

Universal Periodic Review – 17th Session
CSW (Joint Submission) – Stakeholder Submission
FEDERAL REPUBLIC OF NIGERIA

Introduction

1. Christian Solidarity Worldwide (CSW), together with CSW USA, CSW Nigeria and Stefanus Alliance International, seek to highlight violations in northern and central states of the Federal Republic of Nigeria, committed largely by non-state actors as an outworking of efforts to restrict the right of freedom of religion or belief (FoRB).

Background

2. Nigeria's federal constitution provides legal protections and rights for all citizens. However, these are not always enjoyed by religious minorities in northern and central areas, particularly since the adoption of the Shari'a penal code by twelve states, which effectively rendered Islam the official state religion contravening constitutional stipulations prohibiting the adoption of state religion.
3. Non-Muslims in these states are generally denied the rights, opportunities, provisions and protection Muslims enjoy, and to which they are entitled. Churches and land are often seized with little or no compensation, and non-Muslims are rarely reimbursed for personal or corporate losses incurred during episodic religion-related violence.
4. The situation has been exacerbated by the re-emergence of the terrorist group, Jamā'atu Ahlis Sunnah Lādda'awatih wal-Jihad or Boko Haram, previously known as Yusufiyya or the Nigerian Taliban. Since its inception in 2002, Boko Haram has targeted the federal government and the "Western" religion of Christianity, initially in late 2003 and early 2004, then during the summer of 2009. Following its defeat by federal forces and the extrajudicial killing of its founder-leader, the group went underground, reappearing in 2010 with deadly, sophisticated new tactics that pointed to links with, and training from international terrorist networks.
5. The prevailing international human rights narrative focuses on poverty as the alleged engine of the violence, the constitutional issue of indigeneship solely with regard to Plateau State, and more recently, excessive military responses to terrorism that violate the rights of civilians. However, there has been a consistent failure to acknowledge and address the underlying, systematic religious discrimination and longstanding impunity that create an environment facilitating the regular emergence of violent groups that deny FoRB to indigenous and non-indigenous non-Muslims, and increasingly, to Muslims who do not share their extreme religious dogma.
6. Prioritisation of counterinsurgency is essential, as is Nigeria's contribution to regional efforts to counter terrorism. Moreover, efforts to ensure structured education for Quranic students (almajeris), often at the forefront of religious violence, are commendable. However, Nigeria must also address the systematic discrimination that contributes to a climate facilitating impunity with regard to religion-related violence, and a general undermining of the rule of law in these areas.

7. Nigeria is signatory to several international agreements relevant to this submission, including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic Social and Cultural Rights (ICECSR), the African Charter on Human and Peoples Rights (ACHPR), the Convention on the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the Convention on the Elimination of All Forms of Racial Discrimination (CERD).
8. **Recommendation: Nigeria is urged to ensure that policies and practice of individual states are reflective of obligations under the national constitution and international law. Nigeria is also urged to monitor and strengthen implementation of existing laws and practices to ensure equality and non-discrimination for non-Muslims in the northern and central states. Finally, Nigeria is encouraged to consider initiating civic education programmes promoting FoRB, national unity, and pluralism, and human rights training for local officials.**

Right to Freedom of Religion or Belief

9. In most Shari'a states, construction of churches is severely restricted. Most congregations cannot purchase land for the construction of buildings, or obtain certificates of ownership for land. When churches seek permission to build, they are generally told to wait, and the waiting becomes indefinite. Church buildings are demolished for real or imaginary infractions, or when land is seized by local authorities for "development". For example, the Evangelical Church Winning All (ECWA) in Matazu Local Government Area (LGA), Katsina State, has been in protracted negotiations with the authorities to prevent the construction of a road through the church's compound, which also houses a school for orphans. Congregations rarely receive compensation or alternative land for new buildings.
10. Churches continue to be destroyed during religion-related violence. The situation has been exacerbated by the advent of Boko Haram and its offshoots, the latest of which to emerge is Jamaatu Ansarul Muslimina Fi Bidalis Sudan, or Ansaru. Boko Haram issued an ultimatum for all Christians to convert, leave the region or die and is mounting a deadly campaign of religious cleansing, utilising tactics that could amount to war crimes. These include suicide bombing and gun attacks on church services; murders of Christian businesspeople, house-to-house killings in Christian suburbs, bombings; shootings in bars or restaurants frequented by Christians, and assassinations of church leaders.
11. In an indication of the effectiveness of religious cleansing, by the end of 2012, one of the smaller denominations, Ekkliyyar Yanuwa a Nigeria (EYN-Church of the Brethren in Nigeria) recorded the deaths of 109 church members and the destruction of around 50 churches. Moreover, while many from southern and eastern tribes fled to their home areas, the majority of Christians in the north and centre are from indigenous tribes and have no other home. Nevertheless, to ensure survival, an increasing number feel obliged to relocate, particularly from Yobe and Borno States, leaving behind jobs, homes and ancestral lands.
12. Boko Haram, Ansuru and other offshoots also restrict FoRB for Muslims who do not share their theology. As well as assassinating local officials, security personnel and politicians, Boko Haram conducts hit and run murders of imams who disagree with its ideology, traditional officials and individuals deemed to have betrayed or opposed it. In another reminder of the international dimensions of the insurgency, westerners are now being taken hostage, nine women assisting

with polio eradication were murdered in Kano State, and three North Korean doctors were killed in Yobe State.

13. In some areas Nigerian troops are accused of utilising excessive tactics in response to the insurgency, causing suffering to Muslim civilians, who find themselves caught between the two forces. There are also regular complaints of highly-placed suspects generally not facing the same fate as less privileged ones, or even being freed following high-level interventions.
14. **Recommendation: Nigeria is urged to ensure that individual states respect FoRB in its entirety, including the right to own and construct churches, and that they fully compensate religious groups that have been deprived of places of worship, facilitating access to alternative land. Moreover, perpetrators, enablers and funders of violence must be apprehended and prosecuted, regardless of social standing.**

Abduction and forcible conversion of women and girls

15. Child abduction and forcible conversion continue to occur, particularly in remote areas of Shari'a states. This occurred regularly in Katsina State, but is now less frequent. In February 2013, the daughter of a policeman stationed in Katsina State was abducted and eventually taken to the Emir of Katsina's palace. The policeman managed to rescue her two weeks later, and has sent her to his home state of Taraba as a precaution.
16. In 2009, a minor working as a nanny who attended an Anglican Church in Gidan Tati, Yayabakwai, Kano State, was arrested by the Hisba, who took her to the District Head (Hakimi). Once there, she was forcibly converted and married to a Muslim man.
17. During 2009, CSW also learned of the regular abduction of women and girls from the Kambari tribe in remote villages in Yauri Emirate, Kebbi State. In one instance, when the parents of an abducted girl complained to the Hakimi, he ignored them, claiming he and his wife had become the girl's parents. When the family attempted to report the case to the police, they were asked for N10, 000 (around US\$ 63.00) before investigations would proceed.
18. **Recommendation: Nigeria must urgently address abduction, forcible marriage and forcible conversion of non-Muslim girls and women, ensuring that individual states facilitate the swift return of abductees and bring to justice individuals or organisations implicated in disappearances.**

Loss of property in violence and lack of compensation

19. Since religion is interwoven inextricably into the northern political, social and ethnic fabric, violence inevitably unfolds along religious lines. Even when the visible trigger is not religious, whether termed political, ethnic, herder-farmer or indigene-settler, the outworking is invariably religious.
20. During the April 2011 presidential election violence, Christian symbols were targeted alongside offices and homes of ruling party stalwarts. Few churches were left unscathed in thirteen of twenty LGAs in Bauchi State, particularly in the north. In Azare LGA, fifteen churches and many

homes were destroyed. In Itas LGA, five churches were demolished to foundational level, Christian homes were looted, and two women killed.

21. In Malumfashi, Katsina State, 23 churches were razed to the ground. A pastor and his wife who were asked to renounce their faith by attackers escaped, but their house and church were destroyed. A medical centre belonging to ECWA was looted and its dispensary, church, secretariat and staff residences reduced to rubble by a crowd thousands strong, with Almajiris aged between six and twenty reportedly constituting the majority. While attacking, the crowd chanted “change” and “CPC” (Congress for Progressive Change – the party of the unsuccessful presidential candidate).
22. While in hiding, several Christians in Funtua, Katsina State overheard telephone conversations in which assailants informed interlocutors of their accomplishments, inquiring whether that person was making similar destructive progress. Survivors in crisis-affected areas in northern Kaduna State overheard similar telephone conversations. In several instances, when rape or murder was suggested, some of the assailants would insist their “orders” were only to loot and burn. Such conversations indicate that what has been termed spontaneous political violence may have been highly organized, transcending state lines.
23. During violence, victims cannot rely on security services for protection. In Funtua, destruction occurred in the presence of security officers, who allegedly acknowledged chants for “change” positively. In Itas, pastors attempted to contact the Divisional Police Officer (DPO). His telephone was switched off until late evening, when he reportedly showed no interest in their plight. Another pastor in Funtua was later informed by a junior police officer confidentially that violence could have been averted by the use of teargas in the initial stages. However, the local DPO refused to grant permission for this.
24. In remote areas of Plateau State and predominantly non-Muslim areas of Bauchi State, sporadic night time attacks on villages by armed men, some dressed in military uniform, have occurred fairly regularly since March 2010, when attacks on Dogo Nahauwa, Zot and Ratsat in Jos South claimed around 400 lives. Significantly, killers targeted women and children for the first time. Assailants are thought to use traditional herding routes to evade detection, causing some observers to attribute these assaults to herder-settler tensions.
25. Night time attacks are now occurring on villages in predominantly-Christian Southern Kaduna State. During the evening of 23 February 2013, unknown gunmen killed six people, including a six-month-old, injuring many more who had gathered to mourn an earlier death in Aduwan Gida Village, Zangon Kataf LGA. The previous evening in Plateau State, gunmen, some allegedly wearing military uniform, killed ten members of the same family who had gathered for a funeral in Kogwom Village, Jos South LGA. The majority were under six years of age.
26. Local communities consistently complain that despite receiving timely distress calls and often being stationed close by, security forces generally arrive after attackers have left. In several instances, fears have been articulated of state authorities and/or members of the security services being complicit in the violence. The seeming inability to prevent attacks or apprehend perpetrators and the belated responses have also occasioned anger and distrust at perceived official complicity and have contributed to the emergence of retributive violence in some of these areas.

27. Ineffective official intervention may have also contributed to general impunity and lawlessness, possibly occasioning the emergence of copy-cat revenge attacks on Muslim villages by armed robbers, who may sometimes also function as Boko Haram foot soldiers. In June 2012, at least 27 people, including a policeman, were killed by armed robbers during a raid on Dangulbi, Biya, Guru and Sabuwar Kasuwa Villages in Zamfara state. On 14 October 2012, twenty people in Dogon Dawa Village in Kaduna State were shot dead as they left a mosque by an armed gang that had long been harassing them. Eighteen people, including the traditional leader, died during an armed attack on Kabarau Village, also in the Dansadau Emirate of Zamfara State, on 31 October 2012. Villages in this area have suffered deadly attacks by armed robbers since 2011, with over 50 people killed between August 2011 and June 2012.
28. Although arrests were reportedly made of twelve police officers accused of supplying weaponry to robbers involved in the Dansadu Emirate raids, villagers allege that little more has been heard of these cases since the suspects were transferred to Abuja. If true, this may represent an extension of a trend that has characterised cases involving religion-related violence for decades; namely, the lack of accountability that ultimately promotes impunity.
29. The majority of denominations and Christians that lost property in April 2011 have not received compensation. This is particularly the case with regard to Katsina, where news of the destruction was not aired by local or international media. While the Katsina State Governor quickly donated at least N20 Million (around US\$ 126,580.00) to victims of the January 2012 Boko Haram violence in Kano, victims in Katsina are yet to receive recognition or compensation. Moreover, while the Borno State government settled out of court with the family of Boko Haram founder Mohammed Yusuf, granting N100 million (USD 632,911.00) as compensation for the extra-judicial killing of his father-in-law, compensation has yet to be paid for losses of life and property during the 2006 Cartoon Riots, or at the hands Boko Haram in 2003, 2004 and 2009.
30. **Recommendation: The Federal Government is urged to intervene to guarantee the safety of citizens whenever individual states fail or are negligent in their duty. Nigeria must also monitor and ensure the payment of adequate compensation to victims of violence by individual states, regardless of creed or rank, and that states implement effective security measures in crisis-prone areas, investigate allegations of complicity, and prosecute those found culpable, regardless of rank or social standing.**

Marginalisation

31. Non-Muslims in Shari'a states often suffer comprehensive marginalisation, and particularly in rural areas, indigenous Christians cannot access rights, freedoms and privileges stipulated in the constitution, or in international treaties to which Nigeria is party. In many rural areas Christians can vote, but cannot contest for posts without risking violence. The population of Gani Ward in Kano's Samaila LGA is entirely Christian; however, in 2007, one man died and several Christian-owned homes and businesses were razed to the ground after a Hausa Christian won the local government chairmanship elections. Eventually a Muslim from a neighbouring village assumed the role.
32. Non-Muslims are rarely permitted to join paramilitary services or the public sector. Even those from indigenous tribes are generally excluded from employment as prison wardens, immigration officials and customs officers, and cannot easily join the armed services. A pastor from Kano recounted of how his son, named Daniel, had attempted to enlist during an army recruitment

- drive, but was sent away after being informed “there cannot be a Daniel in Kano”. Similarly, in February 2013, a Hausa Christian named Emmanuel was barred from applying for the police force on the grounds that no one called Emmanuel could be from Katsina State. There have also been cases where indigene certificates have been seized from indigenous non-Muslims.
33. There are consistent reports of discrimination in employment, with qualified applicants from minority faiths being disregarded for key positions. Within the educational sector non-Muslim teachers are often employed on a contractual basis and do not receive a full letter of appointment or confirmation of employment, facilitating summary dismissal.
 34. In rural areas discrimination with regard to public services and social amenities persists. The population of Rogo LGA in Kano State consists of indigenous tribes that are 95% Christian. In early 2009, a meningitis outbreak affected several states. However, by late April, while children elsewhere in Kano had been inoculated, no inoculations had taken place in non-Muslim areas, including Rogo.
 35. Accessing potable water in rural communities can be problematic. In Rogo, Christians were prevented from using a solar-powered borehole that was sunk close to a church by a key international institution. Instead, they were obliged to make use of a well that was sunk by early missionaries and was on the verge of running dry, or to buy water drawn from the other well, until a local NGO learned of the situation and provided a new borehole.
 36. Dusa Village in Kankiya LGA, Katsina State has no access to clean water, while a neighboring Muslim Village received three boreholes at state expense. Villagers report that when they complained to local authorities about a lack of clean water and requested a water pump it was made clear to them that their faith was an impediment to receiving these amenities.
 37. In Sanga Gumau, Toro LGA, Bauchi State, a system known as Bada Kaka exists whereby Muslim traders loan Christian subsistence farmers one bag of fertiliser in return for two bags of future harvest. Farmers generally require around five bags for an adequate yield. Unpredictable rains increasingly cause many to default, and the debt doubles annually. When ultimately unable to meet accumulated arrears, farmers are obliged by a Shari'a court to forfeit land in lieu of payment.
 38. **Recommendation: Nigeria is exhorted to urgently address the comprehensive marginalisation of indigenous non-Muslims, particularly those in rural areas, and to ensure that individual states respect the principle of non-discrimination with regard to access to and provision of amenities and opportunities, especially those that are federally-funded.**

Restrictions on access to Education

39. Articles 13, 14 and 15 of the CRC protect the right of a child to freedom of religion, expression and assembly, respectively. Article 30 further provides for children belonging to religious minorities not to be denied the right to profess and practice their religion. However, in many northern states public schools do not hire Christian Religious Knowledge (CRK) teachers. There is also a lack of state government funding for non-Muslim schools, and informal schools created in local communities with the help of NGOs have difficulty receiving official registration.

40. Since 2003, girls in Kano State have been required to wear the hijab as part of their uniform in public schools, regardless of religious affiliation. This is obligatory in nursery, primary and secondary schools. Most private schools have been closed for failing to meet a requirement for compulsory teaching of Islam by employing Muslim clerics.
41. A pastor's daughter in Kano was asked about her father's profession. After responding truthfully she was asked what a pastor's daughter was doing in school. The girl was subsequently allowed to complete her education, but never received her final results, a tactic reportedly employed in cases involving non-Muslim children on a regular basis, effectively preventing them from continuing with education.
42. There are also consistent reports from several states that children in state schools are obliged to perform Muslim prayers, regardless of religious background. Communities in Shari'a states also report instances where children have been obliged to change their names to Muslim ones and adopt Islamic practices – including worship – in order to receive state education, risking expulsion if discovered.
43. Non-Muslim children also experience difficulties in obtaining scholarships. A girl from Maikwatshi Government Girls Secondary School in Fage LGA successfully passed examinations in July 2009, qualifying for a scholarship for further education. She was subsequently informed that she did not qualify because she was not from Kano State, despite hailing from an indigenous tribe. There are also consistent reports that those who access higher education are not permitted to study courses such as Law or Medicine.
44. Unproven charges of defamation and blasphemy are regularly levelled against non-Muslim students, who are subsequently attacked and expelled from school. For example, in November 2009, at Rimi Secondary School in Kano a paper containing defamatory words was placed under a prayer mat in a mosque. Eight Christian children were eventually expelled. When representatives of the Christian Association of Nigeria (CAN) visited the school, the principal informed them the expulsions followed a directive from the zone educational office. Often accusations and expulsions occur at a time when students are to take examinations vital for further education.
45. **Recommendation: Nigeria must ensure that the practice of individual states is brought into line with the nation's obligations under the CRC, and that every child can access primary education, regardless of religious background, and proceed with further education on the basis of merit. The Federal Government is also urged to ensure that individual states end the practice of withholding results or scholarships and cease expulsions of non-Muslim children following unproven or false allegations.**