



Plenary sitting

B9-0059/2020

14.1.2020

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 144 of the Rules of Procedure

on Nigeria, notably the recent terrorist attacks
(2020/2503(RSP))

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B9-0059/2020

European Parliament resolution on Nigeria, notably the recent terrorist attacks (2020/2503(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 decision to add Boko Haram to the EU list of designated terrorist organisations by means of Commission Implementing Regulation (EU) No 583/2014 of 28 May 2014 amending for the 214th time Council Regulation (EC) No 881/2002 imposing certain specific restrictive measures directed against certain persons and entities associated with the Al Qaida network, which entered into force on 29 May 2014,
- 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 President Muhammadu Buhari’s address to the European Parliament of 3 February 2016,
- Having regard to the International Criminal Court (ICC) 2019 report on preliminary examinations into the situation in Nigeria,
- Having regard to the statement of the Delegation of the European Union to Nigeria and ECOWAS, on the terrorist attacks in Mubi, North East Nigeria, 22 November 2017
- Having regard to the statement by Delegation of the European Union to Nigeria and ECOWAS, on the Boko Haram terrorist attack in Borno, North East Nigeria.” 29 July 2019 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 of 1989, 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 144 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 since 2009 the Boko Haram jihadist group has killed in Nigeria anyone who does not adhere to its beliefs up to at least 36,000 people and has since spread its activities to neighbouring Chad, Cameroon and Niger.

C. Whereas at the end of December and early January, Nigerian soldiers were killed in jihadist raids, and on 3rd January the 1,200 Chadian soldiers who had been deployed for nine months in Nigeria as part of the regional fight against the jihadist group returned to Chad, officially at the end of their mission; whereas on 22d December Boko Haram militants have killed at least 50 people on an island on Lake Chad, bordering Cameroon and Chad.

D. Whereas in the Middle Belt states, communal violence between farmers and residents resulted in thousands of casualties over the past decade in a conflict about cattle access to

land; whereas from January to June 2018 over 1,300 people have been killed in this conflict, roughly six times the number of civilians killed by Boko Haram over the same period;

- E. Whereas the conflict in the middle Belt State 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;
- F. 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; whereas at the same time, pastoralism cannot come to an end or be prohibited, as there are strong cultural, political and economic reasons for its existence
- G. whereas the Nigerian government has proposed the creation of "cattle colonies" as a way out of the murderous clashes;
- H. 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;
- I. 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;
- J. whereas thousands of Nigerians are risking their lives on the migration routes to the EU in hope of living in better economic, social and security conditions; whereas Nigerian people held in official Libyan detention centres report having been beaten, sexually abused and denied food and medicine by guards; whereas thousands of Nigerian women are victims of trafficking for the purpose of sexual exploitation both on the way to Europe and inside our borders;
- K. Whereas a large number of return of migrants took place from Libya to Nigeria with EU support,
- L. 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;
- M. 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 school children have been abducted by Boko Haram; whereas these brutal assaults on schools, students, children and teachers are emblematic of Boko Haram's attacks on education.

- N. 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;
- O. 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);
- P. Whereas the International Criminal Court (ICC)'s Office of the Prosecutor (OTP) opened a preliminary examination in 2010 and has identified eight potential cases of war crimes and crimes against humanity perpetrated by both sides of the conflict: Boko Haram and Nigerian security forces; whereas in its 2019 report on preliminary examinations the ICC concludes that despite a number of steps taken by the Nigerian authorities towards ascertaining the criminal responsibility of alleged perpetrators, the investigative/prosecutorial activities undertaken to date in relation to both members of Boko Haram and of the NSF appear to have been limited both in their scope and depth.
- Q. 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; whereas according to a Human Rights Watch report of September 2019, the Nigerian military has arbitrarily detained thousands of children in degrading and inhuman conditions for suspected involvement with the armed Islamist group Boko Haram,
- R. 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; whereas this operation recently handed over 86 Boko Haram child fighters to the government of the Borno State;
- S. 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;
- T. Whereas Nigeria faces a host of healthcare problems, from budget limitations, lack of support infrastructure, mismanagement and poor governance, which has led to understaffed and underfunded medical centres; whereas 40,000 out of the 75,000 doctors registered in the country, practice outside Nigeria.

- U. Whereas the proposed 2020 budget of the Federal Ministry of Health amounts to about 4% of the budget. This despite a 2001 pledge of 15% of the national budget towards healthcare by member nations of the African Union.
- V. Whereas according to Human Rights Watch thousands of people with mental health conditions across Nigeria are chained and locked up in various facilities where they face terrible abuse,
- W. Whereas of 127 countries measured in the 2016 World Internal Security and Police Index, Nigeria's police force ranks as the worst in terms of resources devoted to internal security, use of these resources in an effective manner and whether the public view the police favorably; whereas corruption is a key issue for Nigeria's police force; 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,
- X. whereas Nigeria's National Assembly is currently considering an NGO regulatory bill, which risks increasing state supervision of NGOs and bureaucratic requirements;
- Y. whereas Ibrahim Garba Wala, National Coordinator for the human rights, anti-corruption platform Citizens Action to Take Back Nigeria (CATBAN), arrested by Nigerian police officers on 5 January 2018, was convicted by the High Court of Federal Capital Territory of Nigeria in April 2019 on the charges of "management of or membership in an unlawful society", "public incitement", and "criminal defamation", and sentenced to 12 years in prison.;
- Z. whereas the Senate of the Federal Republic of Nigeria introduced the Protection from Internet Falsehood and Manipulations Bill on 5 November 2019 in order to criminalise the use of the social media in peddling false or malicious information; whereas, the broadness of the bill would, if adopted, allow the arbitrary arrest of human rights defenders solely for sharing information through social media, as broad discretion is given to the authorities on which news can be considered "true" or "false;" whereas penalties include a fine of up to N300,000 or three years imprisonment for individuals and N10 million for corporate organisations; whereas these penalties include political and anti-government speech; Whereas this regulatory bill received significant backlash from civil society organisations both in Nigeria and outside;
- AA. whereas homosexuality is forbidden by law, gay movements banned and support for similar organisations criminalised;
- BB. 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 in 2019, 24 years after the events, new evidence and witness hearings examining Shell's role in the execution of the activists in Ogoniland, confirm accusation of bribery and corruption against Shell
- CC. whereas the Niger Delta region is one of the regions suffering most from oil pollution in the world; whereas oil pollution causes tremendous environmental damage and destroys unique ecosystems; whereas in Nigeria the health of hundreds of thousands of people has been

affected by the contamination of the water they drink, the land they grow food on and the air they breathe;

1. Strongly condemns all type of murderous attacks across Nigeria and expresses its sympathies to the victims;
2. 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;
3. Recalls that until the 1970s, the coexistence between herders 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, as it will give herders designated spaces to feed their cattle, and reduce the need to graze the animals on private land , and call on a proper implementation of this project via the recently launched National Livestock Transformation Plan (2019-2028); 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; calls on the EU to support such initiatives and to exert utmost care when considering supporting such farming schemes in the conflict zones;
5. Warns against an instrumentalisation of the farmers-herders conflict for spreading religion-based hatred;
6. Nine years since the opening of the preliminary examination and faced with the continuing commission of crimes under international law and the lack of genuine efforts to investigate and prosecute at the national level, calls on the ICC to open a formal investigation in Nigeria.
7. 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;
8. Recalls that, while Boko Haram was becoming more violent, harsh government treatment, including pervasive police brutality, created an environment for further radicalisation;

9. 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;
10. 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;
11. Calls on the Nigerian Government to develop a comprehensive strategy that addresses the root causes of terrorism, focusing on a preventive 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;
12. Welcomes the "Operation Safe Corridor" programme which rehabilitates former Boko Haram insurgents;
13. 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;
14. 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;
15. In a context where most of EU funds dedicated to migration related project in Nigeria are spent on border control, calls on the Commission, the EEAS and Member States to ensure that the foreseen EU funding is spent effectively to promote legal migration pathways and thus avoid perilous journeys through the Sahara and Mediterranean and criminalisation of migrants; recalls that using development funds for limiting migration flows is diverting this money from its initial objective to eradicate poverty in all its forms, everywhere;
16. In a context where levels of poverty and unemployment in northern Nigeria are considerably higher than in the oil-rich south, urges the Nigerian authorities to strengthen 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; calls on the Nigerian authorities and foreign companies to help strengthen governance in the extractives sector by abiding the Extractive Industries Transparency Initiative;

17. 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;
18. In a context where civil society organisations and human rights defenders have been caught in a crossfire between the armed group and the security forces calls on the Nigerian National Assembly to exert utmost care when adopting the new NGO Regulatory Bill in order not to restrict civil society space but reinforce the protection of human rights defenders.
19. 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;
20. 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 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;
21. Calls on the EU delegation and the EU Member States with diplomatic missions on the ground to fully implement the EU Guidelines on Human Rights Defenders and to provide all appropriate support to the human rights defenders detained;
22. In a context where the oil giant Shell, the largest fossil fuel company in Nigeria which operates in the country since 1937 and is responsible of the estimated 1.5 million tons spilled over the last 50 years (an amount approximately equivalent to the total Exxon Valdez spill in Alaska in 1989 taking place every year), calls for a criminal investigation into the oil company, regarding allegations it was complicit in human rights abuses carried out by the Nigerian military in the nineties,
23. Condemns the Same-Sex Marriage Prohibition Act of 2014, which penalises same-sex marriage and unions of 14 years of imprisonment and also criminalise all direct and indirect public display of or support for ‘same sex relationships, gays clubs, societies, organisations and processions, or meetings with 10 years’ imprisonment’; calls on the Nigerian government and regional authorities to stop criminalising the Nigerian LGBTi community and to guarantee their right to freedom of expression; 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).