



LAWYERS ALERT REPORT ON MSM VIOLATIONS IN NIGERIA

APRIL 2018.

.....supported by the Rapid Response Fund

BACKGROUND AND ACKNOWLEDGEMENTS

This report is a compendium of reported violations of sexual minorities in Nigeria between April 2017 to March 2018, 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 documentation tool developed by Lawyers Alert (<http://colahr.org/lawyersalert/index.php>). This tool is situated on the website of the Coalition of Lawyers for Human Rights (COLaHR), a critical partner to Lawyers Alert in our free legal assistance project.

The findings in this report cuts across the six geopolitical zones in Nigeria. It is instructive to note that 95% of reported violations/cases were 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 proper prosecution. The documented violations were verified, legal assistance proffered and to this extent, these violations are accurate and authentic.

This report builds on our earlier report¹ that grouped sexual minorities into one group. With support from the Rapid Response Fund, Lawyers Alert customised the online tool to specifically speak to MSM, as against other key populations and other varying sexual orientations. As is the practice, there was within the project location, legal literacy and empowerment for inputs into the tool.

The online tool automatically analyses data along age, location, types, trends etc. Interventions for MSM actions and possible law reforms cannot be better informed than when situated against the data evidenced in this report. With Nigeria committed to ending HIV, especially against the background of dwindling external funding, such data are very critical for targeted interventions given limited resources.

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. We acknowledge the Rapid Response Fund for partnering with us this on work

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

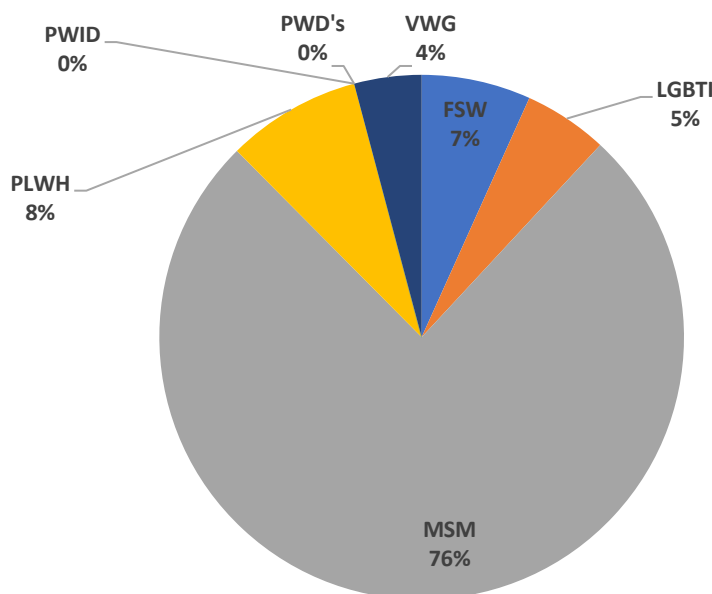
¹ Lawyers Alert Findings on Sexual Reproductive Health Rights SHRH Violations in Nigeria. <http://lawyersalertng.org/resources/LAWYERS%20ALERT%20FINDINGS%20ON%20SRHR%20%20%20%20VIOLATIONS%20IN%20NIGERIA.pdf>

FINDINGS AND ANALYSIS

PICTURE OF KEY POPULATIONS RIGHTS VIOLATION IN NIGERIA

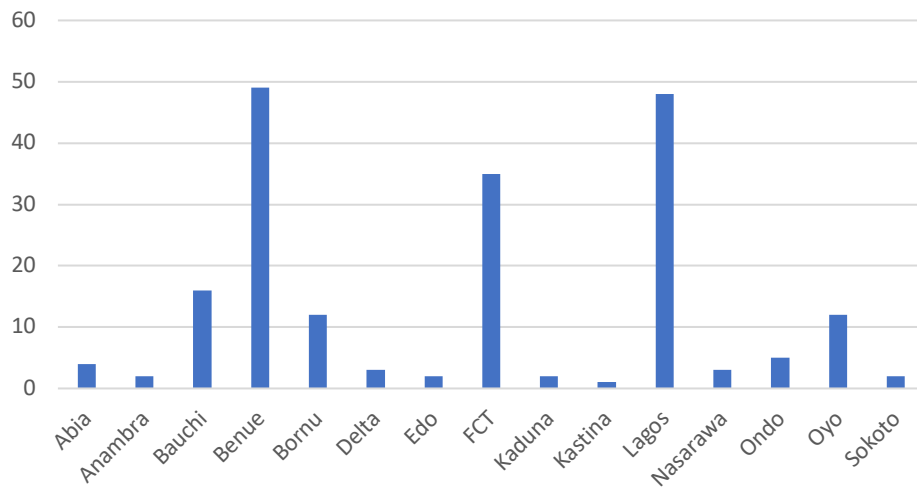
From violations report collated within the period April 2017 to March 2018, it is evident that Men who have sex with men, MSM, suffer the highest form of violations amongst key population groups in Nigeria. Violations against MSM by State and Non-State Actors concentrated to an all high of 76% as against other 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 75% of victims were supported with free legal representation either by Lawyers Alert or other organizations in Nigeria.

The laws and prevailing attention especially by the media, is not flattering. MSM rights violations against other key population groups are as follows: PLWH 8%, Female sex-worker (FSW) with 7%, LGBTI 5%, VWG 4%. Below is a pie chart reflecting these.

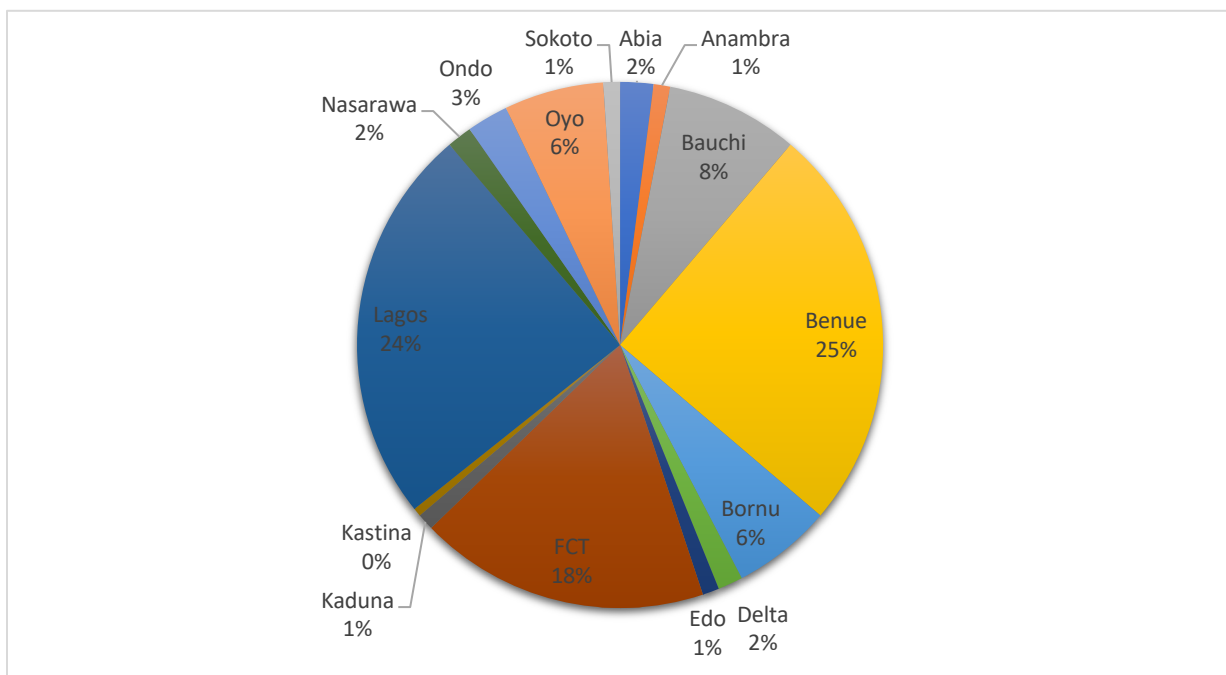


This report is however focused on MSM and data obtained is analysed with regard to States, local governments, age brackets and types. The objective is to create a scientific basis for interventions and advocacy towards progressive laws and policies.

Graph showing variations at state levels



Pie Chart showing variations at state levels



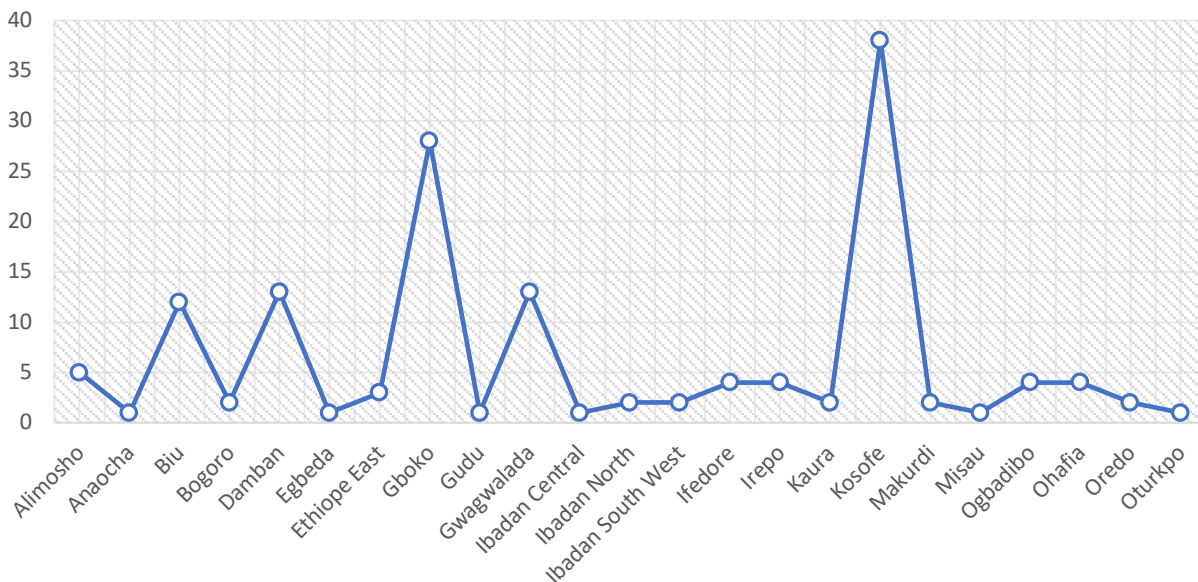
The above analysis shows evidences that out of 37 States of Nigeria, Benue state has the highest violation rate of 25% closely followed by Lagos state at 24%. Abuja the Federal Capital Territory ranks third at 18% with Bauchi at 8%. Anambra, Edo, Kaduna and Sokoto State at various percentages as shown above.

VIOLATION BASED ON LOCAL GOVERNMENT AREAS

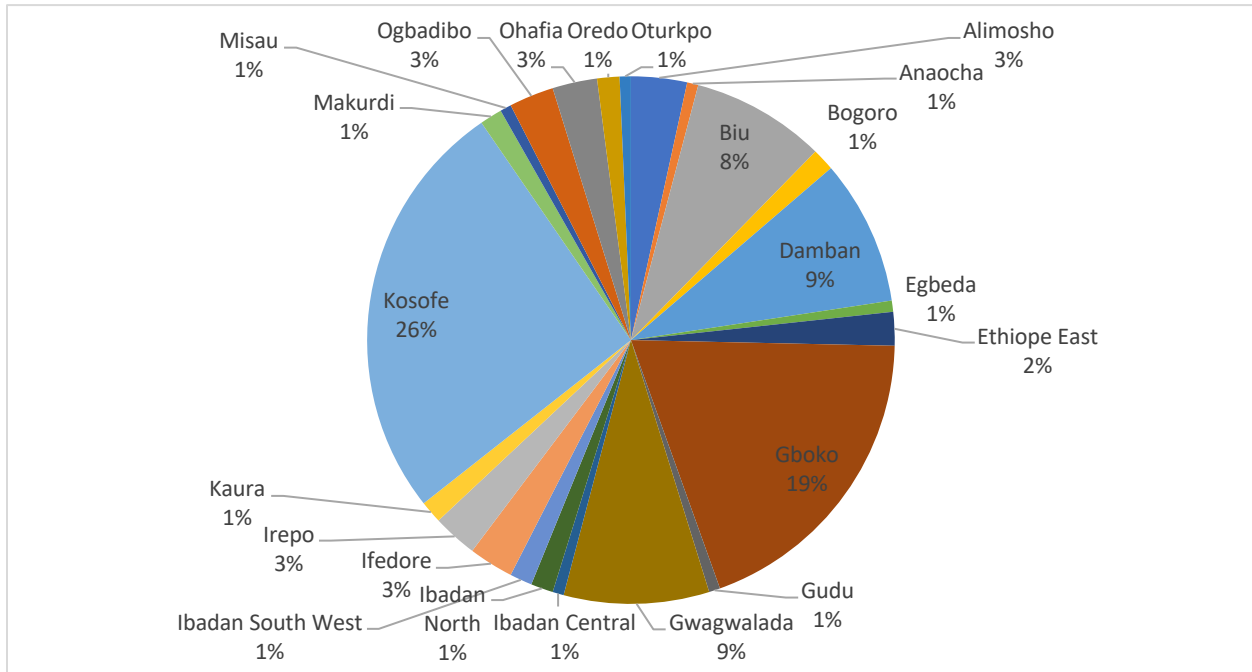
In a bid at ensuring grassroots evidence to promote local tailored interventions, data collated is also analyzed according to the 774 local governments in Nigeria. This is the lowest tier of government, where communities are aggregated at the lowest level for governance purposes. Locating violations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

Taken at local government levels, it is interesting to note the concentration of violations. The data shows that Kosofe LGA in Lagos state has the highest rate of 26% violation, followed by Gboko in Benue State with 19%. Damban in Bauchi State and Gwagwalada in FCT have the same rate of violation, with both at 9%. Ifedore in Ondo State, Irepo in Oyo State, Ogbadibo in Benue State and Ohafia in Abia state has the same rate of violation are other areas with appreciable percentages. Understanding the reasons for these variations in local governments is important in developing interventions that address the problems. We may safely infer 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.

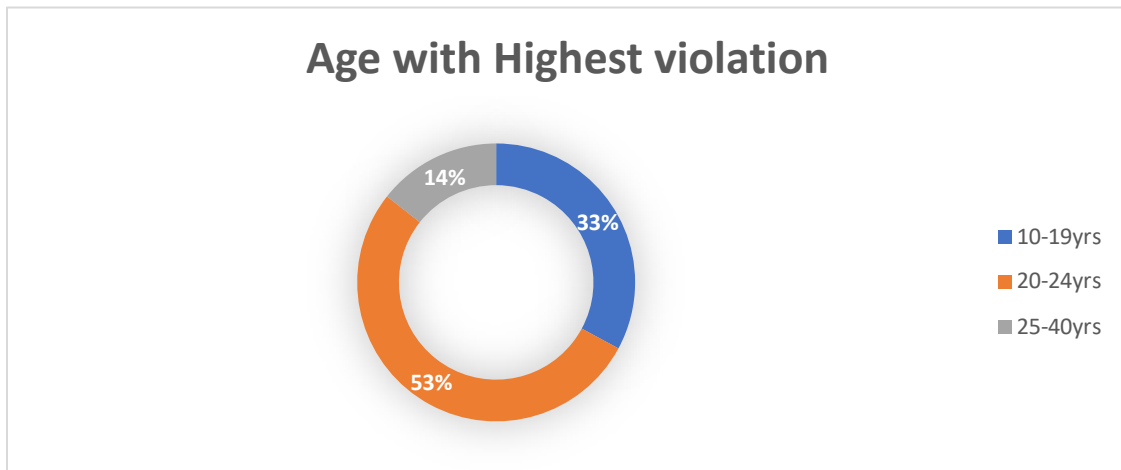
Graph showing variations in levels of violations at local government level



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

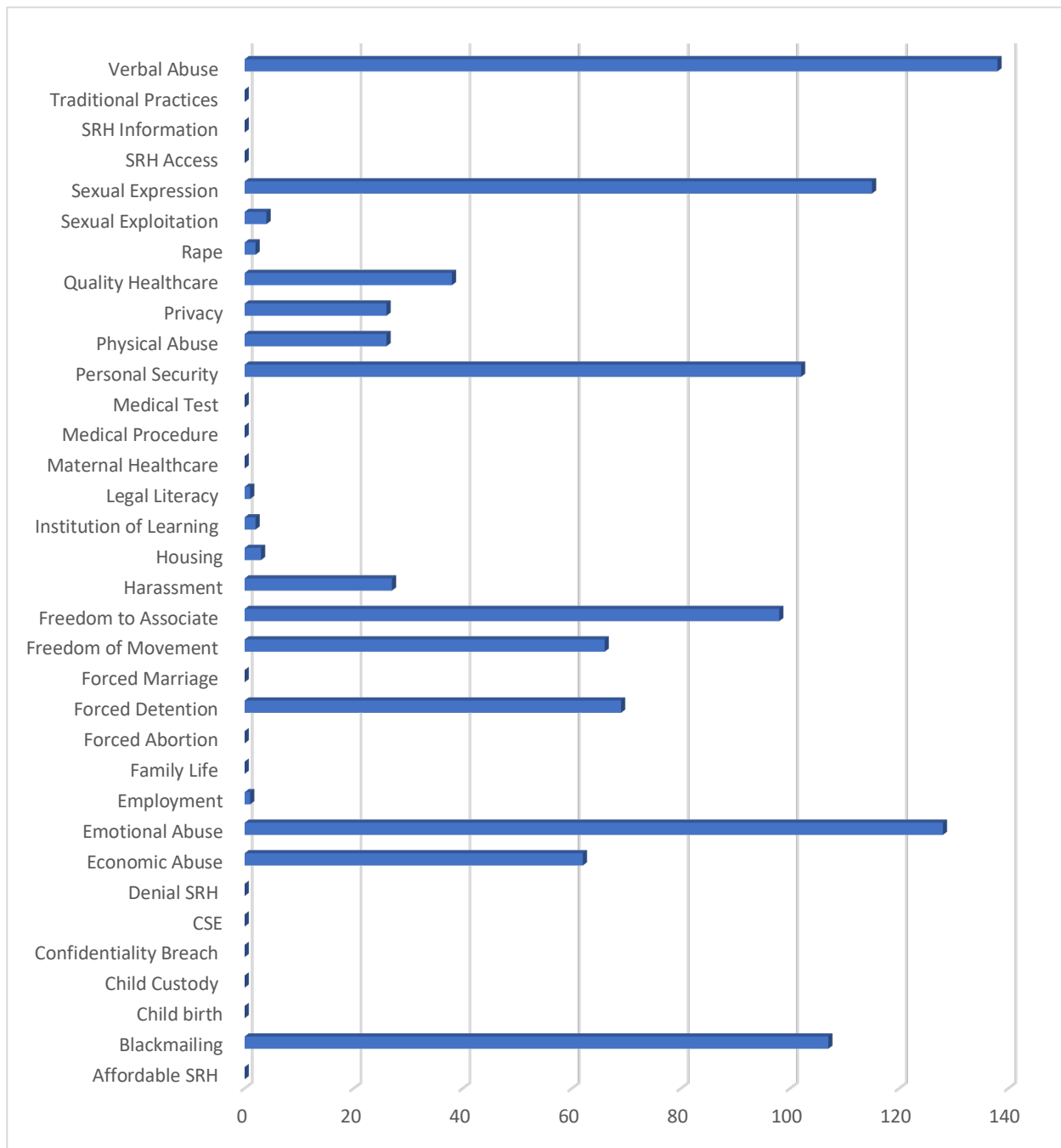


A pie chart showing violations along age groups

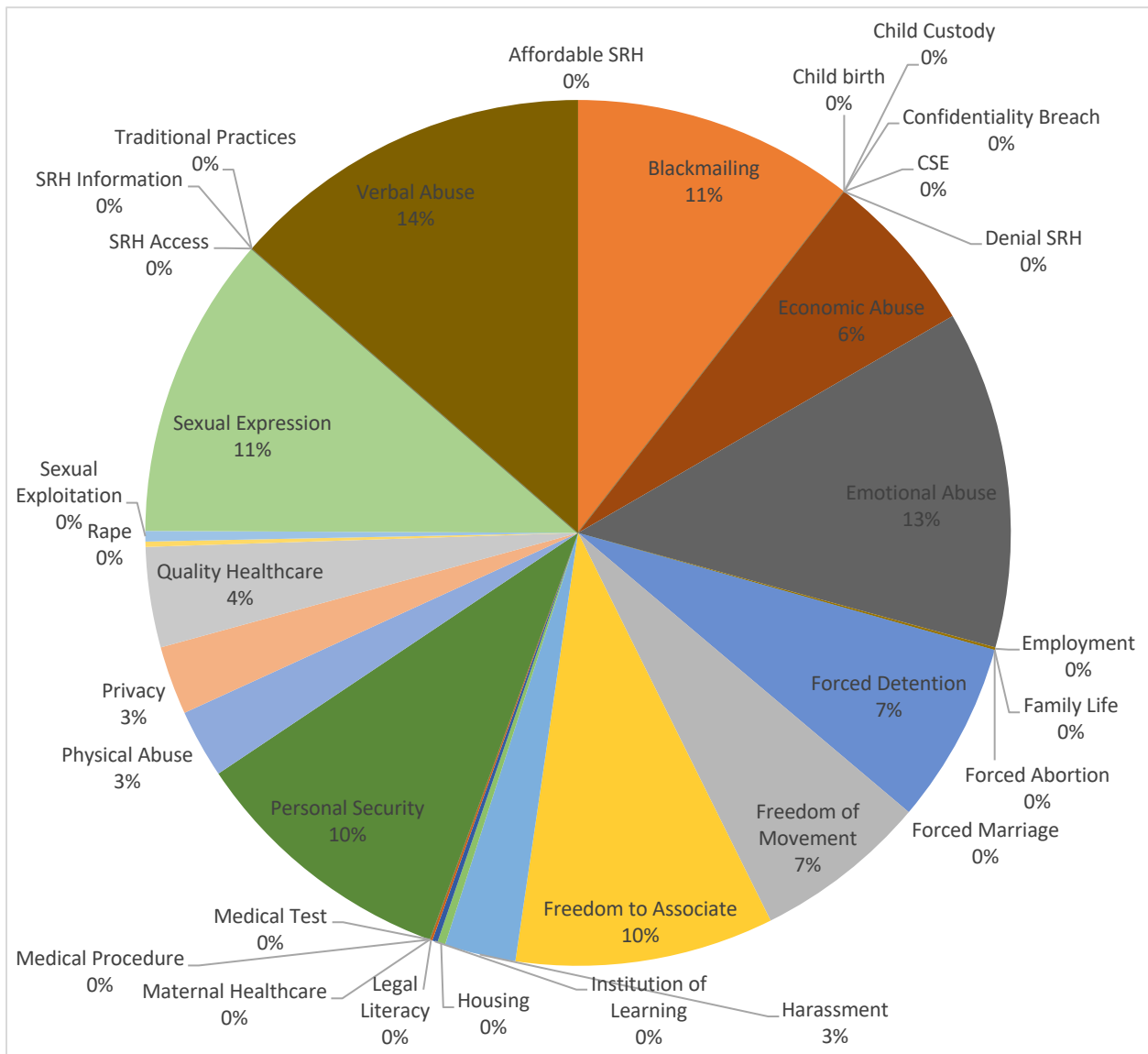


With regard to violations based on age variations, MSM within the age bracket 20 – 24 years had the highest violation with violation rate of 53%, followed by Age bracket 10 – 19 years which is 33% and then Age bracket 25 – 40 years with 14%.

A bar chart showing violation types.



A Pie Chart showing violation types



Based on types of violations, data shows that Verbal Abuse is the most commonly experienced. This is followed by Emotional Abuse, Sexual Expression, Blackmailing, Personal security, Freedom to Associate, Freedom of movement and Force detention.