



**LAWYERS ALERT REPORT ON MSM VIOLATIONS IN
NIGERIA**

JUNE 2019.

BACKGROUND AND ACKNOWLEDGEMENTS

This report is a compendium of reported violations of sexual minorities in Nigeria between April 2017 to June 2019, with particular focus on Men who have sex with Men (MSM). The data used in this report is drawn from inputs made into the online rights violation monitoring and documentation tool developed by Lawyers Alert (<http://www.lawyersalertng.org/ladoc/index.php>). This tool is situated on the Lawyers Alert's official website (www.lawyersalertng.org).

The findings in this report cuts across the six geopolitical zones in Nigeria. As captured in our earlier reports, 95% of reported violations/cases are resolved at police stations, with less than 5% going to trial, and even at that, prosecution is not diligent. This appears to validate the often-held claim that arrests are basically to harass, intimidate and extort victims with no will for prosecution. The violations captured in this report were all verified and action taken at different levels, from community, police, courts and prisons.

As a background, with support from the Rapid Response Fund, Lawyers Alert integrated our online tool to specifically speak to MSM, in addition to other key populations.

The online tool automatically analyses and documents data along age, location, types, trends etc. Even though gay relationships are criminalized in Nigeria owing to the Same Sex Marriage (Prohibition) Act, it is critical and important to understand the issues, especially as it relates to Human Rights. This will aid informed interventions by both State and Non-State Actors, that speaks to our humanity in terms of sexual expressions, stigmatization and discrimination.

Lawyers Alert is indebted to several persons and organizations, who referred cases to us, assisted us technically and/or financially in the course of developing and putting up the online tool.

Lawyers Alert is a Human Rights Body that works with key populations and vulnerable groups. Our partners in Nigeria include, Coalition of Lawyers for Human Rights (COLaHR), a coalition of human rights Lawyers across Nigeria, the Joint United Nations Programme on HIV/AIDS (UNAIDS), National Human Rights Commission (NHRC) and National Agency for the Control of AIDS (NACA).

FINDINGS AND ANALYSIS

PICTURE OF KEY POPULATIONS RIGHTS VIOLATION IN NIGERIA

From reports monitored, documented and collated within the period April 2017 to June 2019, the figure below indicates that Human Rights violations with regard to Men who have sex with Men ranks second with regards to reported violations within this period at 43%. Violence against Women and Girls (VWG), 47% as the second reported among the groups. Reasons for this are principally embedded in the prevailing laws (especially the Same Sex Marriage (Prohibition) Law 2013), cultural and religious factors and the prevailing focus by the media on MSM. It should be added that approximately 85% of victims were supported with free legal representation either by Lawyers Alert or other organizations in Nigeria.

Below is a pie chart reflecting violations of vulnerable groups in Nigeria;

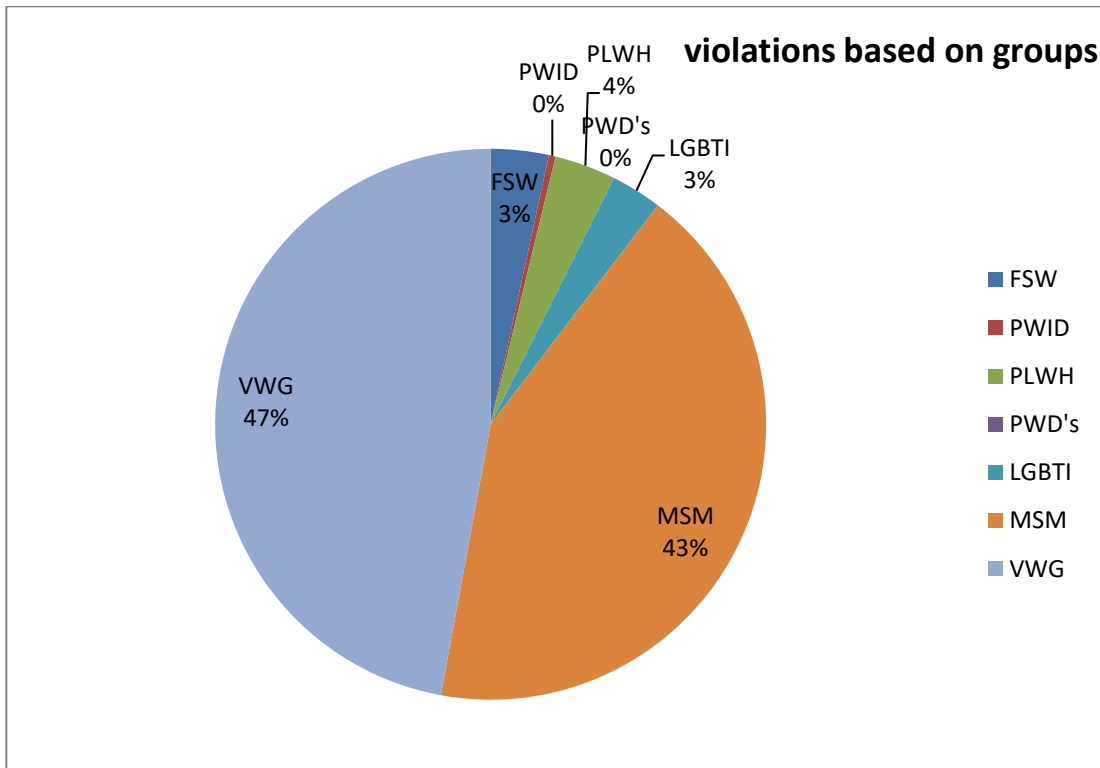


Fig. 1

GROUPS	APRIL 2017	JUNE 2019	INCREASE	DECREASE
MSM	76%	43%	-	33%
VWG	4%	47%	43%	-
LGBTI	5%	3%	-	2%
FSW	7%	3%	-	4%
PLWH	8%	4%	-	4%

Table 1: Table showing percentage increase & decrease among groups

The table above evidences a significant decrease in MSM rights violations between April 2017 and June 2019. Lawyers Alert’s documentation aligns with other groups in Nigeria that are into manual documentation of MSM rights violations which also showed a decrease within this period. A little study/research as to why this decrease is, calls into question whether or not there is a decrease. Several factors account for this so-called decrease; Firstly, MSM population following the crackdown by security agents are gradually learning to stay under cover. There is a coded way of living and expression which only community members pick such signals and not security agents. Secondly, the MSM communities are undergoing training and re-training on security measures on how to stay out of troubles. Thirdly, and equally very important, Legal assistance is always readily very available and some incidences quickly resolved thereby unreported.

From the above, violations can therefore not be said to be on a decrease but that the community are living much more smartly than in the past as any expression even today can quickly attract violation by either security agents or communities or the larger society. This is why interventions must continue at every level towards addressing violations, stigmatization and discrimination.

The present report as previously stated is focused on MSM and Lawyers Alert’s online violation tool analyzes with regard to States, local governments, age brackets and types. The objective is to create a scientific basis for tailored interventions and advocacy towards progressive laws and policies even local and community levels.

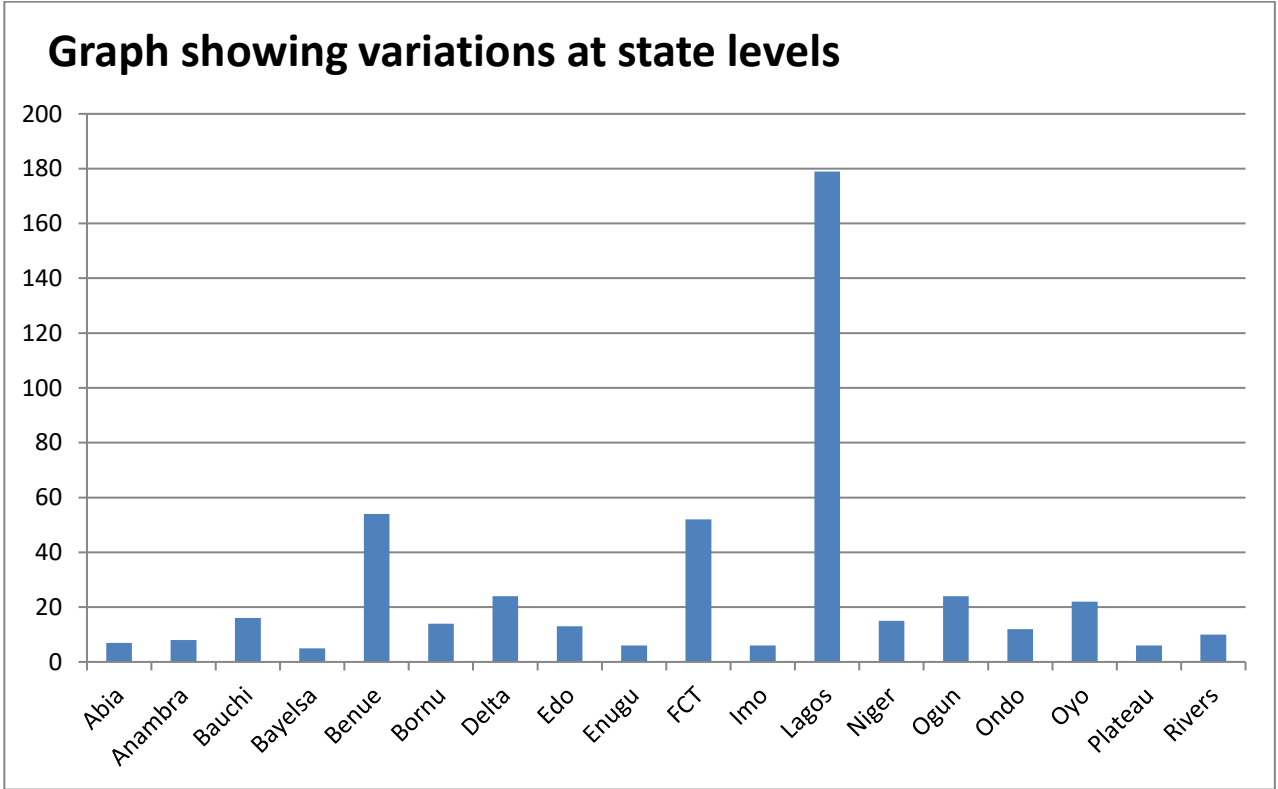


Fig. 2

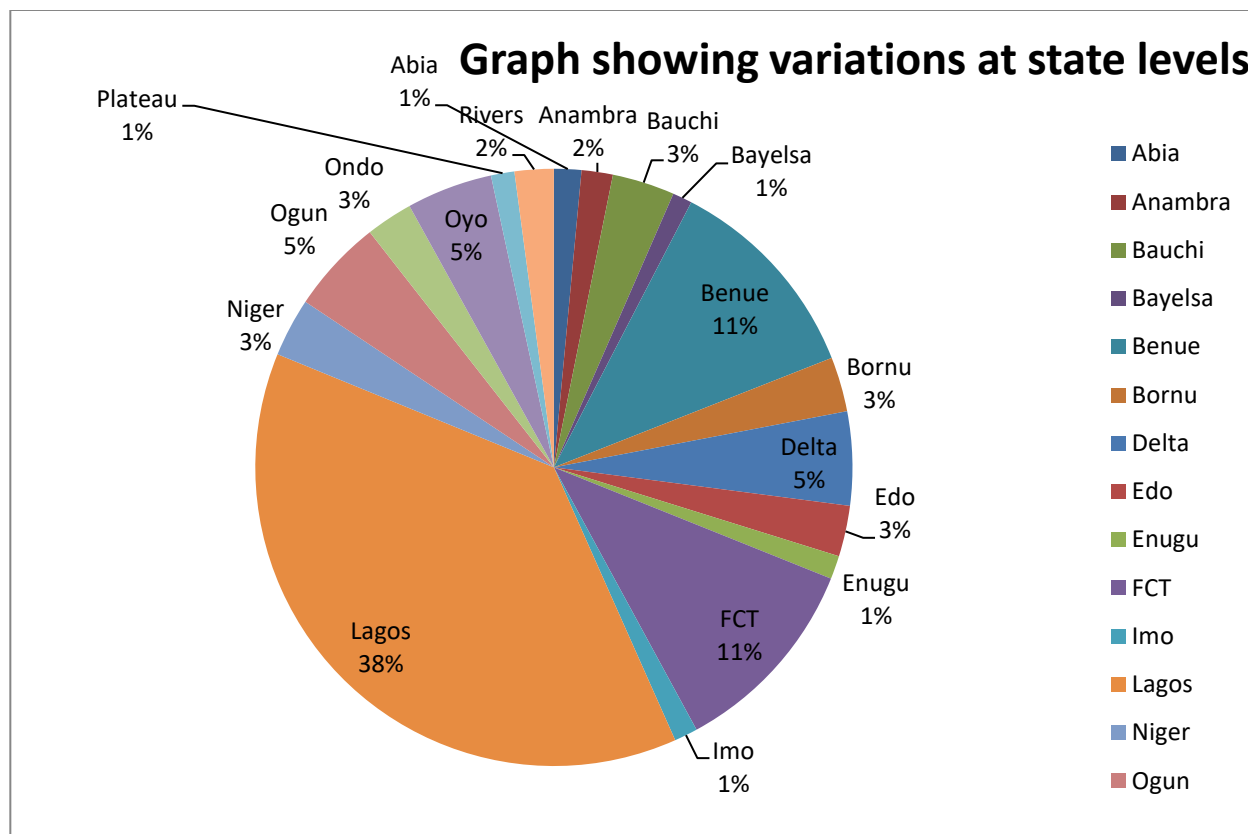


Fig. 3

STATES	APRIL 2017	JUNE 2019	INCREASE	DECREASE
FCT	18%	11%	-	7%
LAGOS	24%	38%	14%	-
BENUE	25%	11%	-	14%
BAUCHI	8%	3%	-	5%
OYO	6%	5%	-	1%
BORNO	6%	3%	-	3%
OGUN	-	5%	5%	
DELTA	2%	5%	3%	-
EDO	1%	3%	2%	-
ANAMBRA	1%	2%	1%	-
ONDO	3%	3%	-	-

Table 2: Table showing percentage increase & decrease among some States

The above table makes interesting reading when pitched against the States where this project was implemented. In the course of two years for example, violations in the FCT decreased by 7% and FCT is one of the project States just like Benue where a decrease of 14% was recorded. Oyo recorded a decrease of 1% while Edo unfortunately recorded an increase of 2%.

Generally, however, out of 37 States of Nigeria, Lagos state has the highest violation rate of 38%. Followed by the federal capital territory and Benue state at 11% each. Oyo, Ogun and Delta state ranks third at 5% each while Bauchi, Ondo, Bornu and Edo are at 3% respectively. Abia, Anambra, Plateau, Bayelsa, Enugu and Imo State at various percentages as shown above.

VIOLATION BASED ON LOCAL GOVERNMENT AREAS

In ensuring grassroots evidence to promote local tailored interventions, data monitored and collated are also analyzed according to the 774 local governments in Nigeria. This is the lowest level of government, where communities are at, at the lowest level for governance. Locating violations at this level provides a tremendous opportunity for grassroots interventions.

Focusing on local government levels, it is interesting to note the concentration of violations. The data shows that Ikeja local government area in Lagos State has the highest rate of 27% violation, followed by Kosofe in the same state with 19%. Gboko in Benue State ranks third with 14% violation while Dambar in Bauchi State, Biu in Borno State and Gwagwalada in the federal capital territory all have 6% respectively. Abuja Municipal in FCT, Warri Central in Delta State, Ogbadibo in Benue State, Irepo in Oyo State, Ifedore in Ondo State and Alimosho in Lagos State all have 2% each. Oredo in Edo State, Makurdi, Kaura, Ethiope East, Ibadan South West, Ibadan North, Batagarawa all have the least rate of violations. Understanding the reasons for these variations in local governments is important in developing interventions that address the problems. We may safely conclude that differences may be as a result of a lack of awareness of a medium to reporting such violations and possibly a lack of knowledge of human rights, which in itself points to an inadequacy of rights awareness initiatives by local actors.

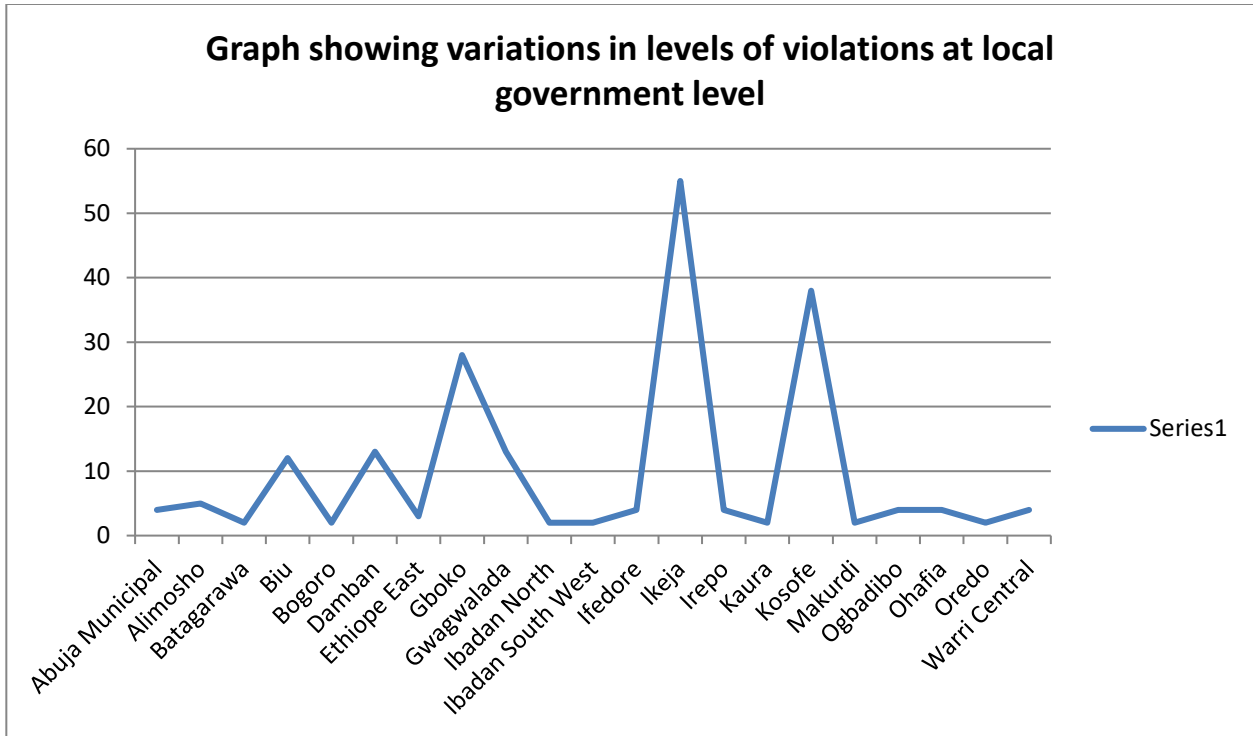


Fig. 4

Pie Chart showing variations in levels of violations at local government level

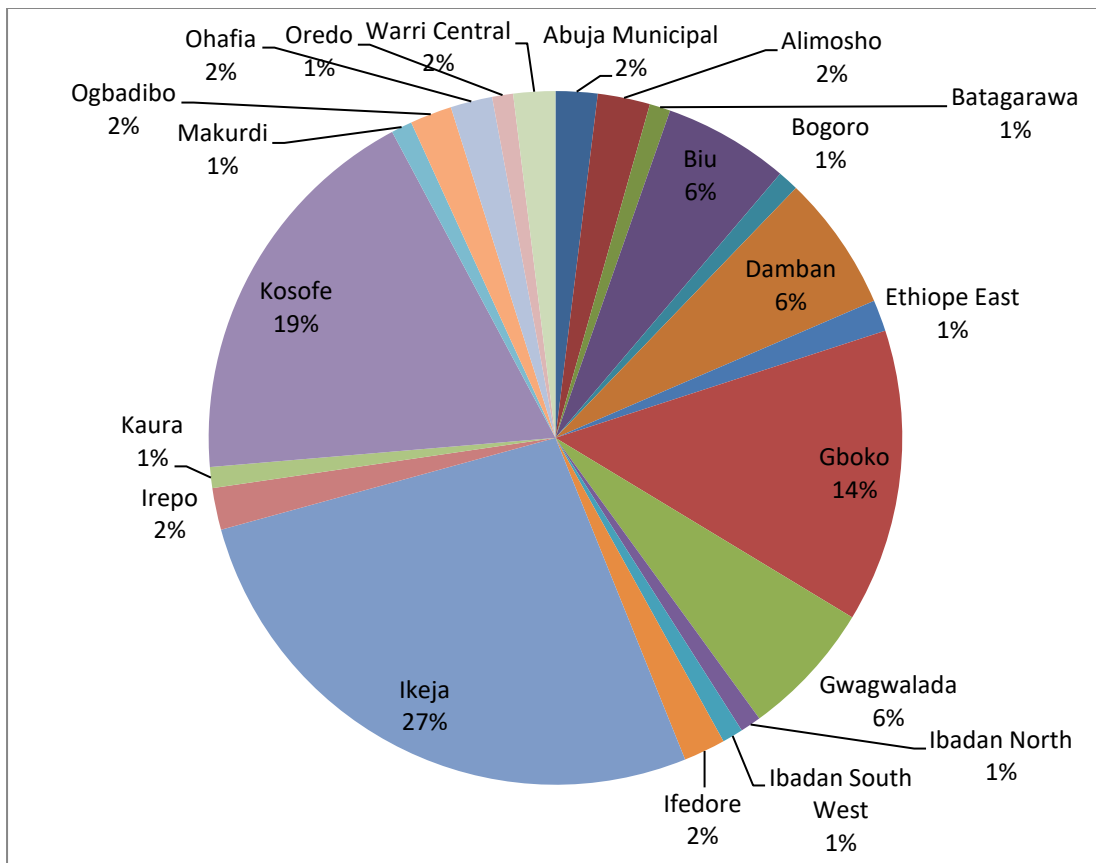


Fig. 5

LGA	APRIL 2017	JUNE 2019	INCREASE	DECREASE
IKEJA	-	27%	27%	-
GBOKO	19%	14%	-	5%
GWAGWALADA	9%	6%	-	3%
KOSOFE	26%	19%	-	7%
DAMBAM	9%	6%	-	3%
BIU	8%	6%	-	2%
ABUJA MUNICIPAL	-	2%	2%	-
WARRI CENTRAL	-	2%	2%	-
OGBADIBO	3%	2%	-	1%
IREPO	3%	2%	1%	1%
ETHIOPE EAST	2%	2%	-	-
MAKURDI	1%	1%	-	-
OHAFIA	3%	2%	-	1%
ALIMOSHO	3%	2%	-	1%

Table 3: Table showing percentage increase & decrease among some LGAs

Pie chart showing violations along age groups

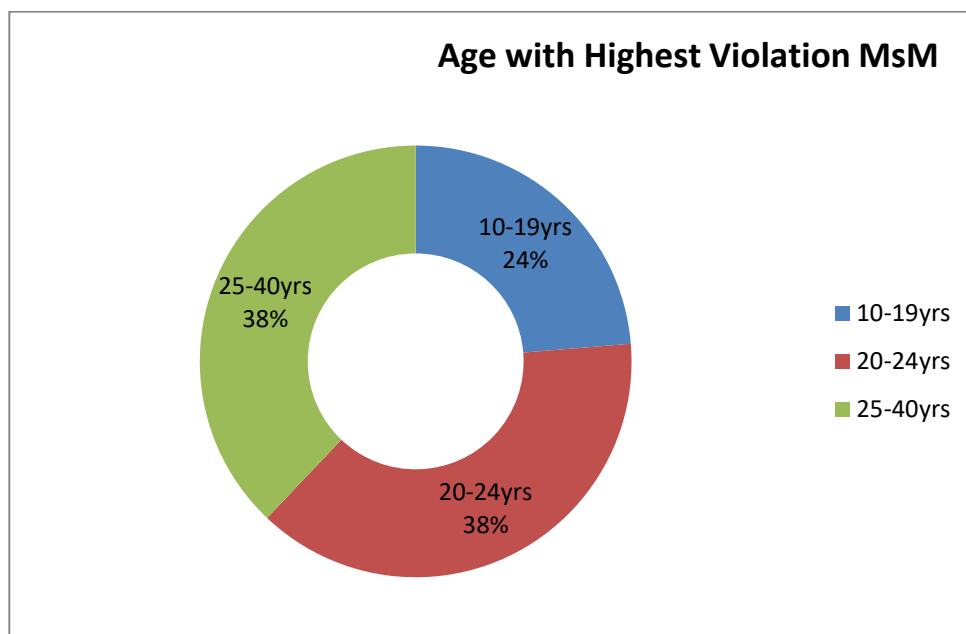


Fig. 6

With regard to violations based on age variations, MSM within the age bracket 20 – 24 years and 25 - 40 years both have the highest violation rate of 38%. And lastly Age bracket 10 – 19 years having 24% which is the least of them all.

AGE GROUP	APRIL 2017	JUNE 2019	INCREASE	DECREASE
25-40 YEARS	14%	38%	24%	-
10-19 YEARS	33%	24%	-	9%
20-24 YEARS	53%	38%	-	15%

Table 3: Table showing percentage increase & decrease among Age Groups

Bar chart showing violation types.

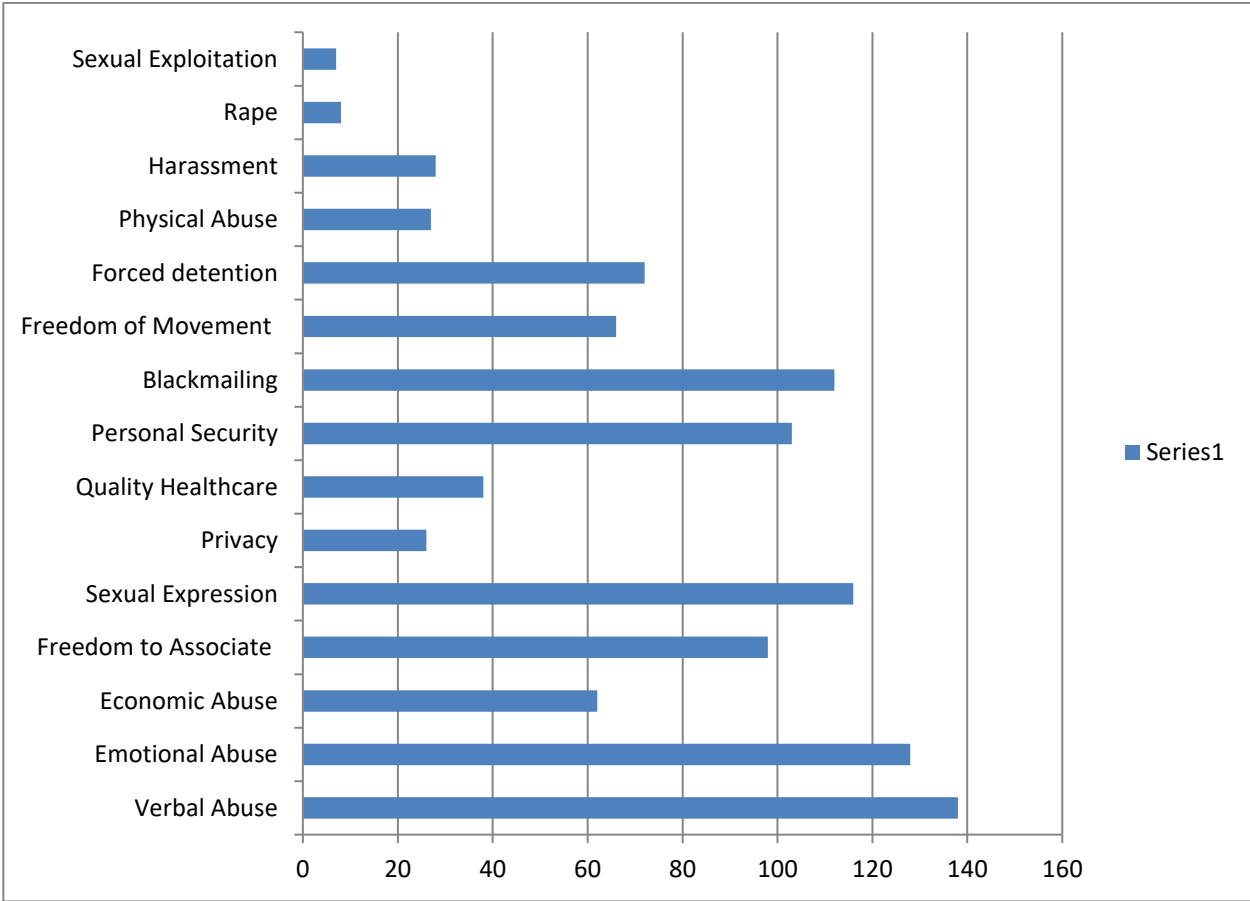


Fig. 7

A Pie Chart showing violation types

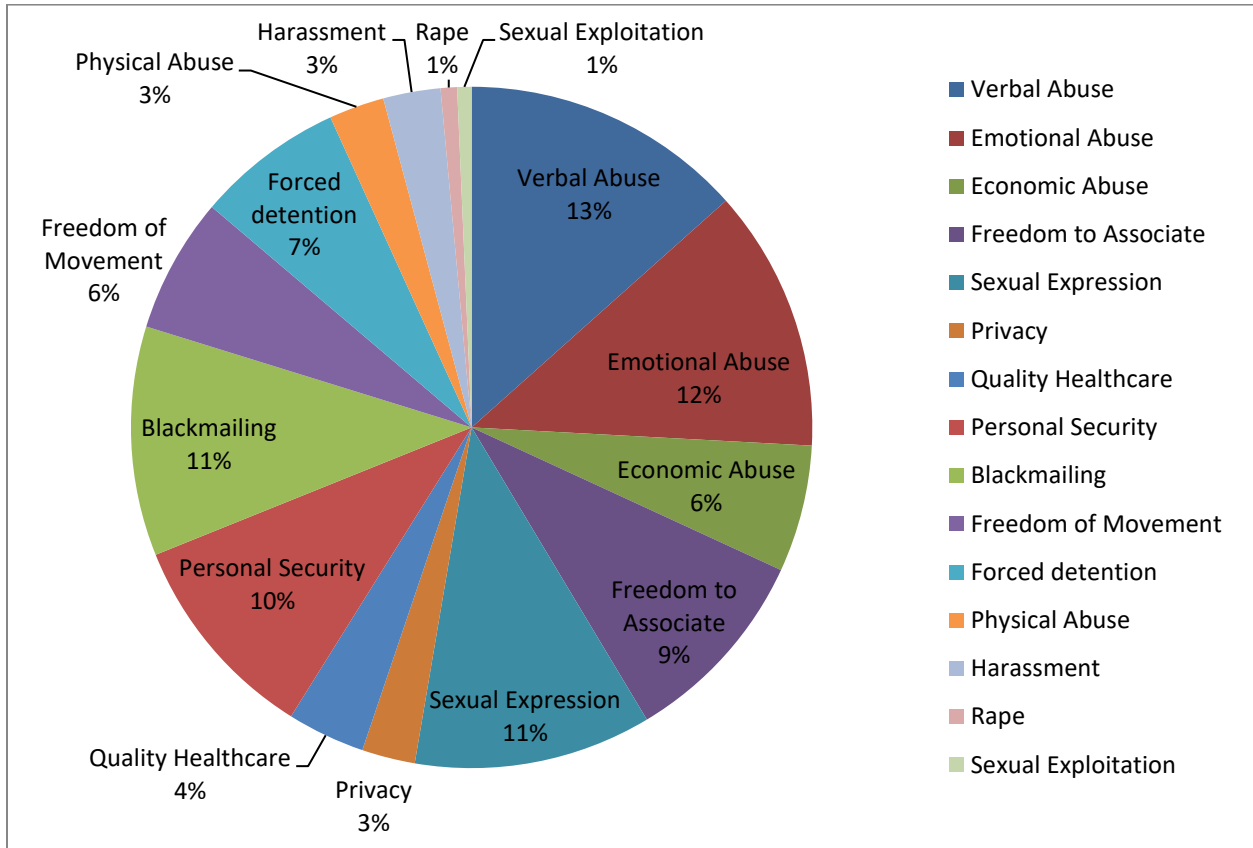


Fig. 8

Based on types of violations, data shows that Verbal Abuse is the most commonly experienced having 13%. Followed closely by Emotional Abuse with 12% while Sexual Expression and Blackmailing both have 11%. Personal security has 10%, followed closely by Freedom to Associate with 9% while Force detention has 7%. Freedom of movement and Economic Abuse both have 6%, followed by Quality Health Care with 4%. Privacy, Physical Abuse and Harassment all have 3% each. And the least experienced violations are Sexual Exploitation and Rape both having 1% each.

VIOLATIONS	APRIL 2017	JUNE 2019	INCREASE	DECREASE
VERBAL ABUSE	14%	13%	-	1%
EMOTIONAL ABUSE	13%	12%	-	1%
SEXUAL EXPRESSION	11%	11%	-	-
BLACKMAILING	11%	11%	-	-
PERSONAL SECURITY	10%	10%	-	-
FREEDOM TO ASSOCIATE	10%	9%	-	1%
FORCED DETENTION	7%	7%	-	-
FREEDOM OF MOVEMENT	7%	6%	-	1%
ECONOMIC ABUSE	6%	6%	-	-
QUALITY HEALTHCARE	4%	4%	-	-
PRIVACY	3%	3%	-	-
PHYSICAL ABUSE	3%	3%	-	-
HARASSMENT	3%	3%	-	-
SEXUAL EXPLOITATION	0%	1%	1%	-
RAPE	0%	1%	1%	-

Table 4: Table showing percentage increase & decrease on some types of violations