

Commission de l'immigration et du statut de réfugié du Canada Section de la protection des réfugiés

**RPD File: XXXXXX** 

## NOTICE OF DECISION

[Immigration and Refugee Protection Act, subsection 107(1)]
[Refugee Protection Division Rules, rule 67]

Michal Fox		
Member		×
In the claim for refugee protection of:	Date of birth:	UCI:
XXXXXX	XXXXXX	XXXXXX
The claim was heard on March 17, 2021.		
The Refugee Protection Division determines therefore accepts the claim.	that the claimant is a Coi	nvention refugee and
The reasons for the decision are attached.		
May 28, 2021	KEO, Registry Office For the Registrar Tel: 1-866-787-7472	r

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> IRB Representative Représentant de la CISR

Immigration and Refugee Board of Canada

**Counsel for the Minister** 

## **Refugee Protection Division**



# Commission de l'immigration et du statut de réfugié du Canada

## Section de la protection des réfugiés

RPD File /Dossier de la SPR :

XXXXXX

UCI/IUC:

XXXXXX

## Reasons and Decision - Motifs et décision

Claimant(s) XXXXXX Demandeur(e)(s) d'asile Date(s) of hearing March 17, 2021 Date(s) de l'audience Place of hearing Heard by Virtual Hearing Lieu de l'audience Date of decision May 26, 2021 Date de la décision and reasons et des motifs Panel Michal Fox **Tribunal** Counsel for the claimant(s) Massood Joomratty Conseil(s) du (de la/des) demandeur(e)(s) d'asile Designated representative N/A Représentant(e) désigné(e)

Jeffrey Wicharuk

Conseil du (de la)

ministre

RPD File No. / No de dossier de la SPR : XXXXXX

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IRB Representative
Représentant de la CISR

#### REASONS FOR DECISION

#### INTRODUCTION

- [1] These are the reasons for the decision in the claim of XXXXXX, who claims to be a citizen of Nigeria, and is claiming refugee protection pursuant to sections 96 and 97(1) of the *Immigration and Refugee Protection Act*.
- [2] In rendering my reasons, I have considered the Chairperson's Guideline 9: Proceedings Before the IRB Involving Sexual Orientation and Gender Identity and Expression.

## **Basis of Claim Allegations (BOC)**

- [3] The claimant's BOC allegations are contained in Exhibits 2.1 and 2.2. Herein is a summary of the allegations.
- [4] The claimant XXXXXX is a citizen of Nigeria, born in Lagos, Nigeria on July 7, 1992.
- [5] The claimant is a gay man.
- [6] The claimant realized at about age 15, that he had no attraction to girls.
- [7] In May 2009, when the claimant was not quite 18 years of age, the claimant began a romantic relationship with XXXXXX The claimant and XXXXXXX's relationship has continued since that time.
- [8] The claimant and XXXXXXhave always kept their relationship hidden. The claimant's family are Christian and XXXXXXX's family are Muslims. Both families believe homosexuality is sinful and that homosexuals should be punished.
- [9] For most of their relationship, the claimant and his partner lived at extensive distances from each other. They would meet when they could. From October 2015 to 2017 they were both in Nigeria. Thereafter XXXXXX continued his studies in Egypt.

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- [10] The claimant left for Canada on September 14, 2018 for studies at the University of British Columbia.
- [11] In November 2018, upon XXXXXX's mother finding text messages that XXXXXX had sent to the clamant, XXXXXX admitted that he was in a relationship with the claimant.
- [12] XXXXXX's parents contacted the Nigerian police in December 2018, informing them that the claimant is gay, and that the claimant tried to lure XXXXXX into a sexual relationship.
- [13] As a result, in middle of December 2018, members of the Nigerian police appeared at the claimant's family home. They questioned the claimant's parents about the claimant's sexual orientation.
- [14] The claimant's family contacted the claimant. The claimant did not admit to his parents that he is gay or that he is in a relationship with XXXXXX. The claimant's parents stopped paying the claimant's tuition. They demanded that the claimant return home immediately and undergo treatment to cure him of his gay sexual orientation.
- [15] The claimant decided to file his refugee protection claim as he cannot return to Nigeria. The police will detain the claimant for being gay. The police mistreat gay men.

#### **DETERMINATION**

[16] I find that the claimant is a Convention refugee in that he has a well-founded fear of persecution in Nigeria by reason of his sexual orientation as a gay male.

#### **Analysis**

- [17] The Minister filed a notice of Intention to Intervene in person on the issue of credibility and inclusion. The Minister participated in person and in writing. The Minister asked the claimant questions at the March 17, 2021 hearing and provided oral submissions.
- [18] The claimant was represented by counsel. Counsel was provided an opportunity to ask the claimant questions. He provided evidence on behalf of the claimant and provided oral submissions.

#### **Determinative Issues**

[19] The determinative issue in this case is credibility.

#### **Identity**

[20] I find that the claimant's identity as a national of Nigeria is established by the claimant's testimony and a filed copy of his passport found in Exhibit 1.

#### Credibility

- [21] Pursuant to paragraph 170(h) of the IRPA: Section 170, the Refugee Protection Division, "may receive and base a decision on evidence that is adduced in the proceedings and considered credible or trustworthy in the circumstances." The standard of proof for assessing that evidence is the balance of probabilities.
- [22] There is a presumption that a claimant's sworn evidence is considered credible and trustworthy, unless there is reason to doubt what the claimant is saying is true. However, this presumption does not apply to inferences or speculation for which there is no evidentiary basis.
- [23] In this case, I find that the presumption of truthfulness has not been rebutted. There were no relevant inconsistencies in the claimant's testimony or contradictions between his testimony and the other evidence which has not been satisfactorily explained.

#### **Sexual Identity**

- I found the claimant's testimony about his developing feelings for boys as an adolescent to be compelling. The claimant noticed that he did not have any feelings for girls at the time his peer group were all interested in girls He instead had crushes on boys. The claimant found his feelings very confusing. He also felt full of shame and he was afraid. The claimant felt scared that if he were to be involved with boys, he would be judged. At that time, he did not define himself as gay; he was just confused.
- [25] The claimant's confusion and shame were compounded by the Christian Church. In Church, the claimant was taught that homosexuals were the cause for Sodom and Gemorrah. Homosexuals were full of evil spirits. To the claimant this meant that he must be evil as well.

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- [26] The beginning of the claimant's understanding that he is gay took place after he began his relationship with XXXXXX, when the claimant was 16. In fact, this has been the claimant's sole relationship. The two men have been involved with each other since then. They communicate even now, almost daily by WhatsApp.
- [27] The claimant testified about his relationship with XXXXXX. He stated that they talk or video conference constantly. The two men talk about everything together, from their challenges to their loyalty to each other. The claimant stated that XXXXXX is his teacher, a very good companion, a caring person, erring on being too protective of the claimant. The claimant testified that he is planning to sponsor XXXXXXX as his partner if he is accepted as a refugee in this proceeding.
- [28] I asked the claimant to show a record of his WhatsApp messages from his partner at the hearing. The clamant was able to show the Panel and the Minister his entries, demonstrating WhatsApp calls over the last 2 days between the claimant and XXXXXX.
- [29] Finally, the claimant attended a Vancouver Gay Parade in 2019. He was interviewed by the CBC at the event. This was the first time the claimant came out as a gay male anywhere. The claimant stated that he is not afraid anymore to be gay publicly. The claimant testified that he was 'blown away' that he could publicly be out as a gay male; he stated that he cannot live like this in Nigeria.
- [30] I made a positive inference that the claimant's evidence is credible about his developing sexuality as a gay male, his testimony about his ongoing relationship with XXXXXX, and his publicly coming out at the Gay Pride Parade and on public radio.

## **Religious Life**

[31] The claimant explained that the Christian Church was detrimental to him as a child. The Church ranted on about homosexuality being sinful and a sinful choice that gay people chose. As an adult who has come to accept his own homosexuality, the claimant could see past this narrow prism of Church doctrine and reframe Church doctrine into his own understanding of who God is. From this vantage point, the claimant began to determine for himself what is and what is not sinful.

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- [32] First, the claimant's understanding of God is now his own understanding of God and not what he had learned from his church and family in Nigeria. The claimant expressed a very strong sense of believing in God. The God he believes in, is not a Judgmental God; the claimant does not feel judged by God for being gay. The God the claimant believes in, is a God of Love. A God of Love accepts all his children unconditionally, and this includes their varying sexual orientations and identities. As the claimant stated, "I am gay and I am proud of it."
- [33] With the claimant's change of religious perspective, the claimant was comfortable modeling at a transgender event held in the Philippines. He does not judge individuals for choosing to dress differently from their assigned gender at birth and further, to even change their sexual identity.
- [34] With a secure identity, the claimant testified that he sought out a Church community here in Canada. He needed to find community when he was new in Canada. He didn't think to look for a church that explicitly accepted SOGIE individuals, because he understood that in Canada, people are accepted for who they are. This understanding was confirmed for him, as the claimant's Canadian pastor never mentions that being gay is evil or sinful. The claimant has met other gay members at his church as well, all of which has made the claimant feel accepted as he is, at his Canadian church.
- [35] The SOGIE Guidelines reference at section 6, that decision makers must avoid stereotyping those with diverse SOGIE including stereotypes that "individuals with diverse SOGIE do not participate in cultural or religious customs or traditions."
- [36] I find with the use of the Guideline, that the claimant's credibility is not impugned by joining a mainstream church rather than choosing a church that explicitly accepts persons with diverse SOGIE.
- [37] I find the claimant's evolving relationship with God and the Church compelling. It demonstrates that the claimant's understanding of God and himself has changed as he has emerged as a gay male, comfortable in his own skin.

#### Other Relationships

- [38] The Minister asked the claimant questions about his posting on Facebook in Exhibit 7 which indicated that he was engaged to a woman. The claimant testified that there was so much pressure on him from his family to date and get married, that he made this post. The claimant stated that the woman is his cousin. He took these postings down after a week.
- [39] The claimant confirmed that the had 'cover girlfriends' in the past as well. According to the claimant, he has dated women who he has no romantic feelings for, to appease the pressure he was feeling from his family. He described a relationship with one cover girlfriend in Nigeria. The woman did not know he was gay, as he told no one he was gay in Nigeria. The woman was fine at first with no sex. As time went on, the woman wanted the relationship to change into a sexual relationship. When the claimant refused, the woman cut off the relationship.<sup>2</sup>
- [40] The SOGIE Guidelines acknowledge the challenges faced by individuals with diverse SOGIE in establishing their SOGIE in Part 3 of the Guideline. It states that many individuals with diverse SOGIE conceal their SOGIE out of mistrust or fear of non-state actors.
- [41] I find when I examine the claimant's explanations for posting the engagement Facebook message and for his having cover girlfriends, to be reasonable. The claimant felt that he was under enormous pressure from his family, that at times he had a cover girlfriend and even stated on Facebook that he was engaged.

## **Other Credibility Issues**

- [42] The claimant did contradict himself one time when he testified about having any relationships with men here. I had asked the claimant if he has been with any men besides XXXXXX. He said 'no' several times. He then changed his answer. When I put this contradiction to the claimant, the claimant explained that he heard the question to be, whether he had had any other relationships with men. The claimant explained that he has hung out with other gay men, but he has not had a relationship with any other person, other than XXXXXXX. He stated that he had been intimate with one man three or four times.
- [43] I find the claimant's explanation for the contradiction to be reasonable. Sexual encounters are not relationships. I find that the claimant could easily have heard that I had been asking about

whether he had had a relationship with any other man, when I had asked for whether he had been involved with other men. We all make these mistakes when people ask us questions. Moreover, with the amount of credible and trustworthy evidence, especially about the claimant's evolving understanding of his own sexuality and God, the claimant's error in hearing the question wrong does not detract from my assessment that the claimant is a credible witness.

- [44] The Minister in his submissions noted that the claimant's evidence was contradictory in terms of why his father stopped paying the claimant's tuition. In the claimant's BOC at paragraph 31, the claimant averred that his father stopped paying his tuition because he learned the claimant was gay. In the claimant's interview with CBSA,<sup>3</sup> the claimant stated that his father lost a government contract and that he didn't have the funds to pay the claimant's university tuition. In the claimant's testimony he stated that this father stopped paying his tuition for both reasons: the government did cancel a contract with the claimant's father and his father had no intention on paying for his son's schooling since he is a homosexual.
- [45] I do not find that the claimant's contradictory testimony diminishes my finding that the claimant is a homosexual. I find that this contradiction is not material. Even if the claimant made up this allegation to embellish his claim, it still does not detract from the essential analysis of this claim. The essential analysis is to determine the claimant's sexual orientation claim, and not the reasons why his father stopped paying for his tuition.
- [46] The Minister submitted that in the claimant's BOC, he portrayed his parents as being extremely angry at the claimant but in the testimony, the claimant stated that he speaks to his parents regularly, that they have sent him packages and money since he has arrived in Canada. The Minister had an opportunity to put this contradiction to the claimant, but he did not do so.
- [47] I cannot make a negative inference from these inconsistencies without providing the claimant with an opportunity to address the inconsistency. There may be a reasonable explanation to explain the inconsistency, such as that the claimant's relationship has developed with his parents since the claimant filed his BOC. The claimant testified at the hearing that his relationship with his parents is very important to him and he did not want to lose it. Thus, without more from the Minister, I cannot make a negative inference from this inconsistent evidence.

- [48] The Minister submitted that there is very little evidence of the claimant's boyfriend. He stated that that the claimant did not submit photos of his boyfriend and their text messages. The claimant who is in nearly daily contact with Saluadeen, also did not provide a statement about their relationship and Saluadeen was not requested to be a witness at the claimant's hearing.
- [49] I agree with the Minister, that it would have be preferrable had this evidence been presented in this case. It was for this reason, that after the hearing, I had at first contemplated reconvening the hearing to obtain just this type of evidence. In fact, I wrote to the parties and set up a date for further evidence and testimony about the claimant's relationship with XXXXXX. Upon further reflection, I realized that it was unnecessary to obtain this evidence, as the claimant had already established his case on a balance of probabilities, with his credible and trustworthy evidence. I thus informed the parties that I had decided not to seek out this evidence and I cancelled the resumption hearing.

#### **Corroborative Evidence**

- [50] I examined the claimant's corroborative evidence found in Exhibit 6. Rainbow Refugee Society confirmed that the claimant has consistently attended drop-in sessions at the Center and then during COVID has continued to participate in these sessions virtually. Rainbow Refugee confirmed that the claimant marched with them in the 2019 Vancouver Pride Parade.
- [51] Rainbow Refugee also confirmed that the claimant 'came out' to the world at large at the 2019 Pride Parade. He was interviewed on camera by CBC Vancouver. He expressed his pride in that interview, of being a gay male.<sup>4</sup>
- [52] When I examine the totality of the claimant's evidence, I find that the claimant's evidence is credible and trustworthy. For these reasons, I find that the presumption of truthfulness has been established in this case. I thus believe the claimant's allegations. I find that the claimant is a gay male on a balance of probabilities

#### Well-Founded Fear of Harm

[53] The claimant has a subjective fear of harm. The claimant has averred that he fears returning to Nigeria as a gay male. He also fears being arrested by the police, as they have continued to look for him.

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- [54] The objective evidence before me also supports the claimant's allegations. First, it is illegal to be a homosexual in Nigeria. The Same-Sex Marriage Prohibition Act (SSMPA) criminalizes same-sex conduct as well as the activities of any organizations engaged in LGBT issues. According to the SSMPA anyone convicted of entering into a same-sex marriage or civil union may be sentenced to up to 14 years of imprisonment. The evidence before me also states that arrests and detentions of LGBT persons are frequent and there are reports of human rights violations in detention.<sup>5</sup> In the northern Nigerian states, which have Sharia law, being a homosexual is punishable by death, whether by stoning or by the death penalty. The evidence indicates that some people in Nigeria have also been convicted of vagrancy and criminal conspiracy when the underlining reason is their homosexuality. <sup>6</sup>
- [55] Since the passage of the 2014 Federal marriage laws and newer state laws against sexual minorities, there have been more arrests, harassment and threats against sexual minorities based on their perceived sexual orientation or gender identity. These laws have become tools used by police and members of the public to legitimize human rights violations against sexual minorities, such as torture, sexual violence, arbitrary detention, extortion, and violations of due process rights.<sup>7</sup>
- [56] With respect to the treatment from society, sexual minorities are regularly harassed and threatened by both family and community members. Nigeria has been cited as one of the most homophobic countries in the world. Several credible sources report that although the laws against homosexuality are not regularly enforced, they do create a climate of intolerance amongst society. Sexual minorities are treated with disdain and disregard for their fundamental human rights. Sexual minorities face arbitrary arrests, blackmail, physical and psychological abuse by the police and kidnapping, extortion, harassment, sexual attacks, mob attacks, killings, subjection to conversion therapies, stigma, pressure to marry and involuntary outing by family and society members, and public shaming.<sup>8</sup>
- [57] Sexual minorities in Nigeria as well, are perceived to have had a choice with regards to their sexual orientation. And thus, by choosing to be a sexual minority, such persons in Nigeria are deemed to be choosing an unnatural, sinful life, and a life of abomination.<sup>9</sup>

- [58] Sexual minorities also face challenges in accessing employment and housing. Sexual minorities are often evicted from their homes without any justification or refund of monies paid, if their sexual orientation becomes known. Sexual minorities are fired from their jobs when they are exposed as gay. As well, sexual minorities face refusals in accessing health care.<sup>10</sup>
- [59] Families of sexual minorities often disown family members who identify as sexual minorities due to the shame that family members might face from society, their religious organizations, and friends. The claimant testified that his mother moved from her home due to the ostracization she felt as the mother of son, who was accused by the police of being gay.
- [60] Further there is hostility towards sexual minorities across different religious groups. Both Islamic and Christian clergy denounce sexual minorities and urge that they be ostracized and treated as pariahs. 11
- [61] Ritual cleansing practices, known as exorcism, is very common in Nigeria as a way to 'heal gay people' from 'the evil spirit which possesses the affected person". These practices which occur in places of worship include prayers, isolation in one's home, sacrifices carried out by a priest, severe punishment, beatings, being tied up, fasting, starvation, eating or drinking a concoction, walking naked throughout a public space, counselling, and forcing the sexual minority to denounce homosexuality.<sup>12</sup>
- [62] For all the above reasons concerning high risk of societal discrimination, violence, and state violence toward sexual minorities, sexual minorities commonly hide their sexuality and often face significant pressure to marry individuals of the opposite sex.<sup>13</sup> The claimant had cover girlfriends for this reason.
- [63] In this case, the state and community are aware that the claimant is gay. The police are looking for the claimant. People in the community know the claimant is gay. He has been in the press as an out gay male here in Canada. Under all these circumstances, at present, the claimant has a well-founded fear of harm.
- [64] I find that the claimant has a well-founded fear of harm in Nigeria.

## State Protection and Internal Flight Alternative

- [65] There is no adequate state protection and no internal flight alternative in Nigeria since homosexuality is outlawed in the entire country. There is no place that a sexual minority can live in Nigeria safely. The state acts on its laws against sexual minorities, arresting and convicting sexual minorities for being gay. <sup>14</sup> Police raid gatherings of sexual minorities and regularly arrest and extort persons suspected of being gay. <sup>15</sup>
- [66] When sexual minorities do try to report violence perpetrated against them, they cannot obtain protection from the police, as there is no legislation that protects the rights of sexual minorities. The police ridicule and extort and most often do not investigate the crimes committed against sexual minorities. For these same reasons, sexual minorities tend not to file reports with authorities out of fear of reprisals from the authorities themselves, including being exposed as a sexual minority or being arrested for being gay and being charged with Nigeria's sodomy laws. The police ridicular description of the police, as there is no legislation that protects the rights of sexual minorities.
- [67] The State is already searching for the claimant to arrest him. They continue to go to his house and ask his siblings when he will return to Nigeria. The police are looking for the claimant to arrest and prosecute him for being gay.

The presumption of state protection has been rebutted for all of Nigeria. There is no alternative flight alternative for sexual minorities in Nigeria as there is no place anywhere that the claimant can live safely as a gay male in Nigeria.

#### **CONCLUSION**

[68] Based on the foregoing analysis, I conclude that the claimant is a Convention refugee and I, therefore, accept his claim.

Michal Fox	
Michal Fox	
26 May 2021	

National Documentation Package, Nigeria, 9 April 2020, tab 6.2: Nigeria. State-Sponsored Homophobia 2019. International Lesbian, Gay, Bisexual, Trans and Intersex Association. Lucas Ramón Mendos. March 2019.

<sup>6</sup> National Documentation Package, Nigeria, 16 April 2021, tab 2.1: Nigeria. Country Reports on Human Rights Practices for 2019. United States. Department of State. 11 March 2020,

National Documentation Package, Nigeria, 16 April 2021, tab 6.2: Nigeria. State-Sponsored Homophobia 2019. International Lesbian, Gay, Bisexual, Trans and Intersex Association. Lucas Ramón Mendos, March 2019.

<sup>6</sup> National Documentation Package, Nigeria, 16 April 2021, tab 2.1: Nigeria. Country Reports on Human Rights Practices for 2019. United States. Department of State. 11 March 2020,

National Documentation Package, Nigeria, 16 April 2021, tab 6.2: Nigeria. State-Sponsored Homophobia 2019. International Lesbian, Gay, Bisexual, Trans and Intersex Association. Lucas Ramón Mendos. March 2019.

<sup>7</sup> National Documentation Package, Nigeria, 16 April 2021, tab 2.1: Nigeria. Country Reports on Human Rights Practices for 2019. United States. Department of State. 11 March 2020,

National Documentation Package, Nigeria, 16 April 2021, tab 2.8: Nigeria. World Report 2019: Events of 2018. Human Rights Watch, January 2019,

National Documentation Package, Nigeria, 16 April 2021, tab 6.2: Nigeria, State-Sponsored Homophobia 2019. International Lesbian, Gay, Bisexual, Trans and Intersex Association. Lucas Ramón Mendos. March 2019.

<sup>8</sup> National Documentation Package, Nigeria, 16 April 2021, tab 6.1: Treatment of sexual minorities, including legislation, state protection, and support services; the safety of sexual minorities living in Lagos and Abuja (February 2012-October 2015). Immigration and Refugee Board of Canada. 13 November 2015. NGA105321.E.,

National Documentation Package, Nigeria, 16 April 2021, tab 6.11: The Situation of Sexual and Gender Minorities in Nigeria (2014-2018). Immigration and Refugee Board of Canada. February 2019.

<sup>9</sup> National Documentation Package, Nigeria, 16 April 2021, tab 6.7: Information on how bisexuality is understood and perceived in Nigeria; whether bisexuality is distinguished from both male and female homosexuality (2014-June 2015). Immigration and Refugee Board of Canada, 9 September 2015, NGA105219.E.

<sup>10</sup> National Documentation Package, Nigeria, 16 April 2021, tab 6.11: The Situation of Sexual and Gender Minorities in Nigeria (2014-2018). Immigration and Refugee Board of Canada. February 2019.

<sup>11</sup> National Documentation Package, Nigeria, 16 April 2021, tab 6.11: The Situation of Sexual and Gender Minorities in Nigeria (2014-2018). Immigration and Refugee Board of Canada. February 2019.

<sup>12</sup> National Documentation Package, Nigeria, 16 April 2021, tab 6.11: The Situation of Sexual and Gender Minorities in Nigeria (2014-2018). Immigration and Refugee Board of Canada. February 2019.

<sup>13</sup> National Documentation Package, Nigeria, 16 April 2021, tab 6.12: Country Policy and Information Note. Nigeria: Sexual orientation and gender identity or expression. Version 2.0. United Kingdom. Home Office. April 2019.

<sup>14</sup> National Documentation Package, Nigeria, 16 April 2021, tab 6.7: Information on how bisexuality is understood and perceived in Nigeria; whether bisexuality is distinguished from both male and female homosexuality (2014-June 2015). Immigration and Refugee Board of Canada. 9 September 2015. NGA 105219.E.

<sup>15</sup> National Documentation Package, Nigeria, 16 April 2021, tab 6.11: The Situation of Sexual and Gender Minorities in Nigeria (2014-2018). Immigration and Refugee Board of Canada. February 2019.

<sup>16</sup> National Documentation Package, Nigeria, 16 April 2021, tab 6.11: The Situation of Sexual and Gender Minorities in Nigeria (2014-2018). Immigration and Refugee Board of Canada. February 2019.

<sup>17</sup> National Documentation Package, Nigeria, 16 April 2021, tab 6.11: The Situation of Sexual and Gender Minorities in Nigeria (2014-2018). Immigration and Refugee Board of Canada. February 2019.

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<sup>&</sup>lt;sup>1</sup> Exhibit 6 at p.21-22.

<sup>&</sup>lt;sup>2</sup> Exhibit 7 photos of claimant in cover relationship.

<sup>&</sup>lt;sup>3</sup> Exhibit 5 at p. 38.

<sup>&</sup>lt;sup>4</sup> Exhibit 6 at pages 23-26,32-35.

<sup>&</sup>lt;sup>5</sup> Exhibit 3, National Documentation Package, Nigeria, 16 April 2021, tab 2.1: Nigeria. Country Reports on Human Rights Practices for 2019. United States. Department of State. 11 March 2020,