



# UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

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**Annual Report of the**  
**United States Commission on International Religious Freedom**  
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Front Cover: KHUSHPUR, Pakistan, March 4, 2011 – Pakistanis carry the coffin of Shahbaz Bhatti, Pakistan's slain minister of minorities, who was assassinated March 2 by the Pakistani Taliban for campaigning against the country's blasphemy laws. Bhatti, 42, a close friend of USCIRF, warned in a Washington visit just one month before his death that he had received numerous death threats. More than 15,000 persons attended his funeral. (Photo by Aamir Qureshi/AFP/Getty Images)

Back Cover: JUBA, Sudan, January 9, 2011 – Southern Sudanese line up at dawn in the first hours of the week-long independence referendum to create the world's newest state. The referendum vote was the final milestone in the implementation of the 2005 Comprehensive Peace Agreement, which ended more than 20 years of north-south civil war in Sudan. (Photo by Roberto Schmidt/AFP/Getty Images)

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The 2011 Annual Report is dedicated to the memory of Shahbaz Bhatti, the Pakistani Federal Minister for Minorities Affairs. Shahbaz was a courageous advocate for the religious freedoms of all Pakistanis, and he was assassinated on March 2 by the Pakistani Taliban for those efforts.

## Nigeria

**FINDINGS:** The government of Nigeria continues tolerating systematic, ongoing, and egregious violations of religious freedom by failing to respond adequately and effectively to prevent and contain acts of religiously-related violence, prevent reprisal attacks, and bring those responsible for such violence to justice. Since 1999, 13,000 Nigerians, if not more, have been killed in religiously-related violence between Muslims and Christians. Years of inaction by Nigeria's federal and state governments have created a climate of impunity, resulting in thousands of deaths. Other religious freedom concerns in Nigeria include the expansion of sharia (Islamic law) into the criminal codes of several northern Nigerian states and discrimination against minority communities of Christians and Muslims.

Based on these concerns, USCIRF again recommends in 2011 that Nigeria be designated as a "country of particular concern," or CPC. USCIRF has recommended CPC status for Nigeria since 2009. Before that, Nigeria had been on USCIRF's Watch List since 2002.

During the reporting period, violence and tension increased particularly in the Middle Belt states and in and around Plateau State's capital city, Jos. Although religion is a significant catalyst in the violence, the violence is not purely religious in nature. Other factors play a role in the violence, including the status and rights accorded with "indigeneship," which bestows certain political, economic or other benefits for persons whose ethnic group is considered native to a particular area in Nigeria. This is particularly true for the situation in Plateau State. In late 2010, for the first time in years, five persons were convicted on federal terrorism charges for their role in March 2010 violence in Jos. These convictions are an important initial step, but are not enough to end the culture of impunity. Government at all levels must do more to prevent incidents, prosecute perpetrators, and protect all Nigerians from religiously-related violence.

**PRIORITY RECOMMENDATIONS:** Nigeria is a critically important state; it is the most populous country in Africa, a regional leader, a major oil exporter, and a contributor to international peacekeeping operations. Elections scheduled in April 2011 for the presidency and the Nigerian National Assembly and local state assemblies could test Nigeria's young democracy and cause further strain in Christian/Muslim relations. Religion and religious identity are intertwined in ethnic, political, economic and social controversies, and can be misused by politicians, religious leaders, or others to rouse their constituencies for political gain. This, combined with the Nigerian government's toleration of criminal acts, has created a permissive environment for continued religiously-related violence, leading to a culture of impunity that must be broken by the top levels of the Nigerian state and federal government. USCIRF has concluded that Nigeria could muster the resources to address all inter-communal violence, including religiously-related violence, and that such action is necessary for the country to realize lasting progress, security, stability, and prosperity as a democracy. The United States should urge Nigeria to bring perpetrators of religiously-related violence to justice and to resolve jurisdictional disputes between federal and state officials that thwart prosecutions, and also should ensure that these issues are an essential part of bilateral relations, including as a component of the U.S.- Nigeria Bi-National Commission. USCIRF also calls on the Nigerian government to eliminate "indigene" status through either constitutional reform or judicial review. Additional recommendations for U.S. policy toward Nigeria can be found at the end of this chapter.

## **Religious Freedom Conditions**

### *USCIRF 2010 and 2011 Trips*

USCIRF delegations traveled to Nigeria in March 2010 and January 2011 to learn more about sectarian violence and its impact on religious freedom in Nigeria. During these trips, Commissioners engaged high-level federal and state officials on the government's failure to prevent sectarian violence and punish perpetrators, and discussed USCIRF's recommendation that Nigeria be designated a CPC. USCIRF delegations met several cabinet ministers whose agencies have jurisdiction in these matters, as well as Nigerian senators and Assembly representatives, who exercise oversight of these agencies. USCIRF also met with a range of religious and civil leaders.

### *Recurrent Sectarian Violence*

Since 1998, religiously-related and inter-communal violence in Nigeria has resulted in more than 13,000 people killed and thousands displaced, with numerous churches, mosques, businesses, vehicles, private homes and other structures burned and destroyed. To date, almost no one has been prosecuted for their role in perpetrating violence. The most severe incidents have occurred in the Middle Belt region including Jos, Plateau State (September 2001, November 2008, January 2010, March 2010, December 2010, and January-April 2011); Bauchi State (January 2011); Kaduna State (February and May 2000 and November 2002); Kano State and Yelwa, Plateau State (February-May 2004); and northern and southeastern Nigeria (February 2006).

During its January 2011 visit to Nigeria, USCIRF noted an escalation in anxiety, frustration, and concern among religious leaders, particularly pertaining to the ongoing crisis in Plateau State. USCIRF also noted that religious leaders were using more heated public rhetoric, which could lead to an escalation of violence and a more divided, sectarian Nigeria. While religion at present is one dimension of the problem in Plateau and elsewhere, continued misuse of religion as a tool to foster political, economic, or ethnic discord could increase sectarian hostility to the point where religion becomes central.

### *Violence in Jos*

During the reporting period, violence related to religion and tension between Christians and Muslims increased, particularly in the Middle Belt states and in and around Plateau State's capital city Jos. The violence in and around Jos, as throughout the rest of Nigeria, is not purely religious in nature. Religion and religious identity are intertwined in ethnic, political, economic and social controversies, and can be misused by politicians, religious leaders, or others to rouse their constituencies for political gain or other purposes. Yet, because of years of recurring sectarian violence, Jos is becoming segregated along religious lines.

On Christmas Eve 2010, seven to nine bombs exploded in a Jos market square, killing at least 30 persons, and injuring more than 70 others. The radical Islamist sect Boko Haram reportedly took credit for the bombing, but some experts have been reluctant to attribute the attack to this group. Tension between the Muslim and Christian communities in Jos and in Plateau State was already high due to recurrent violence in the city and state over the past year. Numerous random acts of violence, committed by Christians and Muslims, followed the bombing attack, resulting in widespread death, injuries, and destruction. In January 2011, 40 Igbo tribe members were dragged from a bus and murdered when the bus entered a predominantly Muslim section of Jos. The Igbo, one of Nigeria's largest tribes, are predominantly Christian, but previous religiously-related violence in Jos had not included them. This expansion risks

widening the conflict beyond the Middle Belt region and could cause the Christian community in Igbo-dominated areas to be more aggressive and mobilized along religious lines.

In the aftermath of the Christmas bombings, the Nigerian army and a joint task force comprised of military and police patrolled the streets, set-up roadblocks, established a nightly curfew, and restored a semblance of order. Yet episodes of violence, such as the Igbo killings, still occurred and tensions remain high.

Reports of low-level reprisal attacks occurring against both communities happened with regularity in the aftermath of the Christmas Eve bombings. Such acts could be as simple as an argument between two people of different faiths escalating into a fight, which then sets off further violence resulting in property destruction, personal injuries, and/or deaths. Other low-level attacks could be acts of opportunity where a person was killed because he wandered into the wrong part of town and was identified as not belonging to the predominant faith community.

Numerous attacks also reportedly were perpetrated by Muslim Fulanis on Christian Berom villages located on the outskirts of Jos and elsewhere in Plateau State. A Nigerian non-governmental organization (NGO), the Stefanos Foundation, lists several incidents that occurred in the reporting period where armed Muslim Fulani men attacked villages in the middle of the night, killing men, women and children. The worst attack reportedly happened on October 26, 2010 in Rawuyenku village near the town of Miango, where approximately 28 people were killed, mostly women and children. Violence between these communities had been on the rise, particularly after a January 2010 attack by Berom against Fulanis in which as many as 300 were killed, and March 2010 retaliation attacks by Fulani that killed upwards of 500, mostly Christian Berom.

The State Department and a Nigerian NGO, Justice for Jos, reported that on April 20, 2010 Christian Berom youth barricaded the road in Riyom Local Government Authority, stopped vehicles, and killed seven persons after interrogating passengers to ascertain their religious affiliation and ethnic identity. Justice for Jos also reported a similar attack in January 2011. The State Department also reported that on April 15, 2010, "Pastoral Resolve, a group representing Fulani nomads in West Africa, alleged that men from Plateau State armed with guns and axes attacked pastoralist homes in Kaduna State, killing six persons and stealing thousands of head of livestock." Also according to the State Department, on May 22, 2010, Christian Berom youth allegedly attacked Tusung village, 24 miles south of Jos, killing three. Police reportedly arrested 15 suspects.

### *"Indigenes" versus "Settlers"*

One aspect of the intertwined nature of the conflict in Jos stems from the legal distinction between "indigenes" and "settlers" in Nigeria. The 1999 constitution identified the status of indigenship in Article 147 to keep balance between different ethnic groups in government positions. Indigenes are persons whose ethnic group is considered native to a particular area, while settlers are those who have ethnic roots in another part of the country, even though they may have lived in the area for generations. Indigenes often receive privileges, such as political positions, access to government employment, and lower school fees. State and local governments issue certifications granting indigeneship, which bestow many benefits. In and around Jos, people of Hausa tribal origin, who are predominately Muslim, are mostly accorded settler status, and therefore denied the Plateau State benefits for indigenes. The people in Jos with indigene status are from the Berom tribe, who are predominantly Christians or African traditionalists. Many Hausas living in and around Jos have lived there for years, and the Hausa community has been vocal and active in seeking political, social and economic benefits usually accorded to indigenes.

In October 2010, 20 Nigerian citizens and a non-governmental organization, led by one of Nigeria's leading human rights lawyers, Festus Okoye, and two other prominent lawyers, challenged the constitutionality of the indigene and settler identification before Kaduna federal court. This case is reportedly still pending.

### *Nigerian Government Response*

The Nigerian government says that it has made numerous new arrests in this reporting period, particularly for the violence in and around the city of Jos. The Federal Minister of Justice told a visiting USCIRF delegation in January 2011 that the Federal Government had successfully prosecuted and convicted, on terrorism charges, five persons out of the more than 160 who were arrested for their role in the March 2010 violence and that 15 cases were dismissed due to faulty investigations. These five convictions are apparently the first convictions for inter-communal or religiously-related violence in years. While these successful prosecutions are positive, the number convicted is small and the cases have not been publicized in a way that provides transparency, a sense of repose, and disincentives for future misconduct.

The Minister of Justice also told USCIRF that he thought there had been more prosecutions, and said that his Director of Public Prosecutions would provide USCIRF with statistics of prosecutions and convictions that have occurred this year. Unfortunately, by the end of the reporting period the Ministry of Justice had not provided this information to either the U.S. Embassy in Abuja or to USCIRF, despite repeated requests.

One challenge to effective prosecutions is ongoing federal-state jurisdictional disputes. The Plateau State Attorney General told USCIRF that he would prefer to prosecute appropriate defendants for murder and that, according to the Nigerian constitution, capital crimes are to be prosecuted by the states. However, according to the Plateau State Attorney General, it is difficult for him to pursue such prosecutions because the investigations are conducted by Nigeria's police force, a federal entity, which also detains the suspects and retains all case files.

Jurisdictional disputes aside, prosecuting perpetrators of sectarian violence is a matter of political will. In light of the scale of the violence that occurred in recent years, five convictions are insufficient to stop the cycle of impunity. Many more prosecutions need to occur, so that all parties involved in religiously-related or inter-communal violence understand that they will not be allowed to walk free and commit similar crimes again. Many religious and civil society leaders USCIRF met in January 2011 commented that there cannot be religious harmony without a sense of justice, and there is no such justice in a climate of impunity.

### *Other Incidents of Sectarian Violence*

There were other violent clashes between Christians and Muslims in Nigeria during this reporting period, predominantly in the northern states, including apparent Boko Haram attacks against Christians.

On April 12, 2010 a Church in Christ in Nigeria pastor and his wife were killed by Muslims in Bauchi State after his church in Jos had been burned, allegedly by Muslim refugees from Jos a few days after Christians displaced by the January violence had taken refuge in it. On May 19, 2010, Muslim Fulani youth in Kwasam, Kiru, Kano State, allegedly burned a Baptist church and the pastor's home.

In September 2010, a prison break in Bauchi state resulted in 700 prisoners escaping from captivity, of which at least 100 were Boko Haram members. Purported Boko Haram members immediately began assaulting police units, killing several people, and reportedly murdered at least two Muslim religious

leaders who challenged the group's doctrine and activity. In October 2010, Imam Bashir Kashara was murdered in Maiduguri, Borno State. Imam Kashara had reportedly criticized the Boko Haram's doctrine on his weekly radio program. In March 2011, Imam Ibrahim Ahmed Abdullahi, a reported advocate of non-violence and critic of sectarianism, was shot at least five times at his home in Maiduguri, Borno State.

In a new development, attacks attributed to the Boko Haram targeted the Christian community, including one where a policeman was killed while guarding a church, as well as attacks on several churches that occurred on Christmas Eve, the same day the Jos market was bombed. These attacks occurred in Maiduguri, Borno State and at least six people were killed and 25 injured.

Concerning Shi'a Muslims, according to the State Department's 2010 *Annual Report on International Religious Freedom*, Shi'a Muslims' homes and business were destroyed with little to no response from state officials, and Shi'a were fired from jobs on account of their faith. The State Department report also notes that, "[i]n 2007 state officials and police in Sokoto State allegedly began a coordinated campaign of repression of Shi'a Muslims, including the detention of large numbers of Shi'a and their religious leaders. The action revolved around the 2007-08 gubernatorial elections and continued to affect these communities at the end of the reporting period."

### *The Sharia Controversy*

Since October 1999, 12 northern Nigerian states have established, or announced plans to establish, sharia law in their criminal code. No new sharia laws were established during the reporting period. Each of the 12 states are working to extend the jurisdiction of sharia courts beyond personal status matters to include sharia crimes and punishments for Muslims alone. Punishments include amputation, flogging, or death by stoning. Trials in the sharia courts often fall short of basic international legal standards, and defendants have limited rights of appeal and sometimes have no opportunity to seek legal representation. Women face discrimination under these provisions, especially in adultery cases where pregnancy alone has been used as adequate evidence of guilt. Allegations of rape and sexual violence rarely are investigated.

In addition, some states in recent years have instituted discriminatory practices based on religious precepts or tolerated the societal application of such practices. These include banning the sale and consumption of alcohol and disadvantaging women in education, health care, and public transportation. These practices affect Muslims and non-Muslims alike. The *Hisbah*, or religious police, funded and supported by state governments in Bauchi, Zamfara, Niger, Kaduna, and Kano, enforce sharia statutes in their respective states. In some areas, the *Hisbah* primarily worked as traffic wardens and marketplace regulators, but the Kano *Hisbah* have focused on enforcing prohibitions against alcohol and prostitution. It is not uncommon for a truck transporting beer to be pulled over by the Kano *Hisbah* and for its contents to be confiscated, even if the truck was on a federal highway.

A debate has arisen in recent years over whether sharia punishments, such as death by stoning and amputation, constitute torture or inhumane or degrading treatment under international law or the Nigerian Constitution. The UN Committee against Torture and the UN Special Rapporteur on Torture have stated that flogging, stoning, and amputation do breach the prohibition against inhuman or degrading treatment contained in international human rights standards and treaties. On this issue, the UN Special Rapporteur stated that the Nigerian government should ensure that practices and codes of all states are in compliance with international human rights conventions, and that it should conduct an "assessment of all the laws in force and analyze their compatibility with international human rights law." The government has not yet done so. However, in recent years a number of stoning cases have been reversed on appeal in Nigerian courts, and there have been no floggings or amputations carried out during the reporting period.

### *Discrimination*

Christians in northern Nigerian states complain of what they view as discrimination at the hands of Muslim-controlled state governments and describe members of their communities as being treated as “second-class citizens.” Most complaints predate the sharia initiatives discussed above, and include allegations of official discrimination through the denial of applications to build or repair places of worship, lack of access to education, failure to make provisions for the teaching of the Christian religion in public schools, failure to allow for Christian religious programs in state-run media, and lack of representation in government bodies and government employment. Discrimination along these lines reportedly occurs to both indigenes of the state who have embraced the Christian faith and settlers or those who do not originate from the state.

Reports indicate that in certain northern states, it is very difficult to obtain permits to repair or build a non-Muslim place of worship, that some Christian churches have been torn down because they lacked appropriate government permits, and that specific zoning laws are invoked to justify action or inaction by state authorities. According to one Christian leader, “Applications are either denied or left unattended to for decades. When Christians try to get around their predicament by buying land from others to build a church, permission to build is often not forthcoming. Where they build without permit, the structure is liable for demolition at any time.” According to a Christian official, in some places in the north, “churches are considered as undesirable as brothels and drinking houses” as some state governments have officially recorded that some land shall be allocated “on the condition that it shall not be used for ‘drinking house, brothel, or church.’” Although the Nigerian constitution permits proselytizing, several northern states continue to ban some public religious activities under the guise of maintaining public safety and security.

Muslim communities in southeastern Nigeria echo some of the complaints of minority Christian communities in northern Nigeria. Southern Muslim leaders report official or officially sanctioned discrimination in the media, education, and representation in government institutions.

### *Extremism*

Several observers have reported that financial support from Libya, Saudi Arabia, and Sudan has been used to build mosques and Islamic religious schools in northern Nigeria. Some have suggested that the extreme interpretation of Islam being preached in these mosques and religious schools is a nontraditional form of Islam in Nigeria. Also, there are reports that an increasing number of Nigerian Islamic scholars and clerics are being trained in Saudi Arabia or Pakistan, and return with a politico-religious ideology that explicitly promotes hatred of, and violence against, non-Muslims.

There also continue to be reports of foreign sources of funding and support for Islamist extremist activities in northern Nigeria. Given Nigeria’s recent experience with Boko Haram, Nigerian authorities have not paid adequate attention to the small but vocal Muslim groups in northern Nigeria that advocate strict application of sharia and which, some argue, are helping create a haven for radical Islamist militants from both inside and outside Nigeria. In addition, after Boko Haram’s recent large-scale violence against the Nigerian government, observers noted that Nigerian authorities need to place a high priority on preventing the possible alignment of these groups with international terrorist groups.

### *Interfaith Efforts*

Over the past year, some state governors, including those from northern states, actively encouraged interfaith and inter-communal discussions in an attempt to prevent further violence and tension along

religious lines. Implementation of such activities is limited and varies from state to state. However, efforts to bring the Muslim and Christian communities together could improve interfaith relations and decrease future incidents of sectarian violence.

In recent years, the Nigerian Inter-Religious Council (NIREC) – composed of 25 Muslim and 25 Christian leaders and formerly co-chaired by the Catholic Archbishop of Abuja and former President of the Christian Association of Nigeria, Archbishop John Onaiyekan, and the President of the Supreme Council for Islamic Affairs, the Sultan of Sokoto Muhammad Sa’ad Abubakar – has been a valuable forum that attempted to reduce inter-religious tension and promote inter-religious cooperation. Under the leadership of Archbishop Onaiyekan and the Sultan of Sokoto, NIREC was active and visible around the country. In July 2010, Reverend Ayo Oritsejafor was elected as the new president of the Christian Association of Nigeria, and he subsequently replaced Archbishop Onaiyekan as the co-chair of NIREC. As NIREC moves forward, USCIRF encourages it to continue its strong work in bringing the two religious communities together and in being a good model of interfaith relations in Nigeria.

### **U.S. Policy**

The United States and Nigeria have a strong relationship. The most populous country in Africa, and with a population evenly split between Christians and Muslims, Nigeria is important to U.S. foreign policy for a number of reasons. Despite having had its first transition of power since independence from one civilian government to another in 2003, democratic institutions remain underdeveloped. A large Nigerian diaspora community resides in the United States and significant trade relations exist between the two countries. The United States is Nigeria’s largest trading partner and Nigeria is, by some estimates, the fourth largest supplier of imported oil to the United States. Nigeria’s contribution to international peacekeeping missions has supported stability and peace in Africa and has generally been in concert with U.S. interests in promoting peace and stability on the continent.

In April 2010, the two countries established a U.S.-Nigeria Bi-National Commission. Its purpose, in the words of Secretary of State Hillary Rodham Clinton, is to help the two countries “work together on issues of common concern and shared responsibility” and to “support the aspirations of the Nigerian people for a peaceful, prosperous, stable, democratic future.” The Bi-National Commission will have four working groups on: 1) good governance and transparency, focusing on the upcoming April 2011 elections, corruption, and strengthening Nigeria’s democratic institutions and civil society; 2) regional cooperation and collaboration on security, terrorism, and the Niger Delta; 3) energy reform and investment; and 4) food security and agricultural development.

USCIRF notes that the issue of recurrent sectarian violence and the culture of impunity surrounding the failure to prosecute perpetrators is still not specifically addressed in any of the four working groups. Reportedly, the issue has also not been discussed in the good governance or security groups. This absence is problematic, given the deep dimensions to Nigeria’s religious, social, and political framework and the major elections scheduled in April 2011 for the presidency and the Nigerian National Assembly and local state assemblies.

The administration requested over \$600 million in foreign assistance to Nigeria for Fiscal Year 2011. By far the largest component of U.S. assistance is the Global HIV/AIDS Initiative, but U.S. assistance also has focused on democratic governance, professionalization of the security services, economic and agricultural support and assistance, and improving health and education services. Nigeria is a participant in the Trans-Sahara Counterterrorism Partnership, a regional U.S. security partnership, and also receives other security assistance through Department of Defense funds.

With national elections occurring in April 2011, election assistance and related programming was a priority for U.S. assistance in Fiscal Year 2010. According to the Department of State's 2010 *Advancing Freedom and Democracy Report*, the U.S. human rights and democracy strategy in the country seeks to strengthen democracy and governance by encouraging free and fair elections, reducing corruption, and supporting the strengthening of the National Assembly. The United States also seeks to ensure that marginalized groups, such as women, can effectively participate in the political system. Additionally, the United States advocates for strengthening of the country's law enforcement system so as to reduce the Nigeria's involvement in transnational crimes such as human trafficking, drug trade, money laundering, fraud and piracy. The United States plans to fund and support programs such as the Pilot Engagement with States program and the Jos Task Force, and will help engage civil society in politics through outreach programs, speakers, scholarships and other events.

The United States runs training programs for law enforcement officers, journalists and civil society groups, and distributes information on specific issues such as workers rights, religious and ethnic tolerance, anti-trafficking, and anti-child labor. Furthermore, the U.S. government is involved at the state level, working with ethnic and religious groups to mitigate conflict and providing programs aimed at promoting tolerance and strengthening the community.

USCIRF is encouraged that some of its long-standing recommendations regarding Nigeria are being implemented, such as a revamped conflict and mitigation program that will engage religious leaders and utilize existing social, religious, and civil institutions to better address and prevent communal conflict. The new TOLERANCE project being funded by USAID and being awarded to the Interfaith Mediation Center based out of Kaduna, Nigeria is a \$4.5 million project that is to provide conflict mitigation and management assistance in northern and Middle Belt states in Nigeria and will be carried out over a five-year period. USAID noted USCIRF's long-standing recommendations on this issue and incorporated them into the design plan for the program.

USCIRF is also encouraged by continued plans to establish a consulate or other official presence in the city of Kano, Kano State.

## **Recommendations**

The Nigerian government's toleration of criminal acts has created a permissive environment for continued sectarian violence, leading to a culture of impunity which must be broken by the top levels of the Nigerian state and federal government. USCIRF has concluded that Nigeria could, if it wished, muster the resources to address religiously related violence, and it must do so for the country to realize lasting progress, security, stability, and prosperity as a democracy. For these reasons, USCIRF recommends that Nigeria be named as a country of particular concern for tolerating particularly severe violations of religious freedom and that the United States press Nigeria to bring perpetrators of religiously related violence to justice.

### **I. CPC Designation and Next Steps**

In addition to designating Nigeria as a CPC, the U.S. government should:

- enter into a binding agreement with the Nigerian government, as defined in section 405(c) of the International Religious Freedom Act, that obligates the government to cease or take substantial steps to address policies leading to violations of religious freedom, or take an appropriate commensurate action;

- ensure that the following benchmarks are part of any such binding agreement with the Nigerian government, including, but not limited to:
  - vigorously investigating and prosecuting perpetrators of all sectarian and communal violence, including the January through April 2011 incidents in Jos and the Middle Belt, as well as other instances during the current and preceding reporting periods where communal and sectarian violence has taken place;
  - resolving jurisdictional disputes that prevent state and federal prosecutors from conducting timely and effective investigations and prosecutions;
  - developing effective conflict prevention and early warning system mechanisms at the local, state, and federal levels using practical and implementable criteria;
  - developing the capability to rapidly deploy specialized police and army units to prevent and combat sectarian violence in cities around the country where there has been a history of sectarian violence in central and northern Nigeria, including Jos, Kaduna, Kano, and Bauchi states, among others;
  - taking steps to professionalize its police and military forces in its investigative, community policing, crowd control, and conflict prevention capacities; and
  - conducting specialized training for its military and security forces to be more adequately trained in human rights standards, as well as in non-lethal responses to crowd control and in quelling mob or communal violence;
- call upon the Nigerian government to eliminate “indigene” status either through constitutional reform or judicial review;
- include as a priority the issue of Nigeria’s recurrent sectarian violence and failure to prosecute perpetrators in the discussions of the working groups of good governance and security of the U.S.-Nigeria Bi-National Commission;
- support interfaith efforts that urge religious and political leaders, both Muslim and Christian, to stop using religion to incite or mobilize constituencies;
- urge the Nigerian government to carry out its responsibility to prevent and contain acts of inter-communal and religiously-related violence, prevent reprisal attacks, and bring those responsible for such violence to justice;
- call on the Nigerian government to consider the establishment of a peace and reconciliation commission for the situation in Jos and Plateau State, while continuing to investigate and prosecute acts of inter-communal or religiously- related violence;
- urge the Nigerian House of Representatives and Senate to conduct more rigorous oversight of executive branch agencies, including the Ministry of Justice, that are responsible for preventing sectarian violence, prosecuting perpetrators of sectarian violence, and responding to the various crises;
- urge the UN Special Adviser for the Prevention of Genocide, Francis Deng, whom UN Secretary General Ban Ki Moon tasked with examining the March 2010 violence in and around Jos, to visit

Nigeria and take steps to ensure this violence is adequately addressed by Nigeria's judicial system; and

- call on the UN Human Rights Council to monitor carefully and demand Nigeria's compliance with the recommendations of the representatives of those UN special procedures that have already visited Nigeria, particularly the UN Special Rapporteur on Freedom of Religion or Belief (2005) and the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions (2005).

## **II. Expanding U.S. Support for Communal Conflict Prevention and Mitigation**

The U.S. government should ensure sufficient funding for technical and programmatic assistance, while insisting that such assistance is consistent with all U.S. laws restricting foreign support and is otherwise not provided to individuals or units whom the Secretary of State deems to have engaged in serious violations of human rights or religious freedom, by:

- increasing funding, training, and assistance to the Nigerian federal police force through the U.S. Department of State's Bureau of International Narcotics and Law Enforcement Affairs to:
  - expand specialized training for Nigerian military and federal and state police forces so that they are more adequately trained in non-lethal responses to crowd control and in quelling sectarian violence;
  - increase their investigative, community policing, crowd control, and conflict prevention capacities by providing on-the-ground technical advisors; and
  - provide technical assistance to help the Nigerian police and military procure and operate communications equipment to improve emergency response mechanisms and coordination capacity;
- providing technical assistance and engaging with federal and state government officials, including the National Assembly, on whether state governments should be allowed to have state level police forces, instead of the current system of having only a national federal police force;
- offering technical assistance to the office of the Federal Attorney General and Minister of Justice, and to the state attorneys general, to increase their capacity to prosecute perpetrators of sectarian violence, including training and retraining state and police prosecutors and assisting in the development of computer/electronic file and case storage;
- analyzing and reporting to Congress on ways that U.S. assistance can be better utilized to promote reconciliation and prevent sectarian violence in Nigeria;
- engaging existing interfaith efforts through social institutions, including indigenous religious bodies, and strengthening civil society organizations that have special expertise and a demonstrated commitment in the areas of inter-religious and inter-ethnic reconciliation and conflict prevention, to promote a peaceful civil society;
- supporting the expansion of NIREC, which was formed to promote dialogue between Christians and Muslims, and replicate NIREC at the regional, state, and local levels by providing technical advisors to help the institution better initiate and implement NIREC at all levels;

- fully funding USAID for conflict mitigation work with Nigerian NGOs engaging on communal conflict prevention, emphasizing capacity-building at the local level, and to evaluate the new TOLERANCE project being funded by USAID after one year of implementing the program;
- assisting human rights defenders, including legal aid groups that defend the constitutional and internationally recognized rights of individuals, especially women, who are impacted by sharia-based criminal codes;
- assisting human rights defenders responding to credible allegations of religious discrimination in any part of Nigeria; and
- creating programs and institutions, particularly in areas where communal violence has occurred, that promote objective, unbiased, and non-inflammatory reporting, consistent with the right to freedom of expression.

### **III. Urging the Nigerian Government to Oppose Religious Extremism**

The U.S. government should urge the government of Nigeria to:

- enhance the use of legal and law enforcement mechanisms and intelligence capabilities to prevent the formation of religiously based violent groups;
- ensure that sharia codes, as applied, uphold the principle of equality under the law between men and women and between Muslims and non-Muslims, and do not result in violations of international human rights standards with regard to freedom of religion or belief, due process of law, equal treatment before the law, freedom of expression, and discriminatory practices against women;
- ensure that sharia criminal codes do not apply to non-Muslims or to individual Muslims who do not wish to go before sharia courts, and prevent law enforcement activities in northern states by any quasi-official or private corps of sharia enforcers; and
- cease any official state-level support for the *Hisbah*, or religious police, by dissolving the *Hisbah* and entrusting law enforcement to professionals in law enforcement agencies with a precise jurisdiction and subject to judicial review.

### **IV. Expanding U.S. Presence and Outreach Efforts, Primarily in Northern Nigeria**

The U.S. government should:

- continue to proceed with plans to open a consulate or other official presence in Kano, and Congress should fully fund this effort in the current appropriations cycle;
- provide Embassy and Consulate staff with appropriate local language skills, and require political and public affairs officers to regularly travel throughout Nigeria;
- increase the capacity of the Hausa Service of the Voice of America to report fair and balanced views on communal conflict and human rights issues;

- sponsor several exchange programs each year on the topics of freedom of religion or belief, religious tolerance, and Islamic law and human rights that target religious leaders, human rights advocates, government officials, and northern Nigerians;
- continue to support and adequately fund the Trans-Sahara Counterterrorism Initiative, a regional U.S. security partnership, succeeding the previous Pan-Sahel Initiative and comprised of African and Maghreb countries, including Nigeria, which helps to identify, publicize, and counter foreign sources of terrorism and religious extremism; and
- increase the Embassy's profile and understanding by dedicating one foreign service officer to coordinate outreach and relationships with, and conduct analysis of, Nigeria's diverse religious communities.