

# NIGERIA



## **USCIRF STATUS:**

**Tier 1 Country of Particular Concern**

## **BOTTOM LINE:**

Religious freedom declined, primarily due to attacks by Boko Haram and despite government attempts to protect churches. The government continued to fail to prosecute perpetrators of religiously-related violence that has killed more than 14,000 Nigerians, both Christian and Muslim.

# NIGERIA

## EXECUTIVE SUMMARY

**FINDINGS:** The government of Nigeria continues to tolerate systematic, ongoing, and egregious violations of religious freedom that lead to particularly severe violations affecting all Nigerians, both Christian and Muslim. For many years, the government has failed to bring those responsible for sectarian violence to justice, prevent and contain acts of such violence, or prevent reprisal attacks. As a result since 1999, more than 14,000 Nigerians have been killed in sectarian violence between Muslims and Christians. Boko Haram, a militant group that espouses an extreme and violent interpretation of Islam, benefits from this culture of impunity and lawlessness as it exploits Muslim-Christian tensions to destabilize Nigeria. Boko Haram also justifies its attacks on churches by citing, among other things, state and federal government actions against Muslims.

Based on these concerns, USCIRF again recommends in 2013 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.

While there were fewer incidents of sectarian conflict during the reporting period, the government made no progress on prosecuting perpetrators. Despite thousands of deaths in religion-related violence, USCIRF is aware of no case being prosecuted during the past year, and only 170 individuals having ever been prosecuted for perpetrating such violence. While other causes factor into the violence in areas of conflict, religion is a significant catalyst and is often misused by politicians, religious leaders, or others for political gain. The Nigerian government’s failure to address chronic religion-related violence contrasts with its commitment to stop Boko Haram, which at times has resulted in the indiscriminate use of force against civilians and in human rights abuses. 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 local minority communities of Christians and Muslims.

**PRIORITY RECOMMENDATIONS:** Nigeria’s young democracy is being tested by the religious nature of the repeated sectarian violence, the attacks and threats against Christians by Boko Haram, and the subsequent rise in religiously-charged rhetoric. These dynamics strain Christian-Muslim relations, in a country where religion and religious identity are intertwined in ethnic, political, economic, and social issues. By designating Nigeria as a CPC, the United States can encourage the Nigerian government to end the culture of impunity and address religious freedom violations by bringing perpetrators of sectarian violence to justice, resolving jurisdictional disputes between federal and state officials that thwart prosecutions, and training police on how to conduct professional investigations and practice community policing. These issues should also be made an essential part of bilateral relations, including as a component of the U.S.-Nigeria Bi-National Commission. The U.S. government should also urge the Nigerian government to increase support and protection for Muslim and northern leaders who endanger themselves by speaking out against Boko Haram. Additional recommendations for U.S. policy toward Nigeria can be found at the end of this chapter.

# NIGERIA

## RELIGIOUS FREEDOM CONDITIONS

### BACKGROUND

Nigeria's population of 150 million people is equally divided between Muslims and Christians. Northern Nigeria is predominately Muslim and southern Nigeria is predominately Christian, with religious minorities residing in both areas. In the middle of the country, or the "Middle Belt," there are more equal numbers of Muslims and Christians in each state.

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In 1999, after a return to civilian rule, Nigeria ushered in its Fourth Republic founded on democracy, federalism, and a new constitution. The governing objectives of the Fourth Republic and 1999 constitution include recognizing Nigeria's ethnic diversity while maintaining a national character, reducing the possibility of future coups, and limiting the ability of a centrally-led dictatorship to form. The Nigerian constitution provides for freedom of religion or belief and prohibits a state religion, and the Nigerian government does not actively perpetrate religious freedom violations. However, several constitutional provisions negatively impact the full protection of religious freedom, such as provisions that bestow privileges based on ethnicity and promote individual states rights. These provisions, while intended to address Nigeria's diversity and history of coups, actually fuel sectarian violence, impede rule of law, and, in the process, help create a culture of impunity.

The constitution, in an effort to create balance between different ethnic groups in government positions, established in Article 147 a legal distinction between "indigenes" and "settlers." 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. State and local governments issue certifications granting indigeneship, which bestow many benefits and privileges, such as political positions, access to government employment, and lower school fees. The settler designation can be made even if a particular group may have lived in an area for generations. Indigene and settler identities fall not only along ethnic lines, but frequently along religious lines leading to ethno-religious fights to control state and local governments and hence determine who is and is not considered an indigene.

... THE NIGERIAN GOVERNMENT DOES NOT ACTIVELY  
PERPETRATE RELIGIOUS FREEDOM VIOLATIONS.

The constitution's provisions on federalism create jurisdictional conflicts between federal and state entities, which have negatively impacted religious freedom by creating a confused rule of law system. The system impedes successful prosecutions as federal and state attorneys often fight over jurisdictional questions regarding the prosecution of cases. The frequent result is no prosecutions. Additionally, to prevent and address Nigeria's history of coups by security forces, the police force is a federal entity. Officers are routinely rotated to new locations (and never in their home areas). This hinders the ability of police to gain the trust of local populations, which is needed for successful investigations. The process also leads to slow police responses to outbreaks of sectarian violence, as federal approval is necessary for a full deployment of troops to conflict areas. Finally, Muslims and Christians in the north disagree whether the application of Shari'ah into criminal matters is permitted under federalism or violates the constitution's prohibition of a national religion. These disagreements led to large outbreaks of Muslim-Christian violence when Shari'ah was first expanded in the north more than a dozen years ago.

# NIGERIA

## RECURRENT SECTARIAN VIOLENCE

### **Impunity for Sectarian Violence**

Since 1999, sectarian and inter-communal violence in Nigeria has resulted in more than 14,000 deaths and hundreds of thousands displaced, with numerous churches, mosques, businesses, vehicles, private homes, and other structures destroyed. Religion and religious identity are intertwined in Nigeria's ethnic, political, economic, and social controversies. In this context, religious identity has been misused by

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politicians, religious leaders, or others to rouse their constituencies for political gain or other purposes, which deepen cleavages in society and increase the likelihood of continued violence.

The Nigerian government, at the state and federal levels, has proven unable or unwilling to address the violence and its underlying causes. The State Department's most recent international religious freedom report found that the government "did not act swiftly or effectively" to stop communal violence or to bring to justice individuals who perpetrated violence. It went on to note that, "Federal, state, and local authorities have not effectively addressed underlying political, ethnic, and religious grievances leading to violence. A climate of impunity exists, as authorities rarely prosecute and punish those responsible for violent attacks." These views were shared by the UN Special Rapporteur on freedom of religion or belief in 2005, during a country visit.

Almost universally, individuals identified as perpetrators have not been prosecuted, and there were no known prosecutions for sectarian violence in 2012. In more than a decade, and out of 14,000 sectarian deaths, fewer than 200 individuals are confirmed by USCIRF to have been prosecuted for their involvement in sectarian violence. In 2011, the Minister of Justice told USCIRF that he expected a number of prosecutions, and said that his Director of Public Prosecutions would provide USCIRF with statistics of prosecutions and convictions that have occurred that 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. During a USCIRF meeting with Plateau State Governor Jonah Jang and the Plateau State Attorney General, in October 2011, the Attorney General indicated he believed some prosecutions were moving forward. In 2012, a number of prosecutions moved forward in both Kaduna and Plateau states, including some convictions.

This dearth of prosecutions is despite the fact that video and photographic evidence of sectarian conflicts identifying perpetrators can be found on the internet. While police and judicial mechanisms have been underutilized in curbing sectarian violence, the government has repeatedly called upon Nigerian federal police and military to intervene, and they have been repeatedly accused of using excessive force, including extrajudicial killings.

Since USCIRF first recommended that Nigeria be designated a CPC in 2009 for its toleration of severe religious freedom violations and the failure to prosecute perpetrators of sectarian and communal violence, the federal government has prosecuted only a handful of cases, all against Fulani Muslims. These cases concerned 41 individuals convicted for terrorism and 123 individuals convicted for illegal possession of a weapon during their involvement in communal violence in Plateau State in March 2010 where 500 persons were killed (see below). USCIRF is not aware of any other successful prosecutions for violence perpetrated during this or other attacks.

A climate of impunity exists due to the lack of effective law enforcement and failure to impose penalties for religious violence. Since there are no consequences for violence, large-scale incidents regularly

## NIGERIA

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trigger ricochet riots in other areas for retaliation. Such incidents include, but are not limited to, the following: clashes in February 2009 in Bauchi State in retaliation for the destruction of two mosques in Jos in March 2008, killing between 11 and 20, displacing 1,500 and destroying churches, parsonages and one mosque; attacks in April 2009 on a procession of Christians who were celebrating Easter in two separate towns; riots in January 2010 in Plateau State, after Christians attacked a Muslim trying to build a home in a Christian area, which left an estimated 150 persons dead and 3,000 displaced; in March 2010 Muslim Fulani herdsmen attacked Christian villages in Jos South, killing at least 500 persons including women, children, and babies, and displacing an estimated 800 persons; January 2011 violence in Bauchi state over the burning of a Christian man's billiards table that left at least 20 dead and mosques and Muslim homes burned; April 2011 post-election violence and August 2011 violence in Jos after Christian youths attempted to prevent a Muslim Izala from using prayer grounds during the Muslim holiday of Eid al-Fitr, which killed between 40 and 100 Christians and Muslims. To date, there have been no confirmed prosecutions of perpetrators of any of the above violence.

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Federal-state jurisdictional disputes and a lack of political will continue to pose a challenge to successful prosecutions. In order for state attorneys general to pursue prosecutions, Nigeria's federal police must cooperate with state-level criminal justice partners to conduct investigations to develop a case. If this occurs and a case is developed, the state attorneys general must then have the political will to prosecute the cases. Thus far, neither side has shown the will to fully and professionally investigate perpetrators of sectarian violence or prosecute those arrested.

In response to religion-related violence, federal and state officials have formed commissions of inquiry to review the causes of the violence and make recommendations to prevent further violence. More than a dozen such commissions have been formed since 1999, and they often make the same recommendations to federal and state officials. These recommendations include: arresting and prosecuting perpetrators; better training of police forces to respond to violence; improving and increasing inter-faith dialogues; repealing "indigeneship" provisions in the constitution, which grant preferences to ethnic groups considered native to an area; ending discrimination based on religion in the building of houses of worship; monitoring religious institutions for religious hate speech and incitement to violence and removing outdoor speakers from religious institutions where such sentiments are aired; and improving early warning systems and procedures. However, these recommendations are rarely implemented, and these commissions often fault the government for failing to implement the recommendations put forth by previous such commissions.

On a positive note, in Jos since 2010, a special security joint task force comprised of the army, police, and other security services has been present in large numbers in the city and its environs, which has helped prevent large-scale outbreaks by quickly responding to violence.

### **Sectarian Violence in 2012**

Sectarian violence continued in 2012, although not at the levels of previous reporting periods. There were three reported instances of sectarian violence in this reporting period. On January 10, in Potiskum, eight people were killed when gunmen opened fire in a bar, in reprisal for an assault on a mosque and Islamic school in Benin in which five were killed and six injured. Three were arrested in this incident, but there are no reports of prosecutions. On November 18, Christians set up an illegal checkpoint on a road near their church during services to prevent attacks. A Muslim who tried to go through the checkpoint was killed. Muslims retaliated and riots ensued, houses and shops were torched, and 10 were killed, including

## NIGERIA

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both Muslims and Christians. There were no known arrests or prosecutions. In Bichi town on November 22, a Christian allegedly blasphemed the Prophet Muhammad, leading to riots by hundreds of Muslim youths, in which Christian shops and places of worship were looted and burnt and four Christians died. Police and soldiers sent in to restore calm arrested 10 with no prosecutions to date.

In 2012, there were numerous reported incidents of Fulani in the middle of the night attacking Christian villages in Plateau and Kaduna states, killing and wounding hundreds. The most serious recent incident occurred on July 7, when armed Muslim Fulani killed at least 25 Christians in three villages in Jos South. Nineteen of the gunmen were killed in an exchange with the military Special Task Force. Mourners were then attacked the following day during a burial service, with at least 20 killed, including Federal Senator for Plateau State North Gyang Dalyp Datong and Majority Leader in the Plateau State House Assembly Gyang James Fulani.

### **ATTACKS BY BOKO HARAM**

Boko Haram (a Hausa-language name meaning as “western education is a sin”) is an Islamic sect that sees the federal and northern state governments, as well as political and religious elites, as morally corrupt. Boko Haram rejects the secular state and seeks the universal implementation of what it considers “pure” Shari’ah law to resolve the ills facing northern Nigerian Muslims. While Shari’ah is currently applied in the 12 northern Nigeria states, Boko Haram believes that it has been corrupted by politicians for their own gain. The group has also called on all Christians to leave northern Nigeria. Despite the extrajudicial killing of its former leader and the arrests of hundreds of followers in 2009, Boko Haram has grown and now operates throughout northern Nigeria. The group’s targets include police stations, government buildings, churches, Christians, schools, banks, politicians and Muslim critics. Tactics include drive-by shootings on motorcycles, the use of improvised explosive devices (IEDs), and suicide bombings.

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Boko Haram attacks on Christians exacerbate existing tensions from Nigeria’s history of sectarian violence and impunity. Boko Haram leader Abubakar Shekau has stated that the group’s attacks on Christians are in retaliation for Christians killing Muslims, specifically referencing the August 29, 2011 attack on a Muslim prayer service at the end of Ramadan. The Christian Association of Nigeria (CAN) has repeatedly warned that Christians would take the law into their own hands to avenge the Boko Haram attacks and what it believes is an inadequate government response. In an effort to further destabilize Nigeria, church attacks are predominately occurring in northern cities which have a history of sectarian violence, including Kaduna, Bauchi and Jos. Three Kaduna city bombings in 2012 did result in Christian reprisal attacks, which killed more than 100 people. In this reporting period, Boko Haram attacked more than 25 churches and church services, killing and injuring hundreds. It also assassinated individuals Christians and Muslims critical of the organization.

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In contrast to its response to sectarian violence, the Nigerian government in 2012 took a number of steps to prevent or end Boko Haram attacks in northern Nigeria. President Goodluck Jonathan declared a six-month state of emergency in Borno, Yobe, Niger, and Plateau states on December 31, 2011, allowing the Nigerian army to enter those states. However, rather than stop Boko Haram, the army's use of excessive force exacerbated the problem. Hundreds of Muslims were jailed without charge for being suspected Boko Haram members, with trial dates yet to be determined. The Nigerian government attempted three times in 2012 to enter into peace negotiations with the group, which failed when Boko Haram continued to undertake acts of violence. On November 25, the government announced hundreds of thousands of dollars of rewards for information leading to the capture of suspected Boko Haram leader and U.S.-designated terrorist Abubakar Shekau and other senior Boko Haram commanders.

Due to repeated Boko Haram attacks on churches, the Nigerian government has taken steps to try to protect churches, including stationing police and erecting barriers at church entry points. While this has not stopped all attackers, it has prevented a number of them from reaching their targets, thereby reducing the number of deaths and injuries.

For more information on Boko Haram, see the Religious Freedom Violations by Non-State Actors section of the annual report.

### **APPLICATION OF STRICT INTERPRETATIONS OF SHARI'AH**

Since 1999, all 12 Muslim-majority 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 has 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. No such sentences were reported in 2012. Trials in Shari'ah courts in these states often fall short of basic international rule of law standards, and defendants have limited rights of appeal and sometimes have no opportunity to obtain 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, are funded and supported by state governments in Bauchi, Zamfara, Niger, Kaduna, and Kano. The *Hisbah* 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.

# NIGERIA

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## DISCRIMINATION

Christians in northern Nigerian states complain of what they view as discrimination at the hands of Muslim-controlled state governments and say they are 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.

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.

## **U.S. POLICY**

The United States and Nigeria have a strong relationship, with Nigeria being important to U.S. foreign policy for energy, regional security, and counter terrorism. Nigeria is the most populous country in Africa, with a population evenly split between Christians and Muslims. Despite having had its first civilian transition of power in 2003, democratic institutions remain underdeveloped. A large Nigerian diaspora community resides in the United States and the two countries have significant trade relations. The United States is Nigeria’s largest trading partner and Nigeria is the fifth largest supplier of petroleum 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.

Under the Obama administration, Nigeria is a frequent stop in Africa for senior U.S. government officials. Over the past few years, U.S. visits included Secretary of State Hillary Clinton, Deputy Secretary of State William J. Burns, Under Secretary of State for Democracy and Global Affairs Maria Otero, USAID Administrator Rajiv Shah, and Assistant Secretary of State for African Affairs Johnnie Carson, including trips by Under Secretary Otero (February 2012), Secretary Clinton (August 2012), and Administrator Shah (January 2013) in this reporting period.

In April 2010, the two countries established a U.S.-Nigeria Bi-National Commission. Its purpose, in the words of Secretary 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. In June 2012, Deputy Secretary Burns and Nigerian Foreign Minister Olugbenga Ashiru led a two-day meeting of all four working groups of the Bi-National Commission. Government officials from the two nations discussed efforts to promote governance, development, and security as a means to tackle Boko Haram.

With the rise of Boko Haram as a serious threat to Nigerian stability and regional security in 2012, the U.S. government increased its efforts to support the Nigerian government’s fight against that organization. In meetings with Nigerian officials, including Secretary Clinton’s meeting with Nigerian President Goodluck Jonathan in August 2012, the U.S. government consistently has urged the Nigerian government to expand its strategy against Boko Haram from solely a military solution to addressing problems of economic and political marginalization in the north, arguing that Boko Haram’s motivations

# NIGERIA

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are not religious but socio-economic. Additionally, senior U.S. officials frequently warn in private bilateral meetings and in public speeches that Nigerian security forces' excessive use of force in response to Boko Haram is unacceptable and counterproductive. The United States in June 2012 offered to assist Nigeria in creating an intelligence collection center to help prevent Boko Haram attacks and identify members of the organization and continues to wait for the Nigerian government to develop an operations plan before starting such assistance. While the United States has resisted pressure to designate Boko Haram as a Foreign Terrorist Organization (FTO), on June 21 the State Department designated as terrorists Boko Haram leaders Abubakar Shekau, Abubakar Adam Kamar, and Khalid el Barnawi.

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## ...THE RISE OF BOKO HARAM AS A SERIOUS THREAT TO NIGERIAN STABILITY AND REGIONAL SECURITY...

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Issues of recurrent sectarian violence and the culture of impunity have not been addressed specifically in any of the four working groups.

While recognizing the problem of impunity, the U.S. government's position has been that the conflicts in Nigeria are not predominantly sectarian in nature but economic and social. This position is problematic, given Nigeria's religious, social, and political framework, the sectarian nature of the 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, 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 sectarian, 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, with the State Department requesting \$599,450,000 for programs in fiscal year 2013, down from an estimated \$625,388,000 in fiscal year 2012. 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. To date, U.S. support for Nigerian law enforcement has been limited due to human rights concerns and the Leahy Amendment.

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 addresses 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 IMC that will provide conflict

# NIGERIA

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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. Additionally, the State Department's Office of International Religious Freedom funds inter-faith conflict mediation programs in the Middle Belt.

## RECOMMENDATIONS

The Nigerian government's toleration of criminal acts has created a permissive environment for continued sectarian violence, leading to a culture of impunity. In USCIRF's view, Nigeria has the capacity to address sectarian violence, and will only realize lasting progress, security, stability, and prosperity as a democracy if it does so. For these reasons, USCIRF recommends that the U.S. government designate Nigeria as a country of particular concern (CPC) for tolerating particularly severe violations of religious freedom, and press Nigeria to bring perpetrators of religiously-related violence to justice. Recognizing the sectarian element to the ongoing violence and the religious elements of Boko Haram violence would also better position the United States to engage with the Nigerian government at all levels and with key religious leaders, who view the violence in part through a sectarian lens. 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 is one dimension of the problem, it is becoming increasingly central due to the continued misuse of religion as a tool to foster political, economic, or ethnic discord, which could increase sectarian hostility. Boko Haram attacks against Christians and continued Muslim-Christian violence threaten to strengthen religious identities and turn all violence in the North and Middle Belt of Nigeria into religious, not religion-related, conflicts.

### **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 would set forth commitments the government would undertake to address policies leading to violations of religious freedom, including but not limited to the following:
  - vigorously investigating, prosecuting, and bringing to justice perpetrators of all past and future incidents of sectarian 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; and
  - ensuring that all laws, including all Shari'ah codes in Nigeria, 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

# NIGERIA

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belief, due process of law, equal treatment before the law, freedom of expression, non-discrimination against women, and humane treatment and punishment.

## **II. PRIORITIZING RELIGIOUS FREEDOM IN U.S.-NIGERIAN BILATERAL RELATIONS**

To increase U.S. government engagement on religious freedom:

- prioritize in the U.S.-Nigeria Bi-National Commission issues of Nigeria’s recurrent sectarian violence and failure to prosecute perpetrators in the discussions of the working groups of good governance and security;
- 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;
- encourage and support efforts by the Nigerian government to provide additional security personnel to protect northern Christian minorities and clerics and Muslim traditional rulers who denounce Boko Haram attacks, and consider creating a witness protection-like program;
- call on the Nigerian government to eliminate “indigene” status through either constitutional reform or judicial review;
- urge and support extensive civil society consultations in the ongoing constitutional review process;
- establish a U.S. consulate in Kano and call on the Nigerian government to create a Ministry of Northern Affairs to address the economic and political marginalization of the north; 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 and the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions.

## **III. EXPANDING U.S. SUPPORT FOR COMMUNAL CONFLICT PREVENTION AND MITIGATION**

The U.S. government should increase funding for technical and programmatic assistance, while insisting that current 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;
- working with British counterparts to increase 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

## NIGERIA

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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 interreligious and interethnic reconciliation and conflict prevention; and
- supporting programs and institutions, particularly in areas where communal violence has occurred, that monitor and report on religiously-inflammatory language and incitement to sectarian violence as well as promote objective, unbiased, and non-inflammatory reporting, consistent with the right to freedom of expression.

#### **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 northern Nigeria;
- provide Embassy and Consulate staff with appropriate local language skills;
- increase the capacity of the Hausa Service of the Voice of America and local radio programs to report accurately on sectarian issues and provide 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.