

Nigeria

FINDINGS: The past year saw a dramatic rise in sectarian or religiously-related violence in Nigeria, confirming USCIRF's warnings in our 2011 Annual Report. Over 800 people were killed, and more than 65,000 displaced, in three days of rioting in northern states following the presidential 2011 elections. Although triggered by political issues, the post-election violence quickly became sectarian. In addition, Boko Haram, a militant group that espouses an extreme and violent interpretation of Islam, has been emboldened by the climate of impunity. Boko Haram has shifted its tactics and emphasis by targeting, killing, and bombing Christians and Christian clergy and threatening to kill all remaining Christians in the north, while continuing its attacks against government officials, as well as killing hundreds of Muslims, including Muslim religious leaders who spoke out against the group.

Based on this deterioration and the Nigerian government's continued unwillingness to address severe, ongoing, and egregious religious freedom violations, USCIRF again recommends in 2012 that Nigeria be designated as a "country of particular concern," or CPC. USCIRF has recommended CPC status for Nigeria since 2009. Before that, Nigeria was on USCIRF's Watch List since 2002.

Since 1999, more than 14,000 Nigerians have been killed in religiously-related violence between Muslims and Christians. The government of Nigeria continues to fail to prevent and contain acts of religiously-related violence, prevent reprisal attacks, or bring those responsible for such violence to justice. Other religious freedom concerns in Nigeria include the application of a strict interpretation of Shari'ah (Islamic law) in the criminal codes of several northern Nigerian states and discrimination against minority communities of Christians and Muslims.

PRIORITY RECOMMENDATIONS: The religious nature of the April 2011 post-election violence, the attacks and threats against Christians by Boko Haram, and the subsequent rise in religiously-charged rhetoric are testing Nigeria's young democracy and further straining Christian-Muslim relations. Religion and religious identity are intertwined in ethnic, political, economic, and social controversies, and are misused by politicians, religious leaders, or others to rouse their constituencies for political gain. While several causes, including governance, "indigeneship," poverty, and ethnicity, factor into the violence in the north and Plateau State, religion is a significant catalyst. As conflicts take on an increasingly sectarian character, the consequences may be dire. The Nigerian government must end the culture of impunity for religiously-related violence. USCIRF has concluded that Nigeria could muster the resources to address 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. In addition to designating Nigeria as a CPC, the United States should press the Nigerian government to take substantial steps to address religious freedom violations, including bringing perpetrators of sectarian violence to justice and resolving jurisdictional disputes between federal and state officials that thwart prosecutions. These issues should also be made an essential part of bilateral relations, including as a component of the U.S.-Nigeria Bi-National Commission. Additional recommendations for U.S. policy toward Nigeria can be found at the end of this chapter.

Religious Freedom Conditions

USCIRF 2012 Trip

A USCIRF delegation traveled to Nigeria in March 2012, just after the end of the current reporting period, to learn more about sectarian violence, assess its impact on religious freedom, and encourage religious leaders to work more closely together to address the nation's problems. USCIRF convened a meeting with the country's foremost religious leaders, many of whom had not formally met together in more than a year, to encourage strengthened cooperation to press the Nigerian government to end impunity and denounce Boko Haram attacks and threats. In addition, 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 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 14,000 people killed and thousands displaced, with numerous churches, mosques, businesses, vehicles, private homes, and other structures burned and destroyed. The past year saw a dramatic rise in sectarian or religiously-related violence. In April 2011, over 800 people were killed (although some estimates push the death toll considerably higher) and more than 65,000 displaced in three days of rioting throughout the northern states immediately following the presidential elections. To date, almost no one has been prosecuted for their role in perpetrating violence.

Religiously-related tensions and conflict remain problems in the Middle Belt region, including Jos, Plateau State, but large-scale outbreaks did not occur during the reporting period. In past years, the most severe incidents have occurred in 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). (Post election violence and Boko Haram attacks are discussed below.)

In addition to its attacks against federal and state institutions and government personnel in Nigeria, the militant group Boko Haram has increased religious tensions between Muslims and Christians by targeting churches, Christians, and non-northerners in repeated and sustained attacks. During its March trip to Abuja, USCIRF was told repeatedly by Christian leaders that they see a sectarian dimension to Boko Haram's objectives, including the eradication of Christians in central and northern Nigeria. USCIRF also was told by a number of significant Muslim leaders that Boko Haram was un-Islamic and not a true representation of Islam.

During its March 2012 visit to Nigeria and through its monitoring of Nigerian media outlets in the reporting period, USCIRF noted an escalation in anxiety, frustration, concern, and even militancy among mainstream religious leaders. USCIRF found that religious leaders were using more heated public rhetoric, issuing fewer calls for restraint, and making more calls for defensive

and offensive action to counter sectarian or religiously-motivated attacks perpetrated by Boko Haram or other actors. Religion has been only one dimension of the apparent sectarian clashes in Nigeria, as it has been used as a tool to foster political, economic, and ethnic discord. However, Boko Haram attacks on Christians and churches, tensions between Muslims and Christians emanating from the post-election violence, and the rise in religious rhetoric could increase sectarian hostility to the point that religion transcends the other variables and identities that have historically factored into violence in Nigeria.

April 2011 Post-Election Violence

In April 2011, immediately following the Presidential elections, over 800 people were killed in three days of rioting in the northern states, and more than 65,000 were displaced. Protests by supporters of the main opposition candidate, Muhammadu Buhari, a northern Muslim who lost the presidential election, quickly turned violent against Christians who were thought to have been sympathetic to incumbent President Goodluck Jonathan, a Christian. While political issues sparked the violence, its consequences were severe violations of religious freedom, including individuals being killed because of their religious identity and churches and mosques being attacked. The Christian Association of Nigeria (CAN) reported that at least 187 people were killed, 243 people injured, and more than 430 churches burned or destroyed. Some of the worst post-election violence between Muslims and Christians occurred in Kaduna State. Human Rights Watch reports that more than 500 were killed in Kaduna State, the vast majority of whom were Muslims. Kaduna had been largely peaceful for the past ten years and often was held up as a positive model for how to stem religiously-related violence. To date, there is no indication that Nigerian authorities have prosecuted any perpetrators involved in the post-election violence.

Boko Haram

The violent militant group Boko Haram repeatedly has attacked Nigerian officials and security services throughout Nigeria. In August 2011, people claiming to be affiliated with Boko Haram took responsibility for bombing the United Nations' main office in Abuja, an attack that killed 34 people.

Without minimizing the severe impact of Boko Haram attacks on the Christian community in the north (see below), Muslim leaders point out that Boko Haram has killed more Muslims than Christians and that the Muslim community is also suffering at the hands of this violent, extremist group. Throughout the year, Boko Haram or those claiming to represent the group, assassinated Muslim religious leaders who spoke out against them. During the March trip, self-identified Boko Haram representatives announced they planned to “tackle” the President of the Supreme Council for Islamic Affairs, the Sultan of Sokoto Muhammad Sa’ad Abubakar, to “purify” Islam in the country. In meetings with Muslim leaders USCIRF was told of three clerics who were killed after denouncing Boko Haram.

During the reporting period, Boko Haram increased its targeting of churches and pastors in northern Nigeria, with attacks against pastors, churches, Christians, and non-northerners occurring frequently. On Christmas day 2011, bombs exploded in or around churches in five cities in central and northeastern Nigeria – Jos, Kano, Madalla, Gadaka, and Damaturu – leaving

at least forty dead in Madalla alone, with people claiming to represent Boko Haram taking responsibility. Several days after the Christmas attacks, people thought to be affiliated with or sympathetic to Boko Haram threatened all Christians and non-northerners living in the north, issuing statements telling them to leave in three days or they would be killed. After the deadline, attacks against Christians, churches, and non-northerners resumed with more intensity, including in the suburbs of Abuja, resulting in well over 100 deaths and many more injured. On January 20, 2012, suspected Boko Haram operatives conducted highly-coordinated attacks in the city of Kano that killed at least 185 people. Perhaps as many as 100 operatives exploded improvised explosive devices, utilized suicide bombers, and opened fire in busy sections of town with automatic weapons. Targets included police stations, government buildings, and churches.

The attacks against churches, Christians, and non-northerners have continued up to the end of the reporting period. Many places of worship in the north have increased their security measures, such as searching vehicles and using metal detectors to screen worshippers or entrants to church compounds.

Jos and the Middle Belt

During the reporting period, there was less large-scale violence between Christians and Muslims in the Middle Belt states and in and around Plateau State's capital city, Jos, than in past years. However, Jos remains tense due to the longstanding strife in the city, the post-election violence, and the Christmas day 2011 attacks. A special security joint task force comprised of the army, police, and other security services is present in large numbers in the city and its environs and to some degree can be credited with minimizing another large-scale outbreak.

Jos remains largely divided between Muslim and Christian sectors, and there continue to be regular reports of smaller-scale attacks and reprisals between communities. The charged atmosphere can turn a minor confrontation or misunderstanding between people of different faiths into a major incident resulting in property destruction, personal injuries, and/or deaths, particularly around religious holidays. For instance, on August 29, toward the end of Ramadan, over 16 people were killed when fighting broke out between Christians and Muslims at a Muslim prayer service. Also, a person can be killed or attacked after wandering into the wrong part of town and being identified as not belonging to the predominant faith community.

Elsewhere in Plateau State and the Middle Belt, longstanding tensions remain, and sometimes result in violence, between cattle-herding Muslim Fulanis and landed Christian Berom. Numerous attacks were reportedly perpetrated by Fulanis on Berom villages located on the outskirts of Jos and elsewhere in the Middle Belt. Some reports indicate that over 70 Christians have been killed this year in 23 attacks in the predominantly Christian Tafewa Belawa area of Bauchi state; the number of Muslims killed is unknown. Despite tensions running very high between these communities, large-scale attacks did not occur during this reporting period, in contrast to previous years.

“Indigenes” versus “Settlers”

The violence in and around Jos, as throughout the rest of Nigeria, is not purely religious in nature, although the results are religious freedom violations. 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.

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 indigeneship 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 mainly 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 active in seeking political, social, and economic benefits usually accorded to indigenes.

In October 2010, 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 on behalf of 20 Nigerian citizens. The case reportedly is still pending.

Nigerian Government Response

After repeated attacks on government institutions and personnel, the Nigerian government has mobilized against the threat posed by Boko Haram, and reportedly made numerous arrests in this reporting period of suspected Boko Haram members, including a lead suspect in the Christmas 2011 bombings. It does not appear, however, that the Nigerian government is prosecuting these alleged perpetrators in a fair and open manner consistent with due process, giving the Nigerian public little confidence that justice will be served. Furthermore, the government is not prosecuting perpetrators of Muslim-Christian violence in the Middle Belt and northern Nigeria.

With regard to other incidences of sectarian or religiously-related violence, the Federal Justice Minister told USCIRF in January 2011 that five persons were convicted for their role in March 2010 violence in Jos. He and state attorneys general have told USCIRF that there have also been other successful prosecutions and that they would provide USCIRF with statistics and information. Unfortunately, by the end of the reporting period, no such information had been presented to USCIRF.

Federal-state jurisdictional disputes continue to pose a challenge to successful prosecutions. It is difficult, if not impossible, for state attorneys general to pursue prosecutions because Nigeria's police force, a federal entity, conducts the investigations, detains the suspects, and retains all case files. Unless the federal police cooperate with the various state attorneys general, no prosecutions can occur at the state level. In addition, prosecuting perpetrators of sectarian violence requires political will. In light of the scale of the violence that has occurred in recent years, the paucity of successful prosecutions is insufficient to stop the cycle of impunity. Many more prosecutions are needed, so that all parties involved in religiously-related or inter-communal violence understand that there will be penalties and they will not be allowed to commit similar crimes again. Many religious and civil society leaders with whom USCIRF has met commented that there cannot be religious harmony without a sense of justice, and there is no such justice in this climate of impunity.

Application of Strict Interpretations of Shari'ah

Since 1999, 12 northern Nigerian states established, or announced plans to establish, their interpretation of Shari'ah law in their criminal codes. No new Shari'ah laws were established during the reporting period. Each of these 12 states have sought to extend the jurisdiction of Shari'ah courts beyond personal status matters to include Shari'ah crimes and punishments for Muslims alone. In the past, such punishments included amputation, flogging, or death by stoning. Trials in the Shari'ah courts in these states 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 Nigerian 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, as they call themselves, which are funded and supported by state governments in Bauchi, Zamfara, Niger, Kaduna, and Kano, enforce their interpretation of Shari'ah in their respective states. In some areas, the *Hisbah* primarily work 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 certain Shari'ah 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.” Their allegations of official discrimination include denials 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 against 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 non-Muslim places of worship, that some 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. Christian leaders report that applications are either denied or left unattended, sometimes for decades. Forced to build without permit, the structure is subject to demolition at any time. Christians report that some state governments in the north have officially stated that land shall be allocated on the condition that it shall not be used for a “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.

The State Department continues to report that 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

USCIRF previously has expressed concern about reports of foreign sources of funding for extremist and violent Islamist groups and activity in northern Nigeria, and has urged the Nigerian government to place a high priority on preventing the possible alignment of Nigerian extremist groups with international terrorist groups, if that has not already occurred. 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 that preach and teach a nontraditional and extreme interpretation of Islam. 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.

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. While such activities are limited and vary from state to state, efforts to bring the Muslim and Christian communities together could improve interfaith relations and decrease future incidents of sectarian violence.

For example, several Muslim leaders in Kano visited Christian places of worship and stood with their Christian colleagues in the face of Boko Haram threats and attacks. This was reported to be the first time in recent years that Muslim religious leaders have met Christians in their places of worship in the city of Kano. In addition, Christians surrounded Muslims during prayers at protests against the federal government's decision to eliminate a fuel subsidy.

In recent years, the Nigerian Inter-Religious Council (NIREC) – composed of 25 Muslim and 25 Christian leaders and co-chaired by the President of the Christian Association of Nigeria and the Sultan of Sokoto, a Christian and a Muslim – was a valuable forum that attempted to reduce inter-religious tension and promote inter-religious cooperation. NIREC used to meet quarterly, but NIREC reportedly met only once in the past year, hampering its ability to be an effective meeting and discussion venue for leaders from both the Muslim and Christian community.

In response to the threats made by Boko Haram against the Christian community in northern Nigeria, several leading Muslim figures visited churches in Kano and in Kaduna. Other reports indicate that Muslim and Christian women have led protest vigils together in Maiduguri, Bauchi State, a center of Boko Haram activity.

U.S. Policy

The United States and Nigeria have a strong relationship, with Nigeria being important to U.S. foreign policy for a number of reasons. Nigeria is the most populous country in Africa, with a population evenly split between Christians and Muslims. 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 by some estimates, Nigeria is the fourth largest supplier of imported oil to the United States. Nigeria is also a regional leader. Its contribution to international peacekeeping missions has supported stability and peace in Africa and generally has been in concert with U.S. interests in promoting peace and stability on the continent. Increased violence and instability in Nigeria could have a serious spillover effect on other countries in the area.

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 has four working groups on: 1) good governance and transparency,

focusing on 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.

Issues of recurrent sectarian violence and the culture of impunity surrounding the failure to prosecute perpetrators have not been addressed specifically in any of the four working groups. The position of the U.S. government consistently has been that the conflicts in Nigeria are not predominantly sectarian in nature. This position is problematic, given Nigeria's religious, social, and political framework, the sectarian nature of the April 2011 post-election violence, and the rise of Boko Haram. This stance also is in stark contrast to the perspectives of a number of prominent Nigerian Christian leaders, who believe that Boko Haram has a significant sectarian dimension to it, and in particular, seeks to eradicate Christian communities in central and northern Nigeria. This chasm in perspective is a serious concern. If Nigeria's most prominent Christian leaders view the ongoing violence as escalation, the faithful communities who follow their lead may also embrace this view, adversely affecting tolerance and respect across religions. Understanding this perspective, addressing religious tension, and recognizing the religious dynamics of the various political, social, and ethnic conflicts is important to engaging effectively with Nigeria.

Nigeria is the second largest recipient of U.S. foreign assistance in Africa, and the United States is the largest bilateral donor to Nigeria. By far the greatest amount of assistance in recent years has been through the President's Emergency Plan for AIDS Relief (PEPFAR) and the President's Malaria Initiative (PMI). 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 (TSCTP), a regional U.S. security partnership, and also receives other security assistance through Department of Defense funds, including funding for the development of a counterterrorism infantry company and for building the capacity of a counterterrorism unit and its tactical communications interoperability. U.S. counterterrorism assistance to Nigeria includes programs coordinated through TSCTP. Nigeria also received coastal radar and communications training and equipment. To date, U.S. support for Nigerian law enforcement has been limited due to human rights concerns.

The U.S. Embassy in Abuja continued implementation of a program to enhance the capacity of the Interfaith Mediation Center (IMC) in Kaduna and to build capacity to implement further U.S. government programs. The IMC addressed ethnic and religious violence across the country by engaging in activities that support interfaith dialogue, interethnic relations, trauma healing for women and youth, early warning and response, media sensitization, and special election monitoring. The Obama administration has requested funding in FY2012 for new conflict mitigation programs to address extremism in the north and conflict in the Niger Delta. USAID's Leadership, Empowerment, Advocacy and Development (LEAD) project in Sokoto and Bauchi states is designed to build partnerships between state and local governments, civil society, and the private sector to improve governance, accountability, and service delivery.

Some of USCIRF's longstanding 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 address and prevent communal conflict more effectively. USAID's new five-year TOLERANCE program is a \$4.5 million project with the Interfaith Mediation Center based out of Kaduna that will provide conflict mitigation and management assistance in northern and Middle Belt states in Nigeria. USAID noted USCIRF's long-standing recommendations on this issue and incorporated them into the design plan for the program.

USCIRF has also recommended that the United States open a consulate in Kano city, Kano State. Reportedly, plans to establish such a presence are moving forward.

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. In USCIRF's view, Nigeria has the capacity to address religiously-related violence, and will only realize lasting progress, security, stability, and prosperity as a democracy if it does so. For these reasons, USCIRF recommends that Nigeria be named as a country of particular concern (CPC) for tolerating particularly severe violations of religious freedom and that the United States press Nigeria to bring perpetrators of religiously-related violence to justice.

USCIRF is also concerned by the charged rhetoric used by religious leaders, which could lead to an escalation of violence and a more divided, sectarian Nigeria. While religion has been only one dimension of the problem, the 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. The attacks against Christians by Boko Haram and the tensions between Christians and Muslims resulting from the post-election violence threaten to make religion transcend the other variables and identities that have also factored into violence in Nigeria.

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, which 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 any such binding agreement includes a commitment by the Nigerian government to meet benchmarks, including but not limited to the following:
 - vigorously investigating, prosecuting, and bringing to justice perpetrators of all sectarian and communal violence;

--developing effective conflict-prevention and early-warning mechanisms at the local, state, and federal levels using practical and implementable criteria;

--developing the capability to deploy specialized police and army units rapidly to prevent and combat sectarian violence in cities around the country where there has been a history of sectarian violence;

--taking steps to professionalize its police and military forces in its investigative, community policing, crowd control, and conflict prevention capacities by conducting specialized training for its military and security forces on human rights standards, as well as non-lethal responses to crowd control and quelling mob or communal violence;

-- enhancing the use of legal and law enforcement mechanisms and intelligence capabilities to prevent the formation of violent religious groups; and

--in light of concerns that have been expressed to USCIRF with respect to the particular application of Shari'ah codes in Nigeria, ensuring that all laws, as applied, uphold the principle of equality under the law between men and women and between Muslims and non-Muslims, and do not permit 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, non-discrimination against women, and humane treatment and punishment.

- include as a priority the issues 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;
- call on the Nigerian government to utilize the judiciary fully to combat the Boko Haram movement, and not rely solely on a counterterrorism strategy involving the security services apparatus;
- support interfaith efforts that urge religious and political leaders, both Muslim and Christian, to stop using religion to incite or mobilize constituencies, and call on the Nigerian government to reinvigorate NIREC or other appropriate forums to strengthen Christian and Muslim leadership consultation and development of strategies and practices to address religious freedom violations;
- call on the Nigerian government to eliminate "indigene" status through either constitutional reform or judicial review;
- 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 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 the UN special procedures who 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 through the U.S. Department of State's Bureau of International Narcotics and Law Enforcement Affairs to train Nigerian military and federal and state police forces to improve their investigative, community policing, crowd control, conflict prevention, emergency response, and coordination capacities;
- offering technical assistance to the office of the Federal Attorney General and Minister of Justice, and to the states' attorneys general, to resolve jurisdictional disputes that prevent state and federal prosecutors from conducting timely and effective investigations and prosecutions, and 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;
- supporting civil society organizations at the national, regional, state, and local levels that have special expertise and a demonstrated commitment to inter-religious and inter-ethnic reconciliation and conflict prevention;
- funding USAID's conflict mitigation work with Nigerian NGOs working on communal conflict prevention fully, emphasizing capacity-building at the local level, and evaluating the new TOLERANCE project being funded by USAID one year after implementing the program;
- assisting human rights defenders, including legal aid groups that defend the rights of individuals, especially women, impacted by Shari'ah-based criminal codes and that respond 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. 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 fund this effort fully in the current appropriations cycle;
- provide Embassy and Consulate staff with appropriate local language skills, require political and public affairs officers to travel regularly throughout Nigeria, and dedicate one foreign service officer to coordinate outreach and relationships with, and conduct analysis of, Nigeria's diverse religious communities;
- 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; and
- sponsor several exchange programs each year on the topics of freedom of religion or belief, religious tolerance, and Islamic law and human rights for religious leaders, human rights advocates, government officials, and northern Nigerians.