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Suuntaus project

**STATUS OF SEXUAL AND GENDER MINORITIES IN NIGERIA**

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## 1. INTRODUCTION

This theme report is part of the ERF-funded Suuntaus project of the Country Information Service of the Finnish Immigration Service which aims to identify the most significant country information themes and anticipate future information needs better. The method was to review asylum interview protocols systematically by using a form designed for the purpose. The countries examined were Nigeria, Iran, Iraq and Russia, and another theme was stateless persons. On the basis of the analysis of the protocols, the theme of this report has been one of the most recurring grounds for seeking asylum. However, the report does not contain references to individual records; instead, all information is based on public sources.

## 2. TERMINOLOGY

In this report, sexual and gender minorities are referred to by the internationally established abbreviation LGBTI (lesbian, gay, bisexual, transgender and intersexual). In the event that a source text only refers to homosexuals or lesbians, and it is not clear from the text whether the information also applies to other sexual and gender minorities, the term used in the original source text will be used in this report to avoid misstatements. However, where these terms are used, the information may nevertheless apply to all sexual and gender minorities in practice.

Any references to Nigeria's sexual and gender minorities mostly relate to homosexuals, as other sexual and gender minorities are invisible in Nigeria. Organisations, as well as the international community, mostly target their operations at homosexual men who are the most visible sexual minority in Nigeria. Efforts to promote the rights of sexual and gender minorities in Nigeria are separated from other human rights work, and many human rights defenders have prejudices against LGBTI people and anyone fighting for their rights.<sup>1</sup> Discrimination against homosexuals and the way they are treated are not considered major problems in Nigeria, as so many other rights violations that are perceived as more important considered to occur there.<sup>2</sup>

## 3. SOCIETY'S ATTITUDE TOWARDS LGBTI PEOPLE

In Nigeria, like in many other parts of Africa, homosexuality is considered a sin and an imported, un-African custom.<sup>3</sup> Nigerians believe that homosexuality is a matter of personal choice and a behavioural pattern, and therefore, not a question of identity.<sup>4</sup> They also believe that homosexuals can choose to become heterosexuals.<sup>5</sup>

Both southern Nigeria's current criminal code and northern Nigeria's penal code impose a 14-year prison sentence on anyone who has sex "against the order of nature".<sup>6</sup> These laws are still in force.<sup>7</sup>

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<sup>1</sup> FIDH 4/2010, p. 24; Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 21 (Jacob Tamm, EU-delegation)

<sup>2</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 21 (Father Tony, catholic church Asokoro)

<sup>3</sup> Ibid., p. 15, 18

<sup>4</sup> Ibid., p. 18–19

<sup>5</sup> Ibid., p. 18 (Father Tony, catholic church Asokoro)

<sup>6</sup> HRW 14.1.2014

<sup>7</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 18.12.2014, p. 7

### 3.1. History

Contrary to what is widely believed in Africa, homosexuality is known to have existed in African societies, including Nigeria, for a long time. The Hausa people of northern Nigeria are known to practise a custom called “yan daudu”. Yan daudu are men who dress up as women and attend to chores that are considered women’s tasks in their communities, such as cooking.<sup>8</sup> Many of them are homosexual, but not all.<sup>9</sup> However, they can easily be perceived to be homosexual even if they are heterosexual.<sup>10</sup> Yan daudu live as part of their community and do not face hatred because of their habits.<sup>11</sup> After the adoption of sharia law in the northern parts of the country, they have nevertheless become targets of the sharia police. It is possible that yan daudu still exist and live in peace in some parts of Kano, even though the situation has changed elsewhere in Nigeria.<sup>12</sup> According to one anthropologist, the Hausa also have a masculine custom called “masu harka”, which involves men having sex with men.<sup>13</sup> The tolerant attitude that the Hausa were documented to have towards relationships between Hausa men nevertheless began to decrease during the previous decade, as religious fundamentalism began to gain strength.<sup>14</sup>

The Igbo people have a tradition of marriages between two women, which involves an older, childless woman taking a younger woman to live with her.<sup>15</sup> However, these kinds of marriages are not related to these women’s sexual orientation, instead their purpose is to give the older woman security in her old age by bringing children into the family with the help of the younger woman. The biological fathers of any children born into these kinds of marriages have no rights to their children, and instead the children are looked after by the older woman who takes on the role of a man and provides for the family.<sup>16</sup> This custom is an accepted practice among the Igbo, but not among other ethnic groups in Nigeria.<sup>17</sup>

### 3.2. Current situation

In Nigeria, homosexuality is perceived as bringing shame to the entire family of the homosexual person and is considered worse than extramarital sex.<sup>18</sup> All Nigerians learn from a young age that homosexuality is taboo,<sup>19</sup> which is why not all homosexuals realise that there are others like them.<sup>20</sup> Homosexual children can be isolated from the rest of their family even if they are allowed to bear the family’s name.<sup>21</sup> Some families are known to have abandoned their homosexual children altogether, and in rare cases homosexual children have been reported to the police by members of their own family.<sup>22</sup>

<sup>8</sup> Ibid., p. 19 (organisation in Abuja)

<sup>9</sup> Ibid., p. 19 (John Adeniyi, International Center for Adocacy on Rights to Health)

<sup>10</sup> Ibid., p. 20 (organisation in Abuja)

<sup>11</sup> Ibid., p. 20 (Dorothy, feminist and sexual rights activist)

<sup>12</sup> Ibid., p. 20 (organisation in Abuja)

<sup>13</sup> Kerrigan 2013, p.40

<sup>14</sup> Pell Gaudio 2009 in Kerrigan 2013, p. 82

<sup>15</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, ‘Nigeria. Den kulturella kontexten för hbt-personer’, 18.12.2014, p. 20

<sup>16</sup> Ibid.18.12.2014, p. 20

<sup>17</sup> Ibid., p. 20 (organisation in Abuja)

<sup>18</sup> Ibid., p. 21

<sup>19</sup> Ibid., p. 22 (Sa’idu Ahmed, high school, Asokoro)

<sup>20</sup> Ibid., p. 22 (organisation in Abuja)

<sup>21</sup> Ibid., p. 27 (Adeniyi, John, International Center for Adocacy on Rights to Health)

<sup>22</sup> Ibid., p. 27 (organisation in Abuja)

According to a study by the Pew Research Center, 85% of Nigerians consider homosexuality morally unacceptable, 1% find it acceptable, and 11% do not see it as a moral issue.<sup>23</sup> A survey conducted by NOI Polls in June 2013 found that 92% of Nigerians supported the anti-homosexual bill that was ratified in January 2014.<sup>24</sup> It is nevertheless worth pointing out that 8%, i.e. approximately 13.6 million Nigerians did not support the bill.<sup>25</sup> The Swedish country-of-origin information service Lifos has also heard from multiple sources that almost all Nigerians support the new law.<sup>26</sup> However, it is likely that few people know the actual contents of the bill, as the common Nigerian practice of sharing a dwelling with a member of the same sex for cost reasons is, under the new law, interpreted as a sign of homosexuality.<sup>27</sup> Living with a person of the same sex has also been seen as a sign of homosexuality before the bill.<sup>28</sup>

Despite strict laws, the greatest threat to Nigerian homosexuals does not come from the authorities but from their local communities. They are targets of violence and lynchings. An entire village can form a mob and attack homosexuals in order to drive them away from their community.<sup>29</sup> This happens even in the cities, including Lagos, which, compared to the rest of the country, is more tolerant and liberal towards homosexuals.<sup>30</sup> Defenders of LGBTI rights have also been particularly vulnerable to insults and harassment from local communities.<sup>31</sup> The media contributes to the society's homophobia by portraying homosexuals in a stereotypically bad light.<sup>32</sup>

The families of homosexuals want them to marry just like other members of their communities. Many end up pressured into marrying<sup>33</sup> and some simply to avoid suspicion.<sup>34</sup> In Nigeria, it is not acceptable for a person to choose not to marry.<sup>35</sup> Many LGBTI people are forced to lead a double life, pretending to be heterosexual while meeting with their same-sex partners in secret.<sup>36</sup> Homosexual men may date women to avoid suspicion and ultimately marry them.<sup>37</sup> Some women know that their husbands are homosexual but keep the secret for as long as they are having children. Other women file for divorce if they find out about their husband's homosexuality.<sup>38</sup>

Any men and women who do not conform to traditional gender roles, norms and standards of outward appearance are suspected of homosexuality.<sup>39</sup> Unmarried and childless women over a certain age are easily perceived as being homosexual, as they are considered to be breaking social norms.<sup>40</sup> On the other hand, homosexuality is not necessarily the first reason people think of for a woman to be unmarried and childless.<sup>41</sup> For example, the woman can be thought to be a

<sup>23</sup> Pew Research Center 15.4.2014

<sup>24</sup> More in chapter 5.

<sup>25</sup> The Initiative for Equal Rights 5.5.2014

<sup>26</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 18.12.2014, p. 12

<sup>27</sup> Ibid., p. 36 (Rommy Mom, Lawyers Alert)

<sup>28</sup> Ibid., p. 23 (organisation in Abuja; John Adeniyi, International Center for Advocacy on Rights to Health)

<sup>29</sup> Ibid., p. 25 (Jacob Tamm, EU-delegation)

<sup>30</sup> Ibid., p. 25 (Jacob Tamm, EU-delegation)

<sup>31</sup> FIDH 4/2010, p. 23

<sup>32</sup> FIDH 4/2010, p. 23-24

<sup>33</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 27 John Adeniyi, International Center for Advocacy on Rights to Health; Ilesanmi 8.12.2011

<sup>34</sup> Ibid., p. 30 John Adeniyi, International Center for Advocacy on Rights to Health; Ilesanmi 8.12.2011

<sup>35</sup> Ibid., p. 15

<sup>36</sup> Ilesanmi 8.12.2011

<sup>37</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 30 Association of Youth

<sup>38</sup> Ibid., p. 30 (organisation in Abuja)

<sup>39</sup> Ibid., p. 23 (organisation in Abuja; Dorothy, feminist ja sexual rights activist)

<sup>40</sup> Ibid., p. 23 (Dorothy, feminist and sexual rights activist; organisation in Abuja)

<sup>41</sup> Ibid., p. 23

prostitute, to be infertile as a result of an abortion, or to have other health problems.<sup>42</sup> Unmarried men of certain ages also arouse suspicion of either homosexuality or impotence. Unmarried men are more likely to be suspected of homosexuality than unmarried women are.<sup>43</sup>

In Nigeria, homosexuality cannot be displayed in public.<sup>44</sup> The majority of sources interviewed by Lifos in 2014 believe that homosexual men are in greater danger in society than homosexual women.<sup>45</sup> The group in greatest danger is effeminate men whom society sees as clearly homosexual.<sup>46</sup> Homosexuals and transsexuals need to be careful not to express themselves openly to avoid being suspected of homosexuality. This is why they often do not want to be seen with persons who are open about their homosexuality or who are known to be LGBTI activists.<sup>47</sup>

Women who have short hair, a Mohawk, modern tattoos, an ankle bracelet and a long shirt and loose-fitting trousers are often seen as stereotypical lesbians.<sup>48</sup> Men with modern tattoos are seen as either artists or homosexual.<sup>49</sup> Pretty and effeminate men who wear tight-fitting trousers are easily perceived as homosexual.<sup>50</sup> Homosexual men stand out in Nigerian society more easily than homosexual women.<sup>51</sup> A representative of a local human rights organisation described a case where 14 people had been attacked because they had been perceived as being homosexual. The men had been perceived as feminine; they had been living together and openly expressing their sexual orientation. Other men had also visited their house, which is the reason that the house had become known as “the girls’ guest house”. The local community feared that homosexuals would take over the entire area, as there were several other homosexuals living on the same street, and this fear ultimately drove people to attack.<sup>52</sup>

LGBTI people face discrimination in practically every sphere of life. People who are perceived to be homosexual are called derogatory names, verbally abused, and ostracised by the rest of the community.<sup>53</sup> LGBTI people are often expelled from secondary school and upper secondary school when their sexual orientation becomes known. Lesbians often become victims of “corrective rape”.<sup>54</sup> Blackmail and extortion are part of everyday life for homosexuals in Nigeria, but men and women are affected in different ways. Unlike men, sex is demanded of women in return for keeping their secret.<sup>55</sup> Homosexual men, however, sometimes blackmail each other with photographs they have taken of each other.<sup>56</sup>

Homosexual men meet underground, and, according to Lifos’ source, they have no set meeting places that outsiders could know about. There are unofficial gay clubs in Nigeria, which some homosexual men frequent. However, their numbers have decreased, as society’s attitude towards homosexuals has become less tolerant.<sup>57</sup> At least before the new law, gay and lesbian meetings were held regularly in Lagos. The meetings were always held discreetly, but the new

<sup>42</sup> Ibid., p. 23 (Dorothy, feminist and sexual rights activist; organisation in Abuja)

<sup>43</sup> Ibid., p. 23 (organisation in Abuja)

<sup>44</sup> Ibid., p. 32 (John Adeniyi, International Center for Adocacy on Rights to Health)

<sup>45</sup> Ibid., p. 31 (Rommy Mom, Lawyers Alert)

<sup>46</sup> Ibid., p. 35 Rommy Mom, Lawyers Alert

<sup>47</sup> Ibid., p. 30 Adeniyi, John, International Center for Adocacy on Rights to Health

<sup>48</sup> Ibid., p. 23 (organisation in Abuja; Dorothy, feminist and sexual rights activist)

<sup>49</sup> Ibid., p. 23 (Dorothy, feminist and sexual rights activist)

<sup>50</sup> Ibid., p. 23 (organisation in Abuja)

<sup>51</sup> Ibid., p. 23 (Dorothy, feminist and sexual rights activist)

<sup>52</sup> Ibid., p. 25 (John Adeniyi, International Center for Adocacy on Rights to Health)

<sup>53</sup> International Business Times 13.9.2013

<sup>54</sup> FIDH 4/2010, p. 23

<sup>55</sup> Azuah 2011

<sup>56</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, ‘Nigeria. Den kulturella kontexten för hbt-personer’, 18.12.2014, p. 35 Rommy Mom, Lawyers Alert

<sup>57</sup> Ibid., p. 33 (organisation in Abuja)

law makes them illegal.<sup>58</sup> There is no information available as to whether such meetings still take place. According to a source from the International Business Times, the hub for homosexuals in Nigeria is Abuja, which is where people go to find same-sex company.<sup>59</sup>

According to an LGBTI activist interviewed by Lifos, lesbians only meet each other in the safety of their homes, where they gather to celebrate birthdays and Valentine's Day. Attendance at these parties is by invitation only.<sup>60</sup> Lesbians usually know each other since childhood or from school, and old relationships can also be rekindled at a more advanced age. Social media helps them to communicate, in addition to which there are public, international online communities, such as "Shoe". Facebook and WhatsApp are not considered safe applications, as users can lie about their identity.<sup>61</sup>

In the westernised and relatively tolerant Victoria Island area of Lagos, young and rich homosexuals can live their lives seemingly openly, which is why they prefer to mostly stay there. Life is different for poorer members of sexual minorities who live outside Victoria Island, who are forced to rely on word of mouth or other means to meet other homosexuals.<sup>62</sup>

According to one source interviewed by Lifos, it is better for homosexuals to come out at a younger age, as coming out in adulthood can be perceived to be a sign of psychological problems.<sup>63</sup> Those who do decide to come out must be brave and determined as well as able to support themselves financially, which is not always a given in the case of women. In most cases, they need to build a new social circle to replace their family.<sup>64</sup> It is easier for rich homosexuals than for poor homosexuals to hold onto their friends after coming out.<sup>65</sup> According to one person interviewed by the International Business Times, wealthy people are able to be homosexual in Nigeria, as money also buys tolerance.<sup>66</sup>

According to a source interviewed by the International Business Times, the situation for homosexuals in Abuja is improving, as the city's residents are becoming less interested in persecuting homosexuals. Only if the authorities catch homosexuals engaging in sex with each other do people sometimes begin to persecute them. However, according to the interviewee, only certain people take the trouble to harass homosexuals.<sup>67</sup>

### 3.3. Religious attitudes

All Nigerian religions are against homosexuality.<sup>68</sup> Christians and Muslims as well as religious leaders take a strong stance against gay marriage.<sup>69</sup> Prayers are said in churches against homosexuality.<sup>70</sup> Word of a congregation member's homosexuality spreads rapidly in churches,

<sup>58</sup> BBC 2.1.2013

<sup>59</sup> International Business Times 13.9.2013

<sup>60</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 33 (Dorothy, feminist and sexual rights activist)

<sup>61</sup> Ibid., p. 33 (Dorothy, feminist and sexual rights activist)

<sup>62</sup> International Business Times 13.9.2013

<sup>63</sup> Ibid., p. 33 (John Adeniyi, International Center for Advocacy on Rights to Health)

<sup>64</sup> Ibid., p. 33 (John Adeniyi, International Center for Advocacy on Rights to Health)

<sup>65</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 21

<sup>66</sup> International Business Times 13.9.2013

<sup>67</sup> International Business Times 13.9.2013

<sup>68</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 19 (Father Tony, catholic church Asokoro)

<sup>69</sup> Premium Times 16.1.2014

<sup>70</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 28 (organisation in Abuja)

and a person suspected of homosexuality must step down from all their duties in the congregation.<sup>71</sup> The person can also be expelled from the church.<sup>72</sup> Next to the Church of Uganda, the Church of Nigeria is the most condemning of homosexuals within the Anglican Communion.<sup>73</sup> Going to church can have serious consequences for homosexuals, such as assault or even forced exorcism.<sup>74</sup> In one case a person perceived as being homosexual was locked inside a church for seven days to free them of homosexuality.<sup>75</sup>

According to Muslim Rights Concern (MURIC), homosexuality is un-Islamic and un-African. The organisation claims that the former president Goodluck Jonathan listened to the views of the people when ratifying the anti-homosexual bill.<sup>76</sup>

Ostracising homosexuals from religious communities can also weaken their educational opportunities, as churches and mosques often attend to important social duties that the State is unable to handle. For example, they have founded schools and universities.<sup>77</sup> The rise of Christian and Islamic fundamentalism has had a considerable impact on the criminalisation of sexual minorities in Nigeria.<sup>78</sup>

### 3.4. House of Rainbow

The House of Rainbow Fellowship, which was founded in 2006, is the only homosexual-friendly religious community in Nigeria. It welcomes all people, especially members of sexual and gender minorities as well as other minority groups.<sup>79</sup> The church's future came under threat two years into its existence, when its members became victims of assaults and rape "to correct their sexuality".<sup>80</sup> Names and pictures of LGBTI activists who were involved in the church were published in newspapers, which caused them to have to go into hiding.<sup>81</sup> The founder of the House of Rainbow, a Nigerian pastor called Rowland Jide Macaulay, had to flee to the UK after receiving death threats. He continues to run the church and preaches via YouTube.<sup>82</sup> According to one source, the House of Rainbow Metropolitan Church has continued to operate in Lagos despite attacks against its members.<sup>83</sup>

The church has local groups in Lagos, Enugu, Ibadan and Minna. It runs a variety of social initiatives through which it provides sexual health advice, bible study from an LGBTI perspective, job hunting assistance as well as temporary shelter for people in need. The majority of the church's projects are aimed at LGBTI people.<sup>84</sup>

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<sup>71</sup> Ibid., p. 29 (organisation in Abuja)

<sup>72</sup> Ibid., p. 29 (John Adeniyi, International Center for Advocacy on Rights to Health)

<sup>73</sup> Kerrigan 2013, p. 67

<sup>74</sup> Economist 11.2.2010

<sup>75</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 28 (organisation in Abuja)

<sup>76</sup> Premium Times 16.1.2014

<sup>77</sup> Economist 11.2.2010

<sup>78</sup> Ajao 11.6.2014

<sup>79</sup> House of Rainbow

<sup>80</sup> Peter Tatchell Foundation 20.11.2014; Economist 11.2.2010

<sup>81</sup> FIDH 4/2010, p. 24; Peter Tatchell Foundation 20.11.2014

<sup>82</sup> Economist 11.2.2010

<sup>83</sup> Kerrigan 2013, p. 69

<sup>84</sup> House of Rainbow



#### 4. OTHER SEXUAL MINORITIES IN NIGERIA

The LGBTI movement in Nigeria mostly focuses on promoting the rights of homosexual men and, to an extent, homosexual women; however, other sexual minorities have been left without attention.<sup>85</sup>

Transgender people are invisible in Nigerian society,<sup>86</sup> and there are no statistics available on them.<sup>87</sup> Men who dress up in women's clothing are often persecuted. They face the risk of being killed in these attacks, as they cannot be raped like women.<sup>88</sup> Gender reassignment surgeries are not carried out in Nigeria. Nigerian citizens who decide to have the operation abroad encounter difficulties upon returning to their home country, as their social network refuses to accept their sex change.<sup>89</sup>

Intersexual children are often left to die, and those who are allowed to live are forced to live in hiding.<sup>90</sup> One intersexual individual was nearly lynched when the local community learn about the condition of the individual.<sup>91</sup>

#### 5. SAME-SEX MARRIAGE PROHIBITION ACT

The Nigerian *Same Sex Marriage Prohibition Bill* was first introduced in 2006/2007,<sup>92</sup> but the former president Goodluck Jonathan did not ratify it until 7 January 2014.<sup>93</sup> According to sources at Lifos, the bill has not yet been enacted,<sup>94</sup> which means that it cannot yet be enforced in a court of law.<sup>95</sup> In other words, the legal situation has not yet changed,<sup>96</sup> but many police officers, as well as the general public, believe the bill to have already been enacted,<sup>97</sup> which has led to multiple arrests under the new law.<sup>98</sup>

The new law prohibits marriages and civil unions between people of the same sex, and same-sex marriages and civil unions registered elsewhere are not recognised in Nigeria.<sup>99</sup> Registering a marriage or a civil union with a person of the same sex carries a possible penalty of 14 years of imprisonment.<sup>100</sup> The law imposes a 10-year prison sentence on individuals, including religious leaders, or groups that celebrate, support or otherwise advocate same-sex marriages or civil unions. The terms "same-sex marriage" and "civil union" are defined so broadly in the bill that they can, in practice, encompass all kinds of situations in which two people of the same sex live together.<sup>101</sup>

<sup>85</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 32

<sup>86</sup> Ibid., p. 31 (organisation in Abuja)

<sup>87</sup> Ibid., p. 31 (Rommy Mom, Lawyers Alert)

<sup>88</sup> Ibid., p. 31 (organisation in Abuja)

<sup>89</sup> Ibid., p. 31–32 (organisation in Abuja)

<sup>90</sup> Ibid., p. 32

<sup>91</sup> Ibid., p. 32 (John Adeniyi, International Center for Adocacy on Rights to Health)

<sup>92</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 18.12.2014, p. 7

<sup>93</sup> Ibid., p. 7

<sup>94</sup> Ibid., p. 7

<sup>95</sup> Ibid., p. 36 (Western ambassador in Abuja)

<sup>96</sup> Ibid., p. 36 Rommy Mom, Lawyers Alert

<sup>97</sup> Ibid., p. 38 Rommy Mom, Lawyers Alert

<sup>98</sup> Ibid., p. 39 Rommy Mom, Lawyers Alert

<sup>99</sup> HRW 14.1.2014

<sup>100</sup> Nigeria: Same sex Prohibition Act 2013

<sup>101</sup> HRW 14.1.2014

The law also criminalises public displays of affection between people of the same sex. Anyone who publicly demonstrates, whether directly or indirectly, that they are in a romantic relationship with a member of the same sex can be sentenced to 10 years of imprisonment.<sup>102</sup> The new law gives the police the power to detain a person simply on the basis of their true or assumed sexual orientation.<sup>103</sup>

The new law is in violation of international laws. It discriminates against LGBTI people and restricts their freedoms of expression and association.<sup>104</sup> The law discriminates against an already disadvantaged section of the population, driving them underground while at the same time compromising their health and human rights.<sup>105</sup> In addition, the law restricts organisations that work with defending sexual minorities and their rights<sup>106</sup> and can impose long prison terms on defenders of LGBTI rights.<sup>107</sup> Registering, running, supporting and participating in the activities of gay clubs, organisations and communities carries a possible penalty of 10 years of imprisonment.<sup>108</sup> Many organisations fear arrest and the possibility of having to discontinue their work since the ratification of the bill. They are scared of accusations, and therefore, currently operate with extreme caution. Many organisations that used to defend LGBTI rights have had to discontinue their work as a result of the new law.<sup>109</sup>

Under sharia law, which is observed in northern Nigeria, sodomy, i.e. sex against the order of nature, is punishable by flogging, imprisonment or death by stoning.<sup>110</sup> In the northern states, sex between two men can lead to a death sentence, while sex between two women is punishable by flogging and/or imprisonment. These kinds of laws are in force in the following Nigerian states (the year of enactment is given in brackets): Bauchi (2001), Borno (2000), Gombe (2001), Jigawa (2000), Kaduna (2001), Kano (2000), Katsina (2000), Kebbi (2000), Niger (2000), Sokoto (2000), Yobe (2001) and Zamfara (2000).<sup>111</sup>

According to a report published by USDOS in 2013, however, no stoning sentences imposed on the grounds of sodomy have been implemented in practice.<sup>112</sup> The BBC also reported on 6 February 2014 that no death penalties for sodomy have ever been implemented under sharia law, as such cases are extremely difficult to prove: sharia law requires four witnesses to homosexual acts.<sup>113</sup> According to a source interviewed by Lifos, there have been cases where the death penalty has been imposed for homosexuality,<sup>114</sup> but the report does not mention whether these sentences were actually enforced.

Public opinion nevertheless demands harsh punishments for homosexuals. According to one member of a sharia council, convicted homosexuals should be stoned, pushed off a high place, or hanged.<sup>115</sup>

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<sup>102</sup> HRW 14.1.2014

<sup>103</sup> HRW 14.1.2014

<sup>104</sup> Navi Pillay/OHCHR 14.3.2014

<sup>105</sup> HRW 14.1.2014

<sup>106</sup> HRW 14.1.2014

<sup>107</sup> Navi Pillay/OHCHR 14.3.2014

<sup>108</sup> HRW 14.1.2014

<sup>109</sup> Ajao 11.6.2014

<sup>110</sup> HRW 14.1.2014; Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 18.12.2014, p. 7; ILGA 5/2014, p. 9

<sup>111</sup> Amnesty 25.6.2013, p. 88; ILGA 5/2014, p. 42; USDOS 2013, p. 45

<sup>112</sup> USDOS 2013, p. 45

<sup>113</sup> BBC 6.2.2014

<sup>114</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 18.12.2014, p. 7, p. 36 (Western ambassador Abuja)

<sup>115</sup> BBC 6.2.2014

According to an individual interviewed by Lifos, the police and the courts deny LGBTI people the right to a fair investigation and trial.<sup>116</sup> Representatives of LGBTI organisations interviewed by Lifos talked about torture inflicted by the police on members of sexual minorities and other violations of rights, but these reports are, according to Lifos, difficult to verify. Members or suspected members of sexual minorities have been assaulted by hitting them in the face and body. According to a source interviewed by Lifos, the police are clever when it comes to torture, even though the risk of their conduct being discovered is greater in the case of LGBTI people.<sup>117</sup> Reports received by Lifos concerning arrests of homosexuals varied, and no reliable statistics were available.<sup>118</sup> Attorneys who defend the rights of LGBTI people are only found in Abuja and Lagos.<sup>119</sup> Wealthy people can nevertheless still use bribery to buy their freedom.<sup>120</sup>

According to Lifos, as of 23 October 2014, no one had been charged based on the new law.<sup>121</sup>

## 6. PROBLEMS AND HOSTILITIES CAUSED BY THE NEW LAW

The new law has raised justifiable fear among homosexuals,<sup>122</sup> as the new law has worsened their situation.<sup>123</sup> News of the ratification of the bill resulted in an immediate rise in anti-homosexual attitudes in society.<sup>124</sup> The law and media coverage on the subject have increased awareness of sexual minorities among the public.<sup>125</sup> Instead of increasing tolerance, however, this raised awareness has made sexual minorities less accepted in their communities, encouraged prosecutors and the public to take action to root out homosexuality, and therefore also resulted in more hate crimes.<sup>126</sup> Activists have reported an increase in mob violence against assumed homosexuals. Some have been beaten close to death.<sup>127</sup> The police have become increasingly aware of the situation imposed on homosexuals,<sup>128</sup> but it has not helped them. In fact, victims who have been taken to police stations have been subjected to further violence by the authorities,<sup>129</sup> and arrests of homosexuals under the new law have increased.<sup>130</sup>

When the former president ratified the bill, most Nigerians praised him on social media and in their blogs and expressed their belief that the president had done what was best for the country by defying international pressure and ratifying the bill.<sup>131</sup> After the ratification of the bill, many landowners evicted their homosexual tenants. In some cases, homosexuals have been first asked to marry and, if they refused, they have been evicted from their homes.<sup>132</sup> According to

<sup>116</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 39 Rommy Mom, Lawyers Alert

<sup>117</sup> Ibid., p. 39 (Jacob Tamm, EU-delegation)

<sup>118</sup> Ibid., p. 40

<sup>119</sup> Ibid., p. 41 (Rommy Mom, Lawyers Alert)

<sup>120</sup> Ibid., p. 39 (Rommy Mom, Lawyers Alert)

<sup>121</sup> Ibid., p. 40 (Western ambassador, Abuja)

<sup>122</sup> Ibid., p. 32 John Adeniyi, International Center for Adocacy on Rights to Health

<sup>123</sup> ILGA 5/2014, p. 9

<sup>124</sup> Premium Times 13.1.2014

<sup>125</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 37 Rommy Mom, Lawyers Alert; Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 18.12.2014, p. 7

<sup>126</sup> Ibid., p. 37 (Western ambassador, Abuja); Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 18.12.2014, p. 7; New York Times 8.2.2014

<sup>127</sup> ILGA 5/2014, p. 80

<sup>128</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 18.12.2014, p. 7-8

<sup>129</sup> ILGA 5/2014, p. 80

<sup>130</sup> New York Times 8.2.2014

<sup>131</sup> Premium Times 13.1.2014

<sup>132</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 25 (organisation in Abuja)

the Nigerian activist Bisi Alimi, the bill empowers the public to take the law into their own hands. Homosexual victims do not go to the police, as police officers are corrupt and demand payment for punishing the perpetrators, and these kinds of cases never come before a prosecutor or a judge.<sup>133</sup>

Since the ratification of the bill, sexual minorities and activists have faced harassment, blackmail and threats,<sup>134</sup> with some having fled abroad to seek asylum.<sup>135</sup> According to the Nigerian non-governmental organisation Initiative for Equal Rights, the new law has resulted in a sharp increase in the persecution of and violence targeted at LGBTI people.<sup>136</sup> Since the ratification of the bill, the Office of the UN High Commissioner for Human Rights (OHCHR) in Nigeria has received reports of large-scale arrests of LGBTI people, isolated attacks against them, including mob violence, as well as increasing blackmail and extortion.<sup>137</sup> Blackmail targeted at members of sexual minorities has increased dramatically after the ratification of the bill, even among members of sexual minorities themselves.<sup>138</sup>

### 6.1. Hostilities against LGBTI people

Towards the end of January 2014, a mob in Port Harcourt forced a homosexual couple out of their home and to have sex in front of a crowd. The incident was recorded on mobile telephone cameras and the images published on social media.<sup>139</sup>

In February 2014, a mob of approximately 40 people in the Gishiri neighbourhood of Abuja dragged 14 men out of their homes during a single night and assaulted them with broken furniture and various blunt instruments, swearing to kill them if they did not clean up the neighbourhood. The attack was motivated by the new law.<sup>140</sup> Graffiti was painted on the walls of the victims' homes that read "Homosexuals, pack and leave".<sup>141</sup> The local police are said to have arrested five of the victims and to have continued to assault them at the police station.<sup>142</sup> The victims had been later released due to lack of evidence. They are said to have been injured in the attack and to have been treated at a clinic run by the organisation International Center on Advocacy for the Right to Health, as they had been too scared to go to a hospital.<sup>143</sup>

The Gishiri incident is said to have been the first one of its kind in Abuja, although similar vigilante attacks against homosexuals are reported to have taken place in other parts of northern Nigeria.<sup>144</sup> Four of the victims of the attack are said to have lost their jobs after the incident once their employers learned of their sexual orientation.<sup>145</sup> According to one victim, Nigerians were, although homophobic, more tolerant towards LGBTI people before the new law, but the bill has created a manifestly anti-homosexual climate:

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<sup>133</sup> Gay Star News 4.2.2014

<sup>134</sup> Amnesty 2014/2015, p. 278; New York Times 8.2.2014

<sup>135</sup> New York Times 8.2.2014

<sup>136</sup> SDGLN 27.1.2014; Washington Post 10.2.2014

<sup>137</sup> Navi Pillay/OHCHR 14.3.2014

<sup>138</sup> Gay Star News 31.3.2014; Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 18.12.2014, p. 7-8

<sup>139</sup> Gay Star News 4.2.2014

<sup>140</sup> Mother Jones 13.3.2014; IGLHRC 13.2.2014; Washington Post 15.2.2014

<sup>141</sup> Washington Post 15.2.2014

<sup>142</sup> IGLHRC 13.2.2014

<sup>143</sup> IGLHRC 13.2.2014; Washington Post 15.2.2014

<sup>144</sup> IGLHRC 13.2.2014

<sup>145</sup> Mother Jones 13.3.2014

*“People already knew that people were gay”, he says. “Now, what we have seen is tenants threatening other tenants, saying, ‘I’m going to expose you. I know what you do.’...Now they can call the police and get people convicted.”<sup>146</sup>*

According to a source interviewed by Lifos, there are reports of an incident where homosexuals had been dragged out onto the street in the middle of the night and beaten with clubs. The police are said to have arrested the homosexuals who were the victims of the attack and to have then humiliated them more afterwards.<sup>147</sup> The incident is likely to have been the one reported in Gishiri.

In March 2014, five men had been arrested and taken to the city hall where they had been stripped naked and beaten in front of a crowd. One of their sexual partners had tried to blackmail them and when they had refused to pay the man, he had reported them to the police. They had all taken part in the same sex party with the blackmailer in Ekurede Urhobo.<sup>148</sup>

## 6.2. Arrests and sentencing of LGBTI people

Arbitrary arrests of homosexuals and people perceived as being homosexual have increased since the ratification of the Same Sex Marriage Prohibition Bill.

The bill has given Nigeria’s corrupt police, who are infamous for taking advantage of the country’s citizens, more legitimate powers.<sup>149</sup> Compiling a comprehensive list of the people arrested as a result of the new law is impossible. The Nigerian press usually reports on arrests of members of sexual minorities and sometimes also on public trials. The outcomes of these trials, however, are not reported.<sup>150</sup> On 31 August 2014, an estimated 23 people were in prison and 15 out on bail awaiting trial in Nigeria, due to their sexual orientation.<sup>151</sup> According to human rights defenders, arrests have taken place in multiple Nigerian states, but the situation has been the direst in the northern parts of the country.<sup>152</sup>

A blog called “Erasing 76 crimes” reported on several arrests of homosexual men in 2013. Three men had been arrested in an SUV in Abeokuta in February 2013 and accused of conspiracy and homosexuality. The men had denied their guilt, but they had been sent to prison to await a court’s decision. No information is available on whether and how the trial progressed.<sup>153</sup> On 2 April 2013, three men had been arrested in a hotel after they were caught having sexual relations with each other. They had been remanded into custody without bail on 23 April 2013; however, the Erasing 76 crimes blog had no further information as to their fate.<sup>154</sup> On 3 October 2013, two men suspected of homosexual conduct had been charged in Jos. They had admitted their guilt, but no information was available about their sentencing.<sup>155</sup>

A few days after the bill was ratified, police had arrested five men in Ibadan due to their assumed sexual orientation. They had been later released on bail.<sup>156</sup>

<sup>146</sup> Mother Jones 13.3.2014

<sup>147</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, ‘Nigeria. Den kulturella kontexten för hbt-personer’, 18.12.2014, p. 26 (Western ambassador, Abuja)

<sup>148</sup> Gay Star News 31.3.2014

<sup>149</sup> Ajao 11.6.2014

<sup>150</sup> Erasing 76 crimes 31.8.2014

<sup>151</sup> Erasing 76 crimes 31.8.2014

<sup>152</sup> New York Times 8.2.2014

<sup>153</sup> Erasing 76 crimes 31.8.2014

<sup>154</sup> Erasing 76 crimes 31.8.2014

<sup>155</sup> Erasing 76 crimes 31.8.2014

<sup>156</sup> Amnesty 2014/2015, p. 278

On 16 January 2014, a young man had been sentenced to 20 lashes<sup>157</sup> and a 5,000-naira fine for homosexuality in Bauchi. According to the man, a teacher in his school had tricked him into sodomy by promising to pay for his schooling.<sup>158</sup> The man avoided the death penalty, as the incident had happened many years ago and he had shown great remorse.<sup>159</sup>

Three men suspected of homosexuality, who were claimed to have been caught in the act, had been detained in Abeokuta on 14 February 2014.<sup>160</sup>

Leadership reported in an article published on 29 May 2014 that the police had found a lesbian hiding place on Awai Road, in Asaba in Delta State. The police had arrested 26 suspects who were claimed to have had sex with each other in their hiding place. According to a representative of the police, the suspects had admitted their guilt and would be charged.<sup>161</sup>

Ifeanyi Orazulike, a Nigerian LGBTI activist and Executive Director of the International Center for Advocacy on the Rights to Health, had been arrested and detained without a charge on 22 October 2014. He had been arrested in his office in Abuja in the middle of celebrating his birthday with his friends and colleagues. The police had also chased other employees of the organisation and Orazulike's friends who were present. Orazulike had not been taken to a police station but to the Abuja Environmental Protection Board where he had been asked for bribes. When he had refused to pay, he had been slapped on the face and knocked to the ground. He had been released after the police had realised that he would not pay.<sup>162</sup>

The Daily Trust reported on 4 November 2014 that a leader of a vigilante group in Kebbi State had arrested approximately 25 people suspected of homosexuality and handed them over to the Kebbi Hisbah Commission.<sup>163</sup>

In January 2015, a total of 12 men had been arrested in Kano for planning a "homosexual wedding". The men were said to have looked feminine and to have behaved in a feminine manner, which had sparked suspicions of their homosexuality. According to one of the arrested individuals, however, the occasion in question had been his birthday party.<sup>164</sup> On 27 January 2015, Pink Star News reported that six people had been arrested and detained under the new law in Awka, Anambra State.<sup>165</sup>

A Nigerian homosexual man wrote on the website of the Peter Tatchell Foundation that he had seen online videos of men suspected of being homosexual who had been forced to have sex with each other and had then been beaten to death. In addition, the man had information about incidents where homosexual men had been raped and lesbians gang-raped by heterosexual men.<sup>166</sup> The man had also heard about incidents where homosexual men had been lured into a trap by flirting with them. As the men had taken the bait, they had been attacked.<sup>167</sup>

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<sup>157</sup> Erasing 76 crimes 31.8.2014; New York Times 8.2.2014

<sup>158</sup> The Guardian 28.3.2014; BBC 24.1.2014; The Telescope News 30.1.2014

<sup>159</sup> The Telescope News 30.1.2014

<sup>160</sup> Vanguard 18.2.2014

<sup>161</sup> Leadership 29.5.2014 in UK Home Office 3/2015

<sup>162</sup> Gay Star News 4.11.2014

<sup>163</sup> Daily Trust 4.11.2014

<sup>164</sup> Pink Star News 27.1.2015

<sup>165</sup> Amnesty 2014/2015, p. 278

<sup>166</sup> Peter Tatchell Foundation 20.11.2014

<sup>167</sup> Peter Tatchell Foundation 20.11.2014

Climate in Bauchi State has been extremely anti-homosexual and unforgiving,<sup>168</sup> especially after the ratification of the bill. According to the authorities and residents, the new law has as much as doubled the level of anti-homosexual zeal in the community. Bauchi authorities are said to want to detain and punish all homosexuals.<sup>169</sup> There are claims of the police having tortured homosexuals in order to gain intelligence on other homosexuals.<sup>170</sup> According to Mohammed Tata, an official of Bauchi's sharia court, homosexuals do not commit homosexual acts openly or publicly. The authorities monitor the homosexuals they have detained in order to learn how they talk and dress and are therefore able to identify others who they suspect behave in a manner indicative of homosexuality. According to Tata, they receive information about homosexuals from parties who would like to see the community "cleaned" of them.<sup>171</sup>

On 10 February 2014, the Washington Post reported that police in Bauchi had arrested 38 men towards the end of December 2013, immediately after the National Assembly had approved the bill. Several men were claimed to have been tortured to get them to name homosexuals whom they knew.<sup>172</sup> The police reported having drawn up a list of suspected LGBTI people whom they were monitoring as part of criminal profiling in order to find their "victims".<sup>173</sup> According to human rights defenders, the police's list included 167 names,<sup>174</sup> but the police claimed that the list was shorter.<sup>175</sup>

Towards the end of 2013, a total of 12 men had been arrested in Bauchi under suspicions of homosexuality and brought up on charges in January 2014. According to some reports, the number of people arrested exceeded 12, which makes it possible that this incident was the same as that which the Washington Post reported on 10 February 2014. The men had been suspected of being members of a gay club as well as of having accepted support from the United States for gaining membership in the club.<sup>176</sup> As seven of the suspected men were being transported to court, an angry mob had been demonstrating against homosexuals and attempted to lynch the men.<sup>177</sup> Stones and bottles had been thrown at the men outside the courtroom, and some demonstrators had wanted to set the courtroom on fire.<sup>178</sup> The crowd wanted the men to be sentenced to death according to sharia law.<sup>179</sup> The police had been forced to disperse the crowd using tear gas.<sup>180</sup>

Four of the accused men were sentenced to 15 lashes as a form of "corrective punishment" as well as to a 20,000-naira fine or one year of imprisonment if they could not pay the fine.<sup>181</sup> According to LGBTI activists, the authorities had got the men to confess by beating them.<sup>182</sup> Among the arrested individuals had been two men who had been arrested in their home when members of their local community had broken in and found one of the men wearing shorts and the other one fully clothed.<sup>183</sup> They were released due to lack of evidence, as, according to

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<sup>168</sup> Huffington Post 28.3.2014

<sup>169</sup> New York Times 8.2.2014; The Guardian 28.3.2014

<sup>170</sup> Gay Star News 6.3.2014

<sup>171</sup> New York Times 8.2.2014

<sup>172</sup> Washington Post 10.2.2014

<sup>173</sup> Amnesty 2014/2015, p. 278; Telegraph 14.1.2014; Amnesty 15.1.2014; Gay Star News 6.3.2014

<sup>174</sup> Amnesty 15.1.2014

<sup>175</sup> Amnesty 15.1.2014

<sup>176</sup> Huffington Post 28.3.2014; Erasing 76 crimes 31.8.2014

<sup>177</sup> The Telescope News 30.1.2014

<sup>178</sup> New York Times 8.2.2014

<sup>179</sup> New York Times 8.2.2014

<sup>180</sup> The Guardian 28.3.2014

<sup>181</sup> Erasing 76 crimes 31.8.2014; The Guardian 28.3.2014; Gay Star News 6.3.2014; Edgeboston.com 6.3.2014

<sup>182</sup> Gay Star News 6.3.2014

<sup>183</sup> Huffington Post 28.3.2014; BBC 1.4.2014

sharia law, homosexual sex must be witnessed by four people for the perpetrators to be sentenced to death.<sup>184</sup> Seven other men had been released later in secret.<sup>185</sup>

Individuals suspected of and detained on the grounds of homosexuality are not usually released on bail, as this is not seen as being in the detainees' interests. Most of them have been disowned by their families. Prison officers mock homosexual men and compare them to "pregnant women". In prisons, suspected homosexuals are kept apart from other prisoners, as they are thought to convert other prisoners to homosexuality.<sup>186</sup> Local attorneys do not want to represent homosexuals.<sup>187</sup>

## 7. ACCESS TO HEALTH CARE SERVICES

The new anti-homosexual law has already resulted in a sharp decrease in the availability of HIV/AIDS treatment and prevention services, as the fear of punishment discourages LGBTI people from seeking the treatment or protection they need, and organisations are also finding it difficult to provide these services.<sup>188</sup> UNAIDS has warned that the new law will slow down the progress of work against HIV/AIDS in Nigeria.<sup>189</sup> The new law is expected to lead to an increase in HIV infections among LGBTI people,<sup>190</sup> as the law has caused LGBTI people to stop going to HIV clinics.<sup>191</sup> Homosexual HIV-positive men are said to prefer the risk of dying of AIDS to going to HIV clinics to collect their ARV medication in order to avoid the potential stigmatisation, beatings, mob lynchings and blackmail that could result from such visits.<sup>192</sup> HIV-positive LGBTI couples also no longer want to go to couples therapy, as they are worried that the therapist could expose them to the police.<sup>193</sup> Those who can, flee the country.<sup>194</sup>

According to the UK-based Kaleidoscope International Diversity Trust, the new law prohibits the provision of services to anyone who is perceived to be homosexual.<sup>195</sup> International organisations, such as the Heartland Alliance, are trying to come up with new terminology that would allow them to continue providing services to homosexual men without referring to them as homosexual even remotely. They have tried using the terms "target clients" and "high-risk population".<sup>196</sup>

According to homosexuals themselves, they are routinely turned away from hospitals if they do try to seek treatment there.<sup>197</sup> Local organisations, such as the Initiative for Equal Rights, have stopped referring LGBTI people to public health care services so that they would not be turned away, as not all doctors agree to treat them. This increases the workload of clinics funded by donations, which are operating at their limits.<sup>198</sup>

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<sup>184</sup> Huffington Post 28.3.2014; BBC 1.4.2014

<sup>185</sup> The Guardian 28.3.2014

<sup>186</sup> New York Times 8.2.2014

<sup>187</sup> New York Times 8.2.2014

<sup>188</sup> Mother Jones 13.3.2014; Ajao 11.6.2014

<sup>189</sup> Mother Jones 13.3.2014

<sup>190</sup> Ajao 11.6.2014; Gay City News 5.2.2015

<sup>191</sup> SDGLN 27.1.2014

<sup>192</sup> Gay City News 5.2.2015

<sup>193</sup> Mother Jones 13.3.2014

<sup>194</sup> Gay City News 5.2.2015

<sup>195</sup> BBC 14.1.2014

<sup>196</sup> Gay City News 5.2.2015

<sup>197</sup> Economist 7.6.2014

<sup>198</sup> Economist 7.6.2014



There are a couple of clinics in Abuja that treat HIV-positive LGBTI people. The new law has scared off some of their clients, but the clinics are still open.<sup>199</sup> Men's Health Network Nigeria is an initiative of local partners and the Population Council aimed at providing a comprehensive range of HIV services for men. The network previously targeted customers of sex workers as well as men who use intravenous drugs. All progress was nevertheless lost overnight due to the new law. The initiative had previously served 1,700 men in a three-month period, but the new law caused the number to be halved until, eventually, there was no demand at all. The patients were scared of blackmail, arrests and mob violence.<sup>200</sup>

The Population Council has a well-equipped clinic that serves sexual minorities in a secret location in Lagos. The clinic treats patients from all over Nigeria: in 2013, the clinic had 3,000 patients. The clinic also runs a second operation in northern Nigeria. In the countryside, organisations' activists are often forced to give money to patients in order to enable the patients to be able to travel to clinics located far away. Most of the patients are young people who cannot tell their families about their situation. No health care services are available for sexual minorities in Enugu, for example.<sup>201</sup>

The Integrated MSM<sup>202</sup> HIV Prevention Program has set up community centres in four states (Lagos, Rivers, Cross River and FCT, Abuja). Since the ratification of the Same Sex Marriage Prohibition Bill, sexual minorities have not had a safe place where they could express their sexuality, disseminate information relating to homosexuality, or discuss issues such as low self-esteem, stigmatisation and discrimination. The centres consist of three units: a health care unit, a social interaction unit and a skill acquisition unit. They welcome all LGBTI people and provide them with a safe and comfortable environment. The centres provide a range of up-to-date information, advice and materials relating to topics such as relationships, sexual rights and the functioning of society.<sup>203</sup>

## 8. LGBTI ORGANISATIONS IN NIGERIA

Nigeria has around a dozen active LGBTI organisations, most of which operate in Lagos.<sup>204</sup> The *International Center for Advocacy on Rights to Health* (ICARH), which promotes the human rights of homosexual men and the fight against HIV/AIDS, operates in Abuja. It is also the base for the *Women's Health and Equal Rights* (WHER) organisation, which defends the rights of lesbian and bisexual women.<sup>205</sup>

*The Initiative for Equal Rights* (TIERs) promotes the rights of sexual minorities regionally and across Nigeria. The organisation strives to build a more tolerant society by means of education and empowerment and by working together with a variety of interest groups. The organisation has nine employees and 41 volunteer peer trainers.

*Queer Alliance Nigeria* (QA) is a support group that promotes the human rights of the Nigerian LGBTI community and access to health care.

<sup>199</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 35 (International organisation, Abuja)

<sup>200</sup> Science Speaks 4.4.2014

<sup>201</sup> Economist 7.6.2014

<sup>202</sup> Men Who Have Sex with Men

<sup>203</sup> The Initiative for Equal Rights 24.4.2014

<sup>204</sup> Migrationsverket, Lifos. Center för landinformation och landanalys inom migrationsområdet, 'Nigeria. Den kulturella kontexten för hbt-personer', 18.12.2014, p. 34 (Western ambassador, Abuja)

<sup>205</sup> Ibid., p. 34

The founder of the House of Rainbow, Pastor Rowland Jide Macaulay, has compiled a list of groups and organisations that work with LGBTI issues or promote the rights of LGBTI people in Nigeria (or at least did so in 2009). These include:

- Lawyers Alert, Nigeria
- The Independent Project for Equal Rights, Nigeria
- House of Rainbow Metropolitan Community Church, Nigeria
- INCREASE, Nigeria
- Global Right Nigeria
- Queer Alliance Nigeria
- Youths Together Network Nigeria
- Nigerian Humanist Movement, Nigeria<sup>206</sup>

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<sup>206</sup> Macaulay 17.7.2009

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