

NIGERIA

Since the government of Nigeria continues to respond inadequately and ineffectively to prevent and contain recurrent acts of religiously-related violence, USCIRF recommends in 2011, for the third year, that it be designated as a “Country of Particular Concern,” or CPC. Prior to the 2009 CPC recommendation, Nigeria had been placed on USCIRF’s Watch List each year since 2002.

BACKGROUND

Since 1999, at least 13,000 Nigerians have been killed in religiously-motivated violence between Muslims and Christians. With the exception of five convictions in late 2010, it appears that no one has been prosecuted for any role in perpetrating violence. Years of inaction by Nigeria’s federal and state governments have created a climate of impunity. In Nigeria, religion and religious identity are intertwined within ethnic, political, economic, and social controversies, and can be misused by politicians, religious leaders or others to inflame their constituencies for political gain. Thus, although religion is a significant catalyst in the violence, the violence is not purely religious in nature. Other factors play a role, 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.

RELIGIOUS FREEDOM CONDITIONS

As well as impunity for violence committed by both Muslims and Christians, other religious freedom concerns in Nigeria include the expansion of sharia (Islamic law) into the criminal codes of several northern Nigerian states, discrimination against minority communities of Christians and Muslims, and foreign sources of funding and support for Islamist extremist activities in northern Nigeria.

Violence committed by Muslims and Christians: In 2010 and 2011, violence and tension increased, particularly in the Middle Belt states in and around Jos, Plateau State’s capital city. On Christmas Eve 2010, seven to nine bombs exploded in a Jos market square, killing at least 30 persons, and injuring more than 70. The radical Islamist sect Boko Haram, which seeks to impose a strict version of sharia law, reportedly took credit for the bombing. In January 2011, 40 predominantly Christian Igbo tribe members were dragged from a bus and murdered when the bus entered a predominantly Muslim section of Jos. In 2010, upwards of 800 people were killed in gruesome attacks in and around Jos when ethnic and sectarian violence again erupted. In July 2009, a clash between Boko Haram and Nigerian security forces led to the killing of more than 700 people. In September 2010, purported Boko Haram members reportedly murdered at least two Muslim religious leaders who challenged the group’s doctrine and activity. In May, 2010, Berom youth from a traditionalist tribe who are predominantly Christian allegedly attacked Tusung village, 24 miles south of Jos, killing three. Police reportedly arrested 15 suspects.

Government Impunity: In late 2010, five persons were convicted on federal terrorism charges for their role in the March 2010 violence in Jos. These convictions were the first in years and an important step, but are insufficient to end the culture of impunity; many more prosecutions need to occur. The Nigerian government has done little to address sectarian and communal violence, making no serious effort to investigate or prosecute the perpetrators of numerous killings and other crimes. Government leaders have failed to heed the warning signs of violence, and the federal police have failed to respond effectively and appropriately, or even at all, when violence has erupted. The national legislature has exercised no discernible oversight of either the Ministry of Justice or the National Human Rights Commission to ensure adequate investigation and resolution of religious violence and intolerance. The Commission, both by design and effect, lacks the independence and resources to address these issues.

Sharia Law: Since October 1999, 12 northern Nigerian states have established, or announced plans to establish, sharia law in their criminal code. This expansion of sharia has led to discriminatory practices, such as 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. Sharia punishments include amputation, flogging, or death by stoning, which the UN Committee against Torture has deemed to breach the prohibition against inhuman or degrading treatment under

international human rights standards. Trials in the sharia courts often fall short of basic international legal standards, and defendants have limited rights of appeal and sometimes no opportunity to seek legal representation.

Discrimination: Christian leaders in the northern states protest what they view as discrimination at the hands of Muslim-controlled governments and describe their communities as having the status of second-class citizens. Most complaints include allegations of official discrimination in the denial of applications to build or repair places of worship, access to education and state-run media, representation in government bodies, and government employment. Muslim leaders in the southern states report official or officially-sanctioned discrimination in the media, education, and government. The State Department also reported that in 2010, Shi'a Muslims' homes and businesses were destroyed with little to no response from state officials, and Shi'a were fired from jobs on account of their faith.

Foreign Funding of Extremism: Reports of foreign sources of funding and support (from Libya, Saudi Arabia, and Sudan) for Islamist extremist activities in northern Nigeria threaten to fracture the already-fragile relations that between Muslims and Christians. Northern Nigeria reportedly is becoming a haven for radical Islamist militants from outside Nigeria. An increasing number of Nigerian Islamic scholars and clerics are being trained in Saudi Arabia and Pakistan and return with an ideology that explicitly promotes hatred and violence against non-Muslims. The Boko Haram recently have issued statements reporting that many of its members have returned to Nigeria from Somalia, where they received terrorist training from the al-Qaeda-linked Somali group, *Al Shabaab*.

RECOMMENDATIONS FOR U.S. POLICY

USCIRF is encouraged that the U.S. government has begun to implement some of USCIRF's long-standing recommendations on Nigeria, including a revamped USAID-funded conflict prevention and mitigation program, and plans to establish a consulate or other official presence in the city of Kano. However, more must be done to break the culture of impunity that fosters sectarian and communal violence. To this end, USCIRF recommends that the U.S. government designate Nigeria as a CPC and:

- Prioritize 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;
- Urge the Nigerian government to investigate and prosecute the perpetrators of all sectarian and communal violence vigorously, including the January-through-April 2011 incidents in Jos and the Middle Belt, and eliminate "indigene" status either through constitutional reform or judicial review;
- Work with the government to ensure that sharia codes, as applied, uphold the principle of gender and religious equality under the law and are not applied to non-Muslims or to individual Muslims who do not wish to go before sharia courts; dissolve the *Hisbah*, or religious police; and
- Expand the U.S. presence and outreach efforts, primarily in northern Nigeria by opening a consulate or other official presence in Kano or elsewhere in the north.

Please see USCIRF's 2011 Annual Report for a more extensive review and recommendations on Nigeria.