



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

2.7.2013

B7-0353/2013

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 122 of the Rules of Procedure

on the situation in Nigeria
(2013/2691(RSP))

Véronique De Keyser, Michael Cashman, Ricardo Cortés Lastra, Norbert Neuser, Ana Gomes, Joanna Senyszyn, Corina Crețu, Liisa Jaakonsaari, Mitro Repo, Lidia Joanna Geringer de Oedenberg, Marc Tarabella, Pino Arlacchi
on behalf of the S&D Group

**European Parliament resolution on the situation in Nigeria
(2013/2691(RSP))**

The European Parliament,

- Having regard to its previous resolutions,
- having regard to the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) ratified by Nigeria, the Convention on the Elimination of All forms of Discrimination Against Women (CEDAW), and the African Charter on Human and Peoples' Rights (ACHPR) ratified by Nigeria,
- having regard to UN Human Rights Council resolution A/HRC/17/19 of 17 June 2011 on Human rights, sexual orientation and gender identity, and the Report of the United Nations High Commissioner for Human Rights of 17 November 2011 on discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity,
- having regard to the second revision of the Partnership Agreement between the members of the African, Caribbean and Pacific Group of States, of the one part, and the European Community and its Member States, of the other part (the Cotonou Agreement), and the human rights clauses contained therein, in particular Articles 8(4) and 9,
- having regard to Articles 2, 3(5) and 21 of the Treaty on European Union and Article 10 of the Treaty on the Functioning of the European Union, which commit the European Union and its Member States to upholding and promoting universal human rights and the protection of individuals in its relations with the wider world,
- having regard to the Council of the European Union's Guidelines to Promote and Protect the Enjoyment of all Human Rights by Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) People,
- having regard to its previous resolutions on Nigeria, especially of 15 March 2012 on the situation in Nigeria, and of 5 July 2012 on Violence against lesbians and LGBT rights in Africa,
- Having regard to the ACP-EU JPA resolution on the situation in Nigeria, May 2013, Horsens (Denmark)
- Having regard to the statements by High Representative Ashton of 25 June 2013 on the executions in Nigeria, 3 June 2013 on the criminalization of same sex marriage in Nigeria, 11 March 2013 on the killings of hostages, 26 December 2011 on the Christmas Day bombings and of 22 January 2012 on the bombings in Kano, Nigeria
- Having regard to the High Representative's spokesperson of 23 January 2012

Adoption of a homophobic bill

- A. whereas all human beings are born free and equal in dignity and rights; whereas all States have the obligation to prevent violence and discrimination, including on the basis of sexual orientation, gender identity and gender expression,
- B. whereas lesbian, gay, bisexual, transgender and intersex (LGBTI) people must enjoy the same human rights as all other people,
- C. whereas both male and female homosexuality was already punishable by 14 years' imprisonment in Nigeria, and by death in 12 Northern states applying Sharia law,
- D. whereas the Nigerian House of Representatives adopted the 'Same-Gender Marriage (Prohibition) Bill' on 30 May 2013, punishing by 14 years in prison anyone who marries, or is married to, a person of the same sex, including locals but also tourists, foreign workers or diplomats,
- E. whereas the new law also makes registering or operating social outlets or non-governmental organisations that support the human rights of LGBTI people, or displaying affection between two people of the same sex crimes punishable with 10 years in prison,

Boko Haram and the ongoing violence

- F. whereas the violence in the northern Nigeria continues leading to the killing of innocent people with the most recent attack by the Islamist group Boko Haram, on the 18th June which left nine pupils and 2 teachers dead; whereas the insurgency has left some 3,600 people who have been killed since 2009;
- G. whereas a military offensive targeting Boko Haram started on May 15; whereas the Nigerian President Goodluck Jonathan declared a state of emergency in three troubled northern states;
- H. whereas about 200 people, mainly civilians, were reported killed and hundreds of houses burnt which arose from a shootout mid April between Nigerian security officials and insurgents in Baga; whereas an independent investigation by Nigeria's Human Rights Commission will conclude on the Baga killings before end of July;
- I. whereas at least 9,000 people have fled violence in northern Nigeria and crossed into neighbouring countries as a government offensive aims to end a four-year Islamist insurgency, whereas about 1,500 refugees have fled from Nigeria into the northern part of [Cameroon](#) since the start of an emergency rule in Borno, Adamawa and Yobe states;
- J. whereas Boko Haram has been involved in attacks on police stations, military facilities, security offices, mosques, churches, schools, and banks, as well as in a suicide bomb attack at the UN headquarters;
- K. whereas human rights organizations have documented grave human rights violations committed by security forces in their response to Boko Haram, including extra-judicial

executions, enforced disappearances, indiscriminate torching of civilian housing and arbitrary detention;

L. whereas although Nigeria is one of the world's largest oil producer nearly 60 percent of the population live on less than a dollar a day; whereas the peaceful resolution of conflicts also implies fair access to resources and fair redistribution of revenues;

M. whereas rising unemployment has made young people vulnerable to indoctrination, manipulation and recruitment by fundamentalist Islamic groups such as Boko Haram;

N. whereas on the 24th June four prisoners were executed in Edo State and a fifth man remains at imminent risk of execution ; whereas this represents a break of a 7-year moratorium on the death penalty;

O. whereas according to the reports of human rights organizations, in 2012 Nigeria sentenced 56 people to death , and approximately 1,000 people are reportedly on death row in the country;

P. whereas, under Article 8 of the revised Cotonou Agreement, the EU and the ACP countries engage in regular political dialogue on human rights and democratic principles;

Q. whereas the EU is a major financial donor to Nigeria; whereas, on 12 November 2009, the Commission and the Federal Government of Nigeria signed the Nigeria-EC Country Strategy Paper and National Indicative Programme for 2008-2013, under which the EU will fund projects whose aims include peace and security and human rights;

Adoption of a homophobic bill

1. Strongly condemns the adoption of the ‘Same-Gender Marriage (Prohibition) Bill’, making it a crime to be in a same-sex relationship, support the rights of LGBT people, operate a gay-friendly venue or display affection between two people of the same sex;
2. Is particularly concerned by the stigmatisation, discrimination, ill-treatment, violence and imprisonment that this new law will bring about; calls on Nigeria to repeal this law, and amend its Criminal Code to stop criminalising sex between consenting adults;
3. Calls on all other 75 countries worldwide where homosexuality is illegal, including 37 in Africa, to fully decriminalise homosexuality;
4. Reaffirms that LGBTI people must unconditionally enjoy the same human rights as all other people;
5. Calls on political and religious leaders in Africa to condemn persecutions and discriminations based on sexual orientation and take a firm stance against homophobia, hereby joining Archbishop Desmond Tutu’s call against injustice and prejudice and for solidarity and justice;
6. Congratulates the Council of the European Union on the recent adoption of the

Guidelines to Promote and Protect the Enjoyment of all Human Rights by Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) People, and asks the EEAS and the European Union Delegation to Nigeria to make full use of its recommendations, in particular to encourage Nigerian authorities to repeal the law, and to protect LGBTI people and the defenders of their human rights;

7. Calls on the EEAS, the European Commission and Member States to remind African countries, in all their political dealings with them, of their obligation to fulfil the commitments assumed under legally-binding international human rights instruments and conventions, in particular to respect and promote the right to non-discrimination based on sexual orientation and gender identity;
8. Insists that trade agreements and development programmes include non-negotiable human rights and non-discrimination clauses, particularly under the Development Cooperation Instrument and the European Development Fund, and in conformity with the new human rights-based approach of EU development policy, including with regard to discrimination based on sexual orientation and gender identity;
9. Strongly regrets that the ACP side will not discuss these issues as part of the political dialogue under the Cotonou Agreement, and in particular in the context of the ACP-EU Joint Parliamentary Assembly due to unilateral opposition; calls on the ACP Group of States to engage in an open, constructive and mutually respectful discussion
10. Calls on Member States to ensure that victims of discrimination and persecution based on sexual orientation, gender identity and gender expression are granted the right to asylum when they are forced to flee their countries;
11. Asks the Commission to include these issues in the Roadmap for equality on grounds of sexual orientation and gender identity, which the European Parliament has requested it to draft numerous times;

Boko Haram and the ongoing violence in the northeast Nigeria,

12. Strongly condemns the continuing violence in northeast Nigeria and the tragic loss of lives and thousands of displaced people in the stricken regions of Nigeria,
13. Urges the government of Nigeria to continue its efforts to end the violence as quickly as possible, and to guarantee the security and protection of its population and respect for human rights;
14. Calls on the Boko Haram Islamist sect to lay down its arms, end kidnapping practices of innocent people in order to create a more positive atmosphere for dialogue and negotiation with the Government;
15. Is deeply concerned by the abuses by government security forces as well as serious human rights violations including torture and extrajudicial killings in response to the Boko Haram violence as reported by prominent human rights organizations;
16. Calls upon the authorities to continue to conduct an investigation into the causes of the ongoing violence and to ensure that the perpetrators are brought to justice in a fair and

transparent manner;

17. Calls on the international community, particularly the United Nations (UN), the African Union (AU) and the Economic Community of West African States (ECOWAS), to support Nigeria in its efforts to address the threats of terrorism, the proliferation of light weapons and trans-border crimes;

18. Calls upon the Government of Nigeria to intensify the fight against corruption, poverty and inequality and to strengthen social, political and economic reforms which also requires the fair and equitable distribution of resources and wealth;

19. Strongly condemns the execution of four prisoners in Nigeria in June, 2013; Call on the Nigerian authorities to refrain from further executions and review laws authorising state governors to sign execution warrants;

20. Calls on the Nigerian authorities to maintain the commitments made at the EU-Nigeria human rights dialogue held in Abuja in March 2013 and at the annual Ministerial meeting in Brussels in May 2013, to uphold the moratorium on executions;

21. Urges the EU to continue its political dialogue with Nigeria under Article 8 of the revised Cotonou Agreement, and in that context to address issues relating to universal human rights, including freedom of thought, conscience, religion or belief, and non-discrimination on any ground including sexual orientation, as enshrined in universal human rights instruments;

22. Instructs its President to forward this resolution to the Council and the Commission, the 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)