in legitimate concerns about domestic terrorism in Nigeria (see [Security situation](#)).

3.34 Many human rights defenders criticise government officials in relation to corruption. Human rights defenders working on women's issues, particularly in Muslim communities, sometimes face mistrust from the community. Very few non-government organisations (NGOs) work directly on or speak openly about LGBTI issues in Nigeria (see [Sexual Orientation and Gender Identity – Official discrimination](#)).

3.35 DFAT is aware of allegations of DSS harassment of individuals following their publication of sensitive material. These include claims of DSS subjecting individuals to broad ranging interviews in relation to their organisation, career and personal history, and details about their family. Human rights defenders have claimed DSS officials took photos and fingerprints of the individuals before releasing them without charge.

3.36 In March 2017, protests occurred outside the Amnesty International offices in Abuja for three days, reportedly by protesters paid by the military. The demonstrations came less than a month after the Nigerian military issued a press statement urging Amnesty to 'desist from meddling into security issues in our country which is inimical to national interest, cohesion and unity'. The military criticised Amnesty International's reporting of military involvement in the deaths of Biafra independence protesters in May 2016 (see [The Indigenous People of Biafra \(IPOB\)](#)), and its claims the military attempted to cover up the deaths of more than 350 people in 2015 in the northern city of Zaria. In the Zaria incident, violence broke out between soldiers and supporters of the Shi'a Muslim Islamic Movement of Nigeria (IMN).

3.37 DFAT assesses that human rights defenders covering sensitive matters may face low levels of harassment or intimidation by the DSS. DSS commonly targets prominent figures within human rights organisations for intimidation.

3.38 DFAT further considers credible reports that immigration officials have previously prevented a small number of high profile human rights defenders from leaving Nigeria. Such interference occurred when individuals intending to travel had publicly announced their intention to protest domestic campaigns overseas. DFAT is not aware of recent instances of officials preventing human rights defenders from leaving or entering Nigeria.

Media

3.39 Nigeria has a vigorous media network. There are more than one hundred national and local newspapers, the most influential of which are privately owned. The reliability and honesty of the Nigerian media can be questionable. Radio reaches the largest number of Nigerians, while television is used in urban areas. The print sector is generally outspoken in its criticism of unpopular state policies; however, most media sources have a political agenda in support of one party or the other.

3.40 The Freedom of Information Act 2011 provides legal protections for journalists and publishers. Notwithstanding, the 2017 Reporters without Borders World Press Freedom Index ranked Nigeria at 122 out of 180 countries, compared with 116 in 2016. The Official Secrets Act and provisions under the Criminal Code restrict access to official information. The Nigerian National Broadcasting Commission (NBC) is responsible for licensing broadcast media and upholding the Nigerian broadcast code. Local sources claim the Commission's licensing decisions occasionally lacked transparency.

3.41 Boko Haram works closely with local and international journalists to deliver public messages, and has targeted journalists in the past. DFAT is not aware of any attacks since 2015. Boko Haram is unlikely to target journalists for making adverse reports. Journalists that choose to get close to the group, particularly in the north-eastern states, in order to report on its activities are at risk of injury or death.

3.42 Government officials have targeted a small number of editors or high profile journalists. In November 2011, the editor of the National Accord newspaper was arrested for libel after alleging corruption in the Nigerian Football Federation (NFF). Media outlets have attracted greater levels of attention during presidential elections. In September 2017, soldiers attacked the office of the Nigerian Union of Journalists press centre in Umuahia, the capital of Abia in the South East. Some journalists were beaten and soldiers smashed or seized smartphones and computers. The journalists were reporting on Operation Python Dance, the army's attempt to end clashes between soldiers and members of IPOB (see [The Indigenous People of Biafra \(IPOB\)](#)).

3.43 Reporters Without Borders recorded 53 cases of abuse against journalists since the start of 2017, including 20 arrests and 23 cases of threats or physical violence. Some journalists practise self-censorship on sensitive political and social issues, particularly state-instigated violence, LGBTI issues, or environmental damage related to the resources industry in southern Nigeria. DFAT assesses that journalists face a low risk of violence and arrest on a day-to-day basis. However, this increases to a moderate risk when reporting on politically sensitive issues such as military operations relating to Biafra and Boko Haram.

Social Media

3.44 Approximately 47 per cent of Nigerians have access to the internet. Civil society, journalists and individuals are utilising new forms of media, especially social media such as Twitter, Facebook, and YouTube, to raise a wide range of topics. There is some degree of government monitoring of online activity. In March

2014, DSS arrested a blogger, Onimisi Ciaxon, two weeks after he posted photos of a jailbreak by Boko Haram in Abuja. DFAT considers credible, however, local advice that such arrests are uncommon and official monitoring of online activities is limited.

Women

3.45 There is no comprehensive set of laws for prosecuting offenders for acts of violence against women. The Violence against Persons Prohibition (VAPP) Act addresses sexual violence, physical violence, psychological violence, harmful traditional practices, and socioeconomic violence. However, unless individual states adopt the VAPP, the provisions only apply in the Federal Capital Territory.

3.46 Women and girls frequently experience gender-based discrimination and violence in Nigeria. Nigeria remains a highly patriarchal society and cultural traditions including forced child marriage, female genital mutilation and so-called 'widowhood practices', which include hair-shaving and confining a woman to the marital home, continue to occur particularly in rural areas. While there are no laws preventing women from participating in public life, Nigeria continues to perform poorly on gender inclusiveness indices. Nigeria ranked 152 out of 187 countries on the 2016 United Nations Development Program (UNDP) Gender Inequality Index (1 being the most equal, 187 being the least). Since the early 2000s, women have held approximately seven per cent of seats in the National Assembly (the House of Representatives and the Senate combined). Female participation in education, at primary, secondary and tertiary levels, is extremely low (see [Education](#)). This is particularly the case in the northern states where over 80 per cent of women are unable to read (compared with 54 per cent of men).

Female Genital Mutilation

3.47 Female genital mutilation (FGM) is widely practised in Nigeria. In 2012, the Nigerian Demographic and Health Survey (NDHS) estimated that approximately 40 per cent of adult females had been subjected to FGM. This report is the last official publication on prevalence of FGM in Nigeria. FGM is more common in the southern states, where prevalence rates are estimated to be as high as 70 per cent. The practice is closely tied to concepts of family honour and girls' marriageability. Girls may be ostracised, shunned or assaulted by their family or community if they have not undergone FGM.

3.48 The federal government publicly opposes FGM, but it has not criminalised the practice. The government has predominantly focused on public education campaigns run by the Ministry of Health. Some southern states, including Bayelsa, Edo, Ogun, Cross River, Osun, and Rivers States, have criminalised FGM under state law. Several other states are introducing similar legislation. Several international and local NGOs are also working to reduce the practice in Nigeria, including the World Health Organisation, United Nations International Children Emergency Fund and the African Union.

3.49 DFAT assesses as credible advice from local sources that it remains extremely difficult for women and girls to obtain protection from FGM. Despite an increase in reports received by the Nigerian Police Force (NPF) and the National Human Rights Commission (NHRC), strong community support for the practice and traditional attitudes of police suggest FGM is likely to continue.

Domestic Violence

3.50 It is difficult to determine rates of domestic violence in Nigeria due to a lack of reliable data and under-reporting. Local and international sources estimate that 30-50 per cent of women have experienced domestic violence.

3.51 In 2013, Nigeria passed the Violence against Persons Act that criminalises sexual violence and provides support for domestic violence victims and protection through restraining orders. Rape, including marital rape, is an offence under Nigerian law and Nigerian courts have delivered some convictions for spousal rape. A number of NGOs provide support to women in violent relationships, including through the provision of shelters. Shelters are predominantly located in southern Nigeria. The government provides a small number of state-run shelters across Nigeria; however, DFAT understands the government shelters are poorly equipped and do not provide adequate protection. Police often turn away domestic violence victims if they report the offence, continuing to view the issue as a private matter that should remain within the boundaries of the marital home.

Trafficking

3.52 Human trafficking remains a significant border concern. The NIS works closely with the International Organisation for Migration (IOM) and the United Nations Office on Drugs and Crime to combat human trafficking. Nigeria receives significant levels of international support and capacity building aimed at improving its migration systems through the United Nations Global Initiative to Fight Human Trafficking.

3.53 Official figures from the Nigerian government for the year 2016 identified 1,128 potential trafficking victims: 529 sex trafficking victims, 426 child labor victims (some of whom were forced, including 261 children in domestic servitude) and 173 adult forced labor victims, an increase from 943 victims identified in the previous reporting period. In July 2017, the UN Committee on the Elimination of Discrimination Against Women (CEDAW) stated that Nigeria “remains a source, transit and destination country for trafficking in persons, in particular women and girls, for purposes of sexual and labour exploitation”.

3.54 The federal government has committed resources towards addressing the problem. The government enacted the Trafficking in Persons (Prohibition) Law Enforcement and Administration Act in 2003, establishing the National Agency for the Prohibition of Traffic in Persons (NAPTIP). The NAPTIP provides services to support the rehabilitation of victims of trafficking. DFAT assesses as credible advice from local NGOs that trafficked women who have worked as prostitutes abroad are generally not subjected to negative social attitudes on their return to Nigeria. On the contrary, many people held the women in high regard because they had been overseas and often had improved income prospects. Many returned prostitutes continue to have outstanding debts to either the madam or trafficker.

Sexual Orientation and Gender Identity

3.55 Lesbian, Gay, Bisexual, Transgender or Intersex (LGBTI) people face significant legal and societal discrimination and violence in Nigeria. The Constitution of Nigeria offers general guarantees to the rights to life, privacy, association, assembly, dignity, and freedom of expression. However, no legislation explicitly protects sexual minorities from targeted violence or discrimination.

Official Discrimination

3.56 State and federal laws ban homosexual acts. Chapter 21 of the federal Criminal Code of 1916 criminalises same-sex acts in Nigeria, carrying a maximum penalty of 14 years imprisonment.

3.57 The federal *Same Sex Marriage (Prohibition) Act* 2013, which came into force in January 2014, imposes sentences of up to 14 years for individuals who enter into a same-sex marriage or civil union. The Act also prohibits ‘administering, witnessing, abetting or aiding the solemnisation of a same sex marriage or civil union’, which carries a penalty of up to 10 years imprisonment. Public displays of same-sex attraction attract a 10-year jail term. Registering, operating or participating in gay clubs, societies or organisations attracts a 10-year jail term. In the 12 northern states applying sharia law, homosexual acts can attract the death penalty.

3.58 The constitutionality of the Same Sex Marriage Act was challenged in the High Court of the Federal Capital Territory (Abuja). The Court dismissed the case on 22 October 2014 on the grounds that the plaintiff, a married heterosexual man, had not suffered as a result of the law and therefore lacked standing to challenge the law on behalf of the LGBTI community.

3.59 Federal and state laws against homosexuality are infrequently enforced in practice, but contribute to a climate of intolerance. State-level sharia laws against homosexuality are more likely to be applied than federal laws. DFAT understands that no executions have been carried out for homosexual acts since 2003. Federal courts have tried few cases relating to homosexual acts and cases have attracted little media or public attention (see [Media](#)). Male homosexuals are more likely to attract adverse official attention, although arrests of suspected lesbians have occurred. In May 2014, local media reported that police arrested and intended to charge 26 women for alleged homosexual sex at a bar in Delta State. DFAT is unable to determine if the women were convicted or sentenced.

3.60 International NGOs have re-badged their programs in order to continue providing assistance to individuals living with HIV. In July 2017, authorities arrested over 40 men attending an HIV awareness event at a hotel in Lagos and accused them of performing same-sex acts, a crime that carries up to 14 years in jail.

3.61 Despite the low levels of official enforcement of various legal provisions, human rights groups report that police and members of the public have used the Same Sex Marriage Act to legitimize human rights violations against LGBTI persons. In October 2016, Human Rights Watch reported cases of torture, sexual violence, arbitrary detention, extortion, and violations of due process rights against LGBTI persons. DFAT assesses LGBTI individuals in Nigeria face a high risk of legally sanctioned official discrimination and violence under federal and state law.

Societal Discrimination and Violence

3.62 All socioeconomic groups in Nigeria hold negative views of homosexuality, which many consider to be alien to traditional African culture.

3.63 Individuals discovered to be LGBTI face societal isolation and discrimination. As a result, members of the LGBTI community commonly hide their sexuality and often face significant pressure to marry individuals of the opposite sex. DFAT considers credible reports of young men being ostracised and forced out of their family homes once their homosexuality became known. Individuals accused of homosexuality often lose their jobs and are forced to leave their village on threat of lethal violence.

3.64 Local NGOs reported a spike in attacks against homosexuals, particularly in northern Nigeria and Abuja, following the introduction of the Same Sex Marriage (Prohibition) Act 2013 in early 2014. DFAT considers credible local and international media reports of lynchings of alleged homosexuals in northern states in January 2014. The frequency and seriousness of these attacks was unusually high in the context of Nigeria’s recent history. Attacks have reduced in frequency and severity since early 2014.

3.65 DFAT assesses members of the LGBTI community face a high risk of societal discrimination and violence in Nigeria. These risks increase in the northern states, particularly those applying sharia law.

Children

Child Marriage

3.66 Both federal and state legislation govern marriage in Nigeria. At the federal level, the Child Rights Act prohibits the marriage of a female under the age of 18 years of age. As of March 2014, 26 of 36 states had adopted corresponding legislation at state level. The United Nations Population Fund reports that 20 per cent of girls are married by the age of 15 in Nigeria and 40 per cent are married by the age of 18. Child marriage is particularly prevalent in northwest Nigeria, where 48 per cent of girls were married by the age of 15, and 78 per cent were married by the age of 18.

Witchcraft

3.67 Witchcraft allegations against children are a continuing concern in Nigeria, particularly in Akwa Ibom state. Children accused of witchcraft continue to be tortured and killed. Such torture may include fingers being cut off and children being tied to trees and abandoned in the jungle. Children with physical abnormalities face a higher risk of witchcraft accusations. International sources, including the Office of the United Nations High Commissioner for Refugees, assess that police assistance and state protection is generally available to individuals accused of witchcraft.

3.68 The Pentecostal movement, which attributes failures and misfortune to the devil, has heightened traditional beliefs that child witches exist. The phenomenon of labelling children as witches has been rising since the mid-1990s. Human traffickers reportedly utilise juju and traditional oath-taking rituals to control trafficking victims, including children.

Baby Factories

3.69 According to the US State Department and in-country sources, baby factories continue to operate, often disguised as orphanages, religious or rehabilitation centres, or maternity homes. Organisers reportedly target pregnant unmarried girls who have been ostracised by their families, in some cases, holding them against their will and raping them. The babies are sold for various purposes, including adoption, child labour, prostitution, or sacrificial rituals, with boys fetching higher prices. The US State Department reported that in August 2016, police in Aba, Abia State, rescued five pregnant women from a house, alleging its owners were engaged in child trafficking. In October 2016, police in Asaba, Delta State, rescued seven pregnant women ranging in age from 18 to 20 years, alleging the proprietor and his wife sold the children upon delivery. DFAT understands the practice is more prevalent in the southern states than elsewhere in the country.

Cults

3.70 Nigerian scholars returning from the United States in the 1950s introduced university or varsity cults, adapted from the US confraternity model. The first identified 'confraternity' or 'cult' was the Pyrates on the University of Ibadan campus in 1952. The group dressed up as pirates, protested elite, colonial culture, and promoted a pan Africanism. They soon expanded across new federal and state universities and split into new groups: the Buccaneers Confraternity, the Black Axe Movement, and the Family Confraternity.

3.71 DFAT understands several 'cults' now have a presence in high schools as well as the streets, operating more like gangs rather than religious cults. Young men in particular are targeted to join cults for protection and because of peer pressure. However, many young men and women voluntarily join – cult membership can mean access to money and power. Membership generally involves a violent initiation, which can include beatings and rape.

Neo-Black Movement of Africa (Black Axe)

3.72 The Neo-Black Movement of Africa (also called Black Axe) is a “confraternity” that emerged from the University of Benin in Edo State in southern Nigeria. The first confraternity, the Pyrates Confraternity was as a social organisation for students. However, as new confraternities formed, they became increasingly violent through the 1970s and 1980s. By the 1990s, many confraternities largely operated as criminal gangs, called “campus cults” in Nigeria. Besides normal criminal activity, confraternities have been linked to political violence, and to the conflict in the Niger Delta.

3.73 Campus cults such as the Black Axe target students for membership. Students who refuse to join may face intimidation, threats and sometimes violence. Young men are more likely to be targeted. DFAT considers credible reports that inter-cult violence occasionally results in the death of cult members and that cult members have assaulted individuals who attempt to leave. Often the only way to escape unwanted attention from campus cults is to change universities.

3.74 DFAT assesses that members of the Black Axe group do not face violence on a day-to-day basis. If a member wishes to leave the group, they may face intimidation and threats; however, DFAT is not aware of any person being killed for leaving the group.

4. COMPLEMENTARY PROTECTION CLAIMS

ARBITRARY DEPRIVATION OF LIFE

Extra-Judicial Killings

4.1 Local and international human rights groups have accused government security forces of carrying out extra-judicial killings, particularly in the middle belt and northeast states of Nigeria. Sources attribute the majority of extra-judicial killings to the Nigerian military, predominantly targeting suspected Boko Haram members. The Nigerian Police Force (NPF) has also admitted to extrajudicial executions of Boko Haram and criminal suspects. A youth vigilante group known as the Civilian Joint Task Force (C-JTF) emerged in 2013 in northeast Nigeria with support from the Nigerian military and Nigeria Police Force. Sources accuse the C-JTF of killing criminal suspects and Boko Haram members.

4.2 Human rights groups have accused the Special Anti-Robbery Squad (SARS), a special branch of the Nigeria police created to fight violent crime, mainly armed robbery and kidnapping, of brutal interrogation methods and extrajudicial killings.

4.3 Clashes between security forces and insurgents or criminals in the middle belt and northeast states have led to civilian injuries and deaths. Security forces have directly targeted civilians accused of harbouring suspects. In response to the killing of a C-JTF soldier by Boko Haram in April 2014, members of the Nigerian military shot indiscriminately at individuals in a village in Borno state and destroyed homes and property. The military claimed to have killed approximately 36 persons in the attack. A local Senator claimed up to 228 persons had been killed. The National Human Rights Commission (NHRC) published a report on the killings, criticising the military's actions.

4.4 The Nigerian military launched an internal investigation into alleged extra-judicial killings that occurred in 2013. Historically, Nigeria's legal system has not had a strong record of holding the Nigerian military, NPF and other security forces to account. State or federal panels of inquiry established to investigate extra-judicial killings rarely publish their reports.

Enforced or Involuntary Disappearances

4.5 NGOs accuse security forces of responsibility for enforced disappearances of persons suspected of Boko Haram links in the north-east and the government is yet to investigate cases. One NGO-compiled list contains the names of 1,200 persons arrested from various villages in Borno State between 2011 and 2014 whose whereabouts remained unknown. Boko Haram is also responsible for abductions in the north-east, with several NGOs estimating the number to be in excess of 2,000 persons.

DEATH PENALTY

4.6 Capital punishment applies to armed robbery, murder, rape and federal terrorism offences in each state in accordance with the federal Constitution. The Rivers State in the south has extended capital punishment to abduction and kidnapping. The death penalty applies under sharia law in twelve northern states for adultery, rape, incest, apostasy and homosexual sodomy.

4.7 Nigeria maintained a de facto moratorium on the death penalty between 2006 and 2013. The moratorium ended in June 2013 with the execution of four detainees for armed robbery and murder. The evidentiary requirements for capital offences under sharia law in some states are considered to be extremely demanding and, as a result, the death penalty rarely applies. In early 2014, the ECOWAS Court of Justice issued an injunction restraining the Nigerian government from implementing the death penalty. While the injunction is not legally binding on Nigeria, the government agreed to honour it and to conduct a national dialogue on the abolition or retention of the death penalty. DFAT understands that the national dialogue has not yet commenced.

4.8 According to Amnesty International, three men were executed on 23 December 2016 in Benin prison, Edo state. One of them was sentenced to death by a military tribunal in 1998, which meant he did not have a right to appeal. Judges reportedly continued to impose death sentences. On 4 May 2017, the Senate resolved to enact a law extending the death penalty to kidnapping, following the rise in abductions across the country.

4.9 The death penalty cannot apply to individuals under 18 years of age under federal law. It does apply to juveniles considered to have reached puberty in the northern states under sharia law and to individuals 17 years or older in the majority of southern states under state civil law. Federal and state civil laws and state sharia laws do not exclude pregnant women from the death penalty.

TORTURE

4.10 While the federal Constitution prohibits torture, it is not criminalised. The National Assembly is yet to pass into law an anti-torture bill, which would criminalise torture. The House of Representatives passed the bill in 2015, which was revised by the Nigeria Law Reform Commission. The bill returned to the Senate and was pending as of November 2017.

4.11 In a study published in 2000, the Nigerian Human Rights Commission reported that almost eighty per cent of detainees in Nigerian prisons claimed to have been beaten by police. Human Rights Watch (2003) and Amnesty International (2014 and 2016) reported widespread ill-treatment and torture of detainees in Nigerian prisons. In May 2014, Amnesty International accused the NPF of arresting and torturing a sixteen-year-old male, Moses Akatugba. Mr Akatugba reported the NPF had beaten him, shot him in the hand and hung him by his limbs for several hours in police custody. In September 2016, Amnesty International highlighted widespread use of torture by the Special Anti-Robbery Squad (SARS) in order to obtain confessions.

4.12 DFAT considers credible claims that the NPF continues to use torture to extract confessions from suspects held in police detention as an alternative to investigating and gathering evidence for use at trial. The government has taken some steps to address the incidence of torture in police custody and local NGOs report an overall decrease. Human rights officers are deployed in all police stations (see [Police](#)) and police trainees are required to undertake human rights training as part of their induction.

CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

Arbitrary Arrest and Detention

4.13 The Nigerian Police Force (NPF) use a technique known as “parading” which involves walking arrestees through public spaces and subjecting them to public ridicule and abuse. Bystanders often hurled taunts, food, and other objects.

4.14 The *Federal Criminal Procedure Act* 1990 authorises members of the NPF to arrest individuals without first obtaining a warrant where they have reasonable suspicion that the person has committed an offence. Police may detain suspects for 48 hours before charging them with an offence. The arresting officer is required to inform the accused of charges at the time of arrest, to transport the accused to a police station for processing within a reasonable time, and to allow the suspect to obtain counsel and post bail. Even under a state of emergency, detainees are legally required to be brought before a magistrate within 48 hours and have access to lawyers and family members.

4.15 Despite these legal protections, DFAT understands that the NPF routinely detains suspects without informing them of the charges or allowing access to counsel and family members. Police officers reportedly seek bribes from detainees to secure release or presentation before a court. Most citizens are not aware of their legal rights in these situations.

Corporal Punishment

4.16 In the twelve northern states applying sharia law, courts can deliver “hadd” sentences, which include amputation of a hand for theft or caning for offences such as theft, public consumption of alcohol or prostitution. In April 2013, a sharia court in Bauchi ordered the amputation of the arm of defendant, Abdullahi Sale, for the theft of 13,000 Nigerian Naira (USD36). Hadd also allows stoning for more serious offences (see [Death Penalty](#)).

4.17 Defendants frequently appeal to higher sharia courts, which have consistently overturned stoning and amputation sentences on procedural or evidentiary grounds. Sharia courts usually carry out caning immediately. In some cases, convicted persons paid fines or went to jail instead of being caned.

5. OTHER CONSIDERATIONS

STATE PROTECTION

5.1 Security and law enforcement in Nigeria is managed at the federal level through the Nigerian military, DSS, NPF and periodically through newly established forces including the C-JTF. The poor capacity of the NPF has limited its ability to control societal violence, particularly in relation to areas under a state of emergency and between Muslim farmers and Christian settlers in the middle belt states. As a result, the government continues to turn to the military to provide community policing given high levels of violence.

Military

5.2 The Nigerian military ruled Nigeria for much of the period following independence in 1960, contributing significantly to poor governance and a culture of military coups up until 1999. Beyond its domestic role, the Nigerian military also contributed to regional peacekeeping efforts most notably in Liberia and Sierra Leone in the 1990s. More recently, while the Nigerian government claims to have technically defeated Boko Haram, the military has been criticised for failing to eliminate insurgent violence, as well as for significant human rights abuses within Nigeria.

5.3 Despite large investment by government in the military, observers note that it continues to suffer from extremely low capacity and high rates of desertion. Frontline soldiers publicly complain about not receiving wages and inadequate or no equipment. Local and international experts argue corruption explains the difference between the high rates of government spending and the low capacity of the forces.

5.4 The military, along with other security forces, has been accused of extra-judicially killing suspects, particularly suspected members of Boko Haram and persons considered to have harboured them, and of being responsible for many deaths in military custody (see [Arbitrary Deprivation of Life](#)).

Police

5.5 The Nigeria Police Force (NPF) is the principal law enforcement agency in Nigeria. The Nigerian Constitution prohibits state and local governments from forming their own forces. The NPF is one of the largest police forces in the world, with 371,800 officers.

5.6 The NPF suffers from low capacity and insufficient training. In addition, the centrally controlled nature of the NPF ensures resources and changes in operating procedures are slow to reach all corners of the country.

5.7 Local and international observers have accused the NPF of using disproportionate force, of arbitrarily arresting and detaining people, and of torturing criminal suspects and insurgents. Police officers often use excessive force, including live ammunition, to address sectarian violence or protests. On 9 February 2016, police and military personnel reportedly used live ammunition to disperse protesting members and

supporters of the IPOB movement at a school in Aba, Abia State. Police use torture to extract confessions (see [Torture](#)).

5.8 Three government agencies oversee the NPF: the Nigerian Police Council, the Police Service Commission (PSC) and the Ministry of Police Affairs. The PSC is responsible for preventing and investigating police abuses. The PSC suffers from inadequate resources and a lack of independence. Without an effective internal investigation function, the judiciary is generally unable to prosecute police officers for abuse of authority. The National Human Rights Commission (NHRC) has not been an effective mechanism for investigating police misconduct. DFAT assesses that instances of police abuse are rarely investigated and perpetrators are infrequently held to account in Nigeria.

5.9 In January 2013, the NPF introduced a voluntary Code of Conduct in response to allegations of extrajudicial killings and other abuses. The Code provides a set of guiding principles and standards of behaviour for police officers. The NPF has increased the number of women in the police force and introduced human rights officers at all police stations. However DFAT understands that the human rights officers are unable to prevent human rights abuses for various reasons, including a lack of authority at the local level.

Judiciary

5.10 The Supreme Court is the highest judicial authority in Nigeria, followed by the Court of Appeals, federal and state High Courts, and trial courts including the magistrates and, in twelve northern states, sharia courts. Decisions of the Supreme Court of Nigeria are final. There are High Courts in each state and the Federal Capital Territory. An independent body, the National Judicial Council, manages the remuneration, appointments and dismissal of judicial officials. The High Courts have original jurisdiction over civil and criminal matters.

5.11 Defendants have a legal right to a presumption of innocence, to receive a fair trial without undue delay and to communicate with defence council, and to seek legal aid. Legal aid in Nigeria is extremely limited.

5.12 DFAT assesses it is difficult for citizens to obtain legal redress through the Nigerian court system. Nigerian courts suffer from a significant backlog of cases, leading to extremely long pre-trial detention periods, due to a lack of funding and low human resource capacity. Corruption is a barrier to justice, particularly in the lower courts. Judges often fail to appear in court because they are pursuing other sources of income. Court officials commonly lack proper equipment, training and motivation, primarily due to inadequate compensation. Nigerian citizens report facing long delays and alleged requests from judicial officials for bribes to expedite cases or to obtain favourable rulings.

Sharia Courts

5.13 The Constitution provides that states may establish courts based on common-law or customary-law systems. This allows states to use a sharia-based penal code, which provides for 'hadd' offences and punishments, including caning, amputation, and death by stoning. Sharia law applies in 12 northern states (Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto, Yobe and Zamfara). DFAT understands the impetus to establish state sharia courts stems in part from the inefficiencies and expense associated with the civil court system.

5.14 State-level sharia courts generally apply sharia law in accordance with their rules of procedure and defendants have the right to challenge the constitutionality of sharia criminal statutes through civil-law

appellate courts. Due to the nature and focus of sharia law in Nigeria, sharia courts have a disproportionately negative impact on domestic violence victims and individuals suspected of homosexuality.

5.15 Non-Muslims are not required to have their cases heard by sharia courts, but they may choose to do so, if the dispute involves a Muslim. Some non-Muslims opt to have their cases heard in sharia courts, which are generally considered cheaper and quicker than civil courts. DFAT is unable to determine the number of non-Muslims that choose to have their cases heard by sharia courts or the level of satisfaction experienced with outcomes provided.

Detention and Prison

5.16 Nigerian prisons are severely overcrowded. The Nigerian Prison Service reported 63,142 prisoners in March 2016. Some Nigerian prisons are 200 to 300 per cent over capacity. These figures do not include unofficial military prisons in northeast Nigeria, including the Giwa military barracks in Maiduguri, Borno State, and facilities in Yobe State. Approximately 77 per cent of detainees are in pre-trial detention.

5.17 Nigeria has a high rate of deaths in custody. The majority of deaths relate to health problems, both pre-existing and as a result of detention conditions or treatment. Disease remains a major cause of death in cramped, unsanitary conditions with shortages of medical supplies. DFAT understands officials also assault and, in some cases, torture detainees (see [Torture](#)).

5.18 Women are sometimes held in the same sections as male prisoners and face a high risk of sexual assault. In March 2013, four male inmates raped a woman in police custody in Delta State. The police officers in question were charged with neglecting to provide her with adequate protection. Authorities often hold juveniles with adult prisoners, despite requirements to hold them in specific juvenile detention facilities.

5.19 The International Committee for the Red Cross (ICRC) is able to access detention facilities in order to observe conditions. No external organisations have been able to access military detention facilities in the northeast.

5.20 The government has taken steps to improve detention conditions. The NHRC monitors prisons and provides an annual audit on human rights concerns; however, the last audit report made public was 2012. The government has demonstrated a willingness to investigate allegations but reportedly receives very few complaints for investigation.

INTERNAL RELOCATION

5.21 There are no legal impediments to internal relocation in Nigeria. Freedom of movement is one of the fundamental rights provided in Nigeria's Constitution.

5.22 Nigeria has as many as three million internally displaced persons (IDPs) due to the insurgency in northeast and internal conflicts in the middle belt states. The United Nations High Commissioner for Refugees reported that IDPs in Nigeria represent all religions and ethnicities. The majority have settled freely in host communities where they have familial connections or in state-run camps established in response to the conflicts. While some IDPs have moved to southern Nigeria in response to the insurgency, differences in language and culture pose impediments to large-scale migration from the north to the south.

5.23 Many Nigerians move to different parts of the country for economic reasons. High rates of poverty, particularly in the north, lead many individuals to seek opportunities in new industries such as

telecommunications, construction, wholesale and retail trade and manufacturing in different locations across Nigeria.

5.24 Non-indigenes of a particular state can have difficulty moving to a new state without familial connections or financial means. Non-indigenes may face official discrimination when attempting to access government services including university places or employment in the civil sector (see [Race/Nationality – Non-indigenes](#)). These restrictions do not apply in the larger urban centres of Lagos and the Federal Capital Territory (Abuja).

5.25 DFAT assesses that Nigerians can and do freely relocate internally. Internal moves can be more difficult for non-indigenes due to language, religious and cultural differences, particularly between northern and southern states.

Economic Community of West African States (ECOWAS)

5.26 The Economic Community of West African States (ECOWAS) is a regional grouping of fifteen African nations focused on economic integration. Nigerians can freely enter the fourteen member states covered by the ECOWAS Treaty with a Nigerian passport or an ECOWAS Travel Certificate. Nigerians also have a right of residence in all ECOWAS nations (see www.ecowas.int for further information).

5.27 Nigerians can apply for an ECOWAS Travel Certificate from an NIS office. Applicants require less documentation to obtain the Certificate than to obtain a Nigerian passport. An applicant must provide photographs, a birth certificate or statutory declaration of age, a letter of introduction from an employer and a letter of confirmation of Nigerian citizenship from the applicant's local government chairman.

5.28 DFAT understands that movement within ECOWAS is generally free. While some countries have rules relating to residence permits, authorities rarely implement them. Porous borders, tribal links (people of the same ethnic background living in different ECOWAS countries), circular and cyclical migration, especially in the field of agriculture, and lack of knowledge of border laws allow the regular movement of Nigerians to and from other ECOWAS countries.

TREATMENT OF RETURNEES

Exit and Entry Procedures

5.29 The Nigerian Immigration Service (NIS) is responsible for conducting exit and entry checks. Checks are generally enforced and Nigeria maintains records of entries and exits. When leaving Nigeria, citizens must present a valid passport and visa for their destination country, where applicable. A letter of consent signed by both parents is required for children under 16 years of age. Under the *Immigration Act 1990* the immigration minister may prohibit the departure of any person from Nigeria if he or she considers it in the public interest to do so. DFAT is aware a small number of human rights defenders who have been prohibited under this provision (see [Human Rights Organisations](#)). DFAT is not aware of Nigerians being detained for political activities undertaken whilst abroad upon returning to the country.

Conditions for Returnees

5.30 Nigerian nationals may return voluntarily to any region of Nigeria at any time by way of the Voluntary Assisted Return and Reintegration Programme run by the IOM and co-funded by the European

Refugee Fund. IOM provides advice and help with obtaining travel documents and booking flights, as well as organising reintegration assistance in Nigeria. The program, established in 2001, is open to those awaiting an asylum decision or the outcome of an appeal, as well as failed asylum seekers.

5.31 Nigerian citizens returning from overseas with a criminal record may be charged under Decree 33 (the Decree) of the *National Drug Law Enforcement Agency Act 1990*. The Decree provides for the prosecution of Nigerians returning to Nigeria with criminal convictions from overseas – including those with drug convictions and other serious crimes including money laundering, fraud, armed robbery and rape. The minimum sentence under Decree 33 is five years imprisonment. In practice, DFAT understands the Nigerian government has rarely given effect to the Decree. The most recent application DFAT is aware of was in 2005.

5.32 DFAT assesses that people who return to Nigeria are unlikely to face adverse attention on their return. Thousands of Nigerians enter and leave the country every day. In 2016 and 2017, thousands of involuntary returnees or failed asylum seekers were returned from the United Kingdom and Europe. DFAT is not aware of any adverse attention or arrests relating to these returns. The NIS is unlikely to be aware of the return of failed asylum seekers.

DOCUMENTATION

National Identity Cards

5.33 In September 2014, Nigeria launched the National Electronic Identification Card (known as eID card). The eID card is intended to eventually act as a travel document between ECOWAS countries. The card is intended to harmonise all national identity databases including drivers' licences, voter registration, health, tax, and National Pension Commission, into a single 'shared' services platform. Individuals will receive a Unique National Identification Number with their eID card. Nigerians who do not have an eID card by 2019 will be unable to vote or use other government services. To obtain a card, a citizen must attend an NIS Enrolment Centre in their state to record their photographs, fingerprints, iris scan and signatures. The card is currently undergoing a trial and is several years from full implementation. Previous attempts to introduce a national identity card in Nigeria have failed.

5.34 The National ID Card Management Commission (NIMC) manages administration of the card and the National Identity Database. The government has been criticised for developing the card in partnership with MasterCard, ensuring it also provides access to financial services for millions of Nigerians.

Passports

5.35 Passports are the most commonly used travel document in Nigeria. The NIS issues and manages passports. Nigeria rolled out ePassports in 2011 to reduce passport fraud. The ePassport has an embedded microchip that stores the personal information of the holder. An ePassport costs 8,750 Nigerian Naira (USD24).

5.36 Applicants may apply for a passport online or in person. All applicants are required to attend an interview at a local NIS office in their state. Current requirements for adult passport applicants include a valid National Identity Card or driver's license, marriage certificate (where relevant), father's letter of consent for minors under 16 years signed by both parents, birth certificate or age declaration, letter of identification from an individual's local government and a guarantor's form witnessed by a commissioner of oaths.

PREVALENCE OF FRAUD

5.37 Nigeria experiences high rates of document fraud. Most documents, from birth certificates to diplomas, can be falsified and procured. The Nigeria Police Force has established a Special Fraud Unit and the Penal Code and the Criminal Code address fraud and the falsification of documents. DFAT understands the Special Fraud Unit actively investigates and prosecutes suspects but very few cases have thus far resulted in convictions. The NIS has a forensic laboratory for the examination of travel documents and monetary instruments.

5.38 Many businesses provide false documents in Nigeria. DFAT understands it is neither difficult nor expensive to obtain a fraudulent driver's licence or other documents that can be used to obtain a genuine passport (marriage certificate, birth certificate or age declaration, letter of identification from an individual's local government etc.). Corruption at local NIS offices also enables the fraudulent production of genuine passports.