



Plenary sitting

B8-0051/2018

16.1.2018

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Nigeria

(2018/2513(RSP))

Judith Sargentini, Maria Heubuch, Heidi Hautala, Jean Lambert, Bart Staes, Ernest Urtasun, Barbara Lochbihler, Jordi Solé, Davor Škrlec, Bodil Valero, Igor Šoltes, Bronis Ropė, Fabio Massimo Castaldo, Ignazio Corrao

on behalf of the Verts/ALE Group

B8-0051/2018

European Parliament resolution on Nigeria

(2018/2513(RSP))

The European Parliament,

- having regard to its previous resolutions on Nigeria,
- having regard to the statements by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, Federica Mogherini of 7 May 2017 and 3 July 2015,
- having regard to the EU Council conclusions on abductions in Nigeria of 14 May 2014 and on the Boko Haram threat of 9 February 2015,
- having regard to the press release on the Ministerial Dialogue Meeting between HR/VP Federica Mogherini and Geoffrey Onyeama, Minister of Foreign Affairs of the Federal Republic of Nigeria, in Brussels, 15 March 2016
- having regard to the local EU Statement of 24 January 2017 issued by the European Union Delegation on the case of Ibrahim El-Zakzaky,
- having regard to the report of 29 September 2015 of the United Nations High Commissioner for Human Rights on violations and abuses committed by Boko Haram and the impact on human rights in the affected countries,
- having regard to the 2017 concluding observations by the UN Committee on the Elimination of Discrimination against Women on the combined seventh and eighth periodic reports of Nigeria,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the International Covenant on Civil and Political Rights of 1966, ratified by Nigeria on 29 October 1993,
- having regard to the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979,
- having regard to the African Charter on Human and Peoples' Rights of 1981, ratified by Nigeria on 22 June 1983,
- having regard to the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination based on Religion and Belief of 1981,
- having regard to the UN Convention on the Rights of the Child, ratified by Nigeria in 1991,

- having regard to the second revision of the Cotonou Agreement, ratified by Nigeria on 27 September 2010,
 - having regard to the Constitution of the Federal Republic of Nigeria adopted on 29 May 1999, and in particular the provisions of Chapter IV on the protection of fundamental rights, including the right to life, the right to a fair hearing, the right to the dignity of human persons, and the protection of freedom of expression, freedom of the press, freedom of thought, freedom of conscience and freedom of religion,
 - having regard to the awarding of the European Parliament’s Sakharov Prize for Freedom of Thought to human rights defender Hauwa Ibrahim in 2005,
 - having regard to Rule 135 of its Rules of Procedure,
- A. Whereas Nigeria, the most populous state and biggest economy in Africa, is facing enormous challenges, due to the Boko Haram terror, a long-lasting conflict about grazing rights in the Middle Belt states, widespread corruption, dwindling state revenues due to low oil prices, waste of public money, large inequalities and a North-South divide, partly based on religious differences;
 - B. whereas in the Middle Belt states, communal violence between farmers and residents resulted in thousands of casualties for years in a conflict about cattle access to land; whereas on January 1 alone, 73 people got killed and 50.000 displaced; whereas security forces have been heavily criticised for their alleged inaction;
 - C. whereas the conflict is a result of drought and desertification which 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; whereas the security situation in the North due to the Boko Haram terror also drives herders further south;
 - D. whereas the growth of human settlements, expansion of public infrastructure and acquisition of land by large-scale farmers and other private commercial interests, have deprived herders of grazing reserves designated by the post-independence government of the former Northern region;
 - E. whereas the Nigerian government has proposed the creation of “cattle colonies” as a way out of the murderous clashes;
 - F. whereas Boko Haram has attacked Nigeria’s police and military, politicians, schools, religious buildings, public institutions and civilians, with increasing regularity since 2009, while terrorist acts against civilians continued to escalate by 2013 claiming tens of thousands casualties; whereas Nigerian security forces, with the help of neighbouring troops, succeeded to reduce significantly Boko Haram action, which continues nevertheless terrorist activities;
 - G. whereas the Boko Haram attacks have resulted in a massive displacement of local population, including 1.4 million children; whereas many Nigerians fled to

neighbouring countries;

- H. whereas a large number of return of migrants took place from Libya to Nigeria with EU support,
- I. whereas Cameroon's military has carried out a mass forced return of 100.000 Nigerian asylum seekers and has been accused of torture, sexual exploitation and other abuses of Nigerian refugees; whereas the UN High Commissioner for Refugees publicly criticised Cameroon for these forced returns;
- J. whereas the situation of girls and women in Nigeria is especially problematic due to generalised practices of discrimination, limited access to health services and education, widespread female genital mutilation, child marriages and undesired pregnancies;
- K. whereas in April 2014 more than 270 girls were kidnapped from a government school in Chibok (Borno state); whereas many of them remain missing; whereas since then hundreds more people have been abducted by Boko Haram;
- L. whereas women and girls have been enslaved, raped and forced into so-called "marriages" by Boko Haram; whereas many survivors of these horrific experiences are now pregnant by their rapists;
- M. whereas the United Nations High Commissioner for Human Rights recommends to "provide remedies for women and girls whose human rights have been violated, including for sexual violence, establishing a mechanism for nullifying forced marriages, provision of psychosocial counselling, rehabilitation and social reintegration, comprehensive sexual and reproductive health services, including HIV treatment, safe abortion services at a minimum in cases of rape, and to preserve the life and health of the woman or girl, with the full, free and informed consent of the woman or girl, and measures to address stigma against women and girl victims of sexual violence and their child" (Report of the United Nations High Commissioner for Human Rights on violations and abuses committed by Boko Haram and the impact on human rights in the affected countries, 29 September 2015);
- N. whereas children, mostly girls, as young as 10 years old have been used to carry explosives that detonated in busy markets and bus stations, raising fears that Boko Haram may be using some of its hundreds of kidnapped victims in bomb attacks;
- O. whereas in the framework of the anti-terrorist fight, Nigerian soldiers have carried out mass incarcerations and detentions, as well as extrajudicial killings and other large numbers of violations of human and international law;
- P. whereas following the publication of an Amnesty International report on 3 June 2015, which claimed that more than 7.000 young men and boys died in military detention camps, President Buhari pledged to investigate evidence that Nigerian military forces have committed serious human rights violations, war crimes and acts which may constitute crimes against humanity; whereas a military panel dismissed all charges against nine accused senior military commanders, but an independent investigation has yet to be started;

- Q. whereas on the other hand the Nigerian Army has established a programme "Operation Safe Corridor" designed to rehabilitate and reintegrate Boko Haram fighters into society;
- R. whereas the humanitarian situation in the Boko Haram fighting zones remains dreadful with poor access to food, education, safe drinking water and health services; whereas many families are left without health services, such as routine immunisation, maternal and childcare; whereas humanitarian aid needs are far from being met by corresponding funds; whereas without additional financial support, hundreds of thousands of children will have no access to basic health care, safe drinking water and education;
- S. whereas the police unit Special Anti-Robbery Squad (SARS) has been accused of systematically torturing detainees as a means of extracting confessions and bribes and of other abuses of power,
- T. whereas Nigeria's National Assembly is currently considering an NGO regulatory bill, which risks increasing state supervision of NGOs and bureaucratic requirements; whereas the Nigerian Senate withdrew in 2016 a bill seeking to criminalize the dissemination of "abusive statements" via social media, or the publication of discrediting petition against the government or others via print or electronic media ("Frivolous Petitions' Bill");
- U. whereas Ibrahim Garba Wala, National Coordinator for the human rights, anti-corruption platform Citizens Action to Take Back Nigeria (CATBAN), was arrested by Nigerian police officers on 5 January, and faces false charges of intimidation, threat to life and defamation of character, intended to impede his human rights and anti-corruption work; whereas Wala also faces civil defamation claims brought by a member of the National Hajj Commission;
- V. whereas homosexuality is forbidden by law, gay movements banned and support for similar organisations criminalised;
- W. whereas the oil and gas sector continues to play a significant role in the economy and accounts for 77% of total revenue to the government; whereas Nigeria has faced significant challenges in managing the sector such as unaccountable use of revenues, corruption, brutal crackdowns on protestors and environmental degradation; whereas Amnesty International has accused the multinational Shell of complicity in military repression and the executing of activists in Ogoniland,
1. Is extremely worried by the magnitude of the recent clashes between herdsmen and farmers in several Middle Belt states resulting in numerous casualties;
 2. Strongly condemns the murderous attacks and expresses its sympathies to the victims;
 3. Recalls that until the 1970s, the coexistence between herdsmen and farmers in these regions has been peaceful and regrets that the conflict, which is about access to land, and the disappearance of effective mediation schemes, is being depicted as a religious

conflict, thus wrongly simplifying the issue,

4. Welcomes the announcement of the Nigerian government to create “cattle colonies” as a way out of the crisis; believes that further steps are necessary such as strengthening security arrangements for herders and farming communities especially in the north-central zone, establish or strengthen conflict mediation, resolution, reconciliation and peacebuilding mechanisms and easing access of livestock producers’ to credit from financial institutions;
5. Suggests to Nigerian authorities to formulate and implement the ten-year National Ranch Development Plan proposed by a stakeholders forum facilitated by the UN Food and Agriculture Organization (FAO) in April 2017;
6. Calls on the EU to support such initiatives and to exert utmost care when considering supporting large-scale farming schemes in the conflict zones;
7. Warns against an instrumentalisation of the conflict for spreading religion-based hatred;
8. Believes that the Nigerian Government has the right and responsibility to defend its people from terrorism, but insists that such actions must be conducted with respect for human rights and the rule of law; is concerned that the promised investigation of allegations of grave violations and abuses of human rights by security forces including killings, torture, enforced disappearances, have not been fulfilled;
9. Strongly condemns all human rights abuses by Boko Haram, including those involving violence against civilian populations, notably women and children, kidnappings, killings, hostage-taking, pillaging, rape, slavery, sexual violence, recruitment of children to act as suicide bombers, destruction of civilian property, as well as the attacks in the Lake Chad Basin region along Nigeria’s borders with Chad and Cameroon and in the northern provinces in Cameroon;
10. Recalls that, while Boko Haram was becoming more violent, harsh government treatment, including pervasive police brutality, created an environment for further radicalisation;
11. Reiterates its call for the immediate release of those who have been abducted by Boko Haram, including the girls from Chibok; stresses that those responsible for all abuses and violations of human rights and violations of international humanitarian law must be held accountable;
12. Urges that girls and women who are victims of rape in the context of armed conflict be offered the full range of sexual and reproductive health services, including abortion, in EU-funded humanitarian facilities, in accordance with the Geneva Conventions’ common Article 3 guaranteeing all necessary medical care required by the condition of the wounded and sick, and without adverse distinction;
13. Calls on the Nigerian Government to develop a comprehensive strategy that addresses the root causes of terrorism, focusing on a soft approach that aims to erode the appeal of Boko Haram’s ideology, inhibit opportunities for recruitment and radicalisation and

cut off its financial funding; reiterates, in this context, that a military approach alone will not suffice to counter the Boko Haram insurgency, but deems that regional peace and security will only be achieved through a multi-dimensional approach that addresses legitimate grievances, past and current human rights violations and root causes of the conflict;

14. Welcomes in this context the Nigerian Army's "Operation Safe Corridor" programme;
15. Welcomes President Buhari's promise made in 2015 to organise an independent investigation into allegations of serious human rights violations, war crimes and acts which may constitute crimes against humanity during the military campaign against Boko Haram; regrets however that such an investigation has not commenced yet;
16. Urges donors to increase their humanitarian assistance to refugees, internally displaced people and host communities in Nigeria and neighbouring countries and to address the huge problem of slavery, sexual violence and its consequences, in particular when it comes to physical and psychological health of victims, exclusion of girls and women from local communities and unwanted pregnancies;
17. Calls on Nigeria to take specific measures, including by seeking international assistance, if appropriate, to rebuild and secure all schools affected by the Boko Haram insurgency and encourage girls and teachers, including women, to return to those schools;
18. Strongly regrets Cameroon's mass forced returns of Nigerian refugees, which constitute a serious violation of the nonrefoulement principle; urges Cameroon to stop such returns and to investigate allegations of abuse, torture and sexual exploitation by its military;
19. Calls on the Commission, the EEAS and Member States to monitor the reintegration of Nigerian returnees from Libya and to ensure that the foreseen EU funding is spent effectively; calls on the Commission to keep the European Parliament informed about these reintegration measures;
20. In a context where levels of poverty and unemployment in northern Nigeria are considerably higher than in the oil-rich south, urges the newly-elected President to implement the 'Marshall plan for the North'; in particular, urges the Nigerian authorities to continue their action in order to eliminate corruption, mismanagement and inefficiencies within the public institutions, to provide better education and health care services in the north and to ensure fair repartition of benefits from oil wealth to ensure proper regional development; welcomes the steps taken by the new administration in order to fight corruption;
21. Recognises and welcomes that the Nigerian media remain largely free and vibrant; regrets however that Nigeria retains outdated criminal law provisions that impede freedom of speech and expression; commends the Nigerian Senate for withdrawing the draft bill to Prohibit Frivolous Petitions and Other Matters Connected;
22. Calls on the Nigerian National Assembly to exert utmost care when adopting the new NGO Regulatory Bill in order to avoid restrictions to civil society space;

23. Urges Nigeria to fully implement the UN Convention on the Elimination of All Forms of Discrimination against Women, inter alia by eliminating discriminatory provisions in its legal acts, forbidding domestic violence, prohibiting and eliminating child marriage and wife inheritance, ensuring that the Violence against Persons Act of 2015 applies in all federal states in order to ban female genital mutilation throughout all Nigerian states, intensifying efforts to reduce the incidence of maternal mortality, including through the training of midwives and the effective implementation of the national midwives service scheme, especially in rural areas, to ensure that all births are attended by skilled health personnel;
24. Requests that the alleged acts of violence and torture committed by the police unit SARS be independently investigated and those found to be responsible to be prosecuted;
25. Urges Nigerian authorities to end all judicial harassment, intimidation, or detention of human rights defenders, guarantee their safety, and to immediately and unconditionally release Ibrahim Garba Wala, and drop all charges against him;
26. Calls on the Nigerian authorities and foreign companies to help strengthen governance in the extractives sector by abiding by the Extractive Industries Transparency Initiative,
27. Calls for a criminal investigation into the oil giant Shell regarding allegations it was complicit in human rights abuses carried out by the Nigerian military,
28. Calls on the Nigerian government and regional authorities to stop criminalising the Nigerian LGBTi community and to guarantee their right to freedom of expression;
29. Instructs its President to forward this resolution to the Council and the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the Federal Government of Nigeria, the institutions of the African Union and of ECOWAS, the United Nations Secretary-General, the United Nations General Assembly, the Co-Presidents of the ACP-EU Joint Parliamentary Assembly and the PAN-African Parliament (PAP).