

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	338
Land:	Nigeria
Kilde:	USCIRF
Titel:	Annual report on religious freedom
Udgivet:	30. april 2015
Optaget på baggrundsmaterialet:	15. september 2015

NIGERIA



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Key Findings

Religious freedom conditions in Nigeria are being strained by Boko Haram's terrorist attacks against Christians and Muslims, recurring sectarian violence, and escalating interfaith tensions. While the Nigerian federal government does not engage in religious persecution, it fails to implement effective strategies to prevent or stop terrorism or sectarian violence and does not bring to justice those responsible for such violence. The Nigerian government's almost exclusively military approach to Boko Haram contributes to ongoing terrorism in the country. Boko Haram exploits sectarian fissures to manipulate religious tensions and destabilize Nigeria.

regions. Managing this diversity and developing a national identity has been, and continues to be, a problem for Nigerians and the Nigeria government, especially between its "Muslim North" and "Christian South." To address this challenge, the practice has been for presidential tickets to include candidates from both regions and to be religiously balanced. The charter of the ruling Peoples' Democratic Party requires its presidential candidates to switch between the north and south every eight years. Critics argue that President Goodluck Jonathan upset the regional alternation when he succeeded the late President Umaru Yar'Adua and continued to seek re-election in 2011 and 2015. During the 2011

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Based on these concerns, in 2015 USCIRF again recommends that Nigeria be designated as a "country of particular concern" or CPC, under the International Religious Freedom Act (IRFA). USCIRF first recommended Nigeria be designated a CPC in 2009; Nigeria was on the Commission's Tier 2 (Watch List) from 2002-2009. The State Department has not designated Nigeria a CPC.

Background

Nigeria's population of almost 180 million people is equally divided between Muslims and Christians. Religious identity frequently falls along regional, ethnic, political, and socio-economic lines and provides flashpoints for violence.

The return to democracy and elected leadership ended decades of corrupt military rule, but created a winner-take-all fight for presidential power between

and 2015 presidential elections, many in the north felt that it was still that region's turn for the presidency.

On March 28, 2015, Nigerians elected opposition candidate and northerner Major General (ret.) Muhammadu Buhari as president. It was Nigeria's first closely-contested presidential election between two major political parties, and led to Nigeria's first democratic transfer of power between parties. Fears of inter-religious violence like that which killed more than 800 persons in April 2011 were unrealized.

Since 1999, violence between Christian and Muslim communities in Nigeria, particularly in the Middle Belt states, has resulted in more than 18,000 people killed, hundreds of thousands displaced, and thousands of churches, mosques, businesses, homes, and other structures damaged or destroyed. Years of inaction by Nigeria's federal and state governments have created a climate of impunity.

Although the 1999 constitution provides for freedom of religion or belief, it also legally discriminates between persons whose ethnic group is deemed by state-level officials to be native to a particular area (“indigenes”) and those considered to be from elsewhere (“settlers”). Indigene and settler identities can fall along religious lines, leading to ethno-religious violence over who controls local governments to determine indigene status and distribute corresponding education, employment, and property benefits. The constitution’s federalism provisions also create an overly centralized rule-of-law system that hinders effective and timely police responses to sectarian violence and impedes prosecutions.

The Nigerian government does not actively perpetrate religious freedom abuses, but does tolerate northern and southern state laws and practices that

May 2014, Boko Haram garnered international attention with the abduction of more than 270 schoolgirls from the northeastern town of Chibok. The Council on Foreign Relations’ Nigeria Security Tracker reports that from May 2011 through December 2014, Boko Haram killed more than 8,400 persons; another 7,900 were killed in fighting between Boko Haram and Nigerian security forces. The United Nations reported that by the end of 2014 more than 700,000 Nigerians were internally displaced and 142,000 sought refuge in Cameroon, Chad, and Niger.

In 2014, Boko Haram attacked Muslim and Christian religious leaders and religious ceremonies, police, military, schools, “non-conforming” Muslims, and Muslim critics. It bombed St. Charles Catholic Church in Kano, a Shi’a Muslim Ashura festival in Potiskum, and

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result in religious freedom violations. The criminal codes of 12 Muslim-majority northern Nigerian states include Shari’ah law penalties and have been applied against Muslims and Christians. In the south, there have been reports of increased discrimination against Muslims. States habitually fail to implement announced programs or recommendations by government commissions to end sectarian violence.

Religious Freedom Conditions 2014–2015

Boko Haram

Boko Haram is a U.S.-designated Foreign Terrorist Organization (FTO) engaged in an insurgent campaign to overthrow Nigeria’s secular government and impose what it considers “pure” Shari’ah law. The group declared an Islamic “Caliphate” in areas it controls in August 2014. After the close of this reporting period, Boko Haram pledged its allegiance to the Islamic State of Iraq and the Levant (ISIL) on March 8, 2015. Boko Haram opposes Nigeria’s federal and northern state governments, political leaders, and Muslim religious elites and has worked to expel all Christians from the north. In

the Kano Central Mosque. The terrorists also attempted to assassinate presidential candidate Major General (ret.) Muhammadu Buhari and the Emir of Kano. Boko Haram routinely abducted hundreds of Nigerians to be slave laborers or wives. The terrorists successfully exploded two bombs in the greater Abuja area in 2014 and regularly bombed crowded markets and bus stations throughout the north. These attacks killed thousands of innocent civilians. Christian advocacy groups report that Boko Haram ordered Christian men to convert or die and forced abducted Christian women to convert.

The Nigerian government’s military efforts against Boko Haram have been ineffective. From May 2013 through November 2014, the Nigerian government operated a state of emergency in Borno, Yobe, and Adamawa states, and deployed a Joint Task Force (JTF) composed of army, air force, police, state security, and intelligence officers to the three states to defeat Boko Haram. In this time period, Boko Haram expanded the territory it controlled to an area roughly the size of Belgium and ran incursions into neighboring Cameroon, Chad, and

Niger. As a result of inadequate government protection, civilians in Borno state formed vigilante groups to defend their villages from Boko Haram; at times these vigilante groups (known as the Civilian Joint Task Force) cooperated with the JTF.

Observers note that the military's heavy-handed techniques have been counterproductive. They fail to protect northeastern communities and at the same time alienate civilians from the central government, fueling recruitment or passive support for Boko Haram. The U.S. State Department, Human Rights Watch, Amnesty International, and Nigeria experts all report that security forces' actions often increased the death toll. Security forces are accused of excessive use of force, committing extra-judicial killings, mistreating detainees in custody, arbitrary arrests, and using collective punishments. The Nigerian Security Tracker reports that state security officers are solely responsible for an additional 5,000 deaths from May 2011 through Decem-

African Union approved an 8,700-troop Multi-National Joint Task Force (MNJTF) composed of soldiers from Benin, Cameroon, Chad, Niger, and Nigeria, which successfully re-captured dozens of towns. Nevertheless, Boko Haram suicide bombings continue to occur almost daily throughout the north, and the group appears to be returning to the urban, guerilla campaign that categorized much of its activities in 2012 and 2013.

The State Department and Nigeria experts also have criticized the Nigerian government for failing to implement a holistic response to the insurgency that includes counter- and de-radicalization programs and economic and social development initiatives. In May and September 2014, Nigerian National Security Advisor Colonel (ret.) Sambo Dasuki called for a "soft approach" to tackle Boko Haram that would include development and counter-radicalization programs for the northeast. In 2014, the Nigerian government announced north-east development, emergency relief, reconstruction,

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ber 2014. Nigerian officials deny these abuses and the federal government has not arrested or prosecuted one soldier for such abuses.

Corruption also hampered the military campaign against Boko Haram. Despite a Nigerian military budget of \$5.8 billion, the U.S. State Department and Department of Defense report that the funding is "skimmed off the top" and there is low troop morale in the JTF. Soldiers are poorly trained and equipped, and at times are reported to run away or not engage a better armed and trained Boko Haram. Several military officers were prosecuted in this reporting period for failing to engage Boko Haram. The military did secure some successes in this reporting period. In the lead-up to Christmas, security forces successfully protected Christians by increasing their presence around houses of worship, strategically undertaking helicopter patrols, and banning vehicle movements in Borno and Yobe states. After the close of this reporting period, in February 2015, the

and rehabilitation programs, as well as a safe schools initiative. However, to date the Nigerian government has not shown a willingness to vigorously implement these types of initiatives as part of a broader campaign to defeat Boko Haram. There is no available evidence that development or reconstruction and rehabilitation programs are in effect. Only the safe schools initiative and emergency relief fund to support internally displaced persons have commenced. Further, the State Department reports that the Nigerian federal government does not support northern state-level education and employment initiatives.

Sectarian Violence

Since 1999, violence between Christian and Muslim communities in Nigeria, particularly in the Middle Belt states, has resulted in more than 18,000 people killed, hundreds of thousands displaced, and thousands of churches, mosques, businesses, homes, and other

structures damaged or destroyed. Rarely are perpetrators of sectarian violence held accountable. With almost no consequence for violence, incidents regularly trigger retaliatory attacks. Human Rights Watch estimates that between January 2010 and December 2013, 2,000 to 3,000 Muslims and Christians in the Middle Belt were killed in revenge attacks on each other's communities.

Recurrent rural violence between predominately Christian farmers and predominately Muslim herders continued in 2014 with attacks in Bauchi, Benue, Kaduna, Plateau, and Taraba states that killed hundreds, displaced thousands, and destroyed a number of churches. While land disputes factor into this violence, religion is a significant catalyst in the attacks in the religiously-balkanized Kaduna and Plateau states. Southern Kaduna state has been especially prone to sectarian violence since the April 2011 elections. In the country's most deadly episode of Muslim-Christian violence in this reporting period, 147 people were

Northern State-Level Legal Problems

Twelve Muslim-majority northern Nigerian states apply their interpretation of Shari'ah law in their criminal codes. State governments in Bauchi, Zamfara, Niger, Kaduna, Jigawa, Gombe, and Kano funded and supported Hisbah, or religious police, to enforce such interpretations.

In January 2014, two Shari'ah courts in Bauchi State held a trial of 12 men accused of breaking national and Shari'ah laws on homosexuality. Their cases were heard in secret after an angry mob pelted the defendants with stones following a hearing, demanding their immediate execution. In March, four were convicted, given 15 lashes, and fined \$125, and seven were secretly released on bail. A Christian suspect was tried in a secular court and later secretly released. Also in January, in a separate case, a man was publicly flogged and fined \$5,000 after being convicted of homosexuality.

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killed and 285 houses and three churches were razed when suspected Muslim Fulanis launched attacks on Christian villages in Kaura Local Government Area, Kaduna State in March. No arrests or prosecutions of perpetrators were reported.

As in previous reporting periods, the Nigerian federal and state government response was ineffective, if present at all. When they did act, it typically involved tardy military deployments to stop violence, implementation of 24-hour curfews following some episodes, and a series of meetings and peace agreements. Security officers often were accused of excessive use of force and killing civilians. Starting on March 31, 2014, the Nigerian military executed a major internal security operation in Benue, Nasarawa, and Plateau states to stem the rural violence.

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Southern State-Level Legal Problems

Reports of discrimination against Muslims in southern states increased in 2014. Hundreds of northern Muslims were arrested throughout southern Nigeria in 2014 for being suspected Boko Haram members; most were later released. Further, northern Muslims in the southeast were required to register with the local governments. A Lagos High Court upheld a state ban on wearing the hijab in all Ogun state schools.

U.S. Policy

Nigeria is a strategic U.S. economic and security partner in Sub-Saharan Africa. Senior Obama Administration

officials regularly visit the country, including trips by Secretaries of State Hillary Clinton and John Kerry and by other senior State Department officials. The United States is Nigeria's largest trading partner. Nigeria is the second largest recipient of U.S. foreign assistance in Africa and the United States is the largest bilateral donor to Nigeria; for fiscal year 2016 the State Department is requesting \$607,498,000 for programs to support democratic governance, professionalization of the security services, counterterrorism initiatives, economic and agricultural production, and health and education services. Nigeria's importance to U.S. foreign policy was demonstrated in 2010 with the establishment of the U.S.-Nigeria Bi-National Commission.

Despite strong bilateral ties, the Nigerian-U.S. relationship deteriorated in 2014 due to disagreements over how to stop the Boko Haram insurgency. The United States has consistently urged the Nigerian government to expand its solely military approach to address problems of economic and political marginalization in the north. 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. Nigerian government officials believe that

their capture in June 2013. It also supported UN Security Council sanctions on Boko Haram to prohibit arms sales, freeze assets, and restrict movement. In May 2014, following the Chibok kidnappings, President Barack Obama sent to Abuja a multi-disciplinary team composed of humanitarian experts, U.S. military personnel, law enforcement advisors, investigators, and hostage negotiation, strategic communication, civilian security and intelligence experts to advise Nigerian officials and help secure the return the kidnapped girls. The Departments of State and Defense fund a \$40 million Global Security Contingency Fund to train and equip Cameroon, Chad, Niger, and Nigeria to conduct a regional, cross-border strategy to stop Boko Haram. Nigeria receives additional security advice and assistance through its participation in other partnerships, initiatives, and programs. However, in compliance with the Leahy Amendment, U.S. security assistance to the Nigerian JTF is limited due to concerns of gross human rights violations by Nigerian soldiers. Finally, both USAID and the State Department support counter-radicalization communication programs in northeast Nigeria.

Throughout 2014 and early 2015, the U.S. government supported efforts to make the 2015 presidential, legislative, and gubernatorial elections free, fair, cred-

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the U.S. government is failing to provide it with adequate military support, and prematurely ended a U.S. training program of its army officers in November 2014 after the United States stopped selling helicopters to the country due to concerns about human rights abuses.

Despite these disagreements, the U.S. government has a large military assistance and anti-terrorism program in Nigeria to stop Boko Haram. The United States designated Boko Haram as a Foreign Terrorist Organization (FTO) in November 2013. It designated as terrorists Boko Haram leaders Abubakar Shekau, Abubakar Adam Kamar, and Khalid el Barnawi in June 2012, and offered a \$7 million reward for information leading to

ible, and violence free. In February 2015, Secretary of State John Kerry met with President Jonathan and lead opposition presidential candidate Gen. Buhari in Abuja and warned that the U.S. government would deny entry visas to any individual who instigated electoral violence. The U.S. government provided capacity and technical assistance to the Independent National Elections Commission; funded electoral violence mitigation, political party development, and civic education programs; supported domestic and international observation missions; lobbied the media to refrain from sensational elections reporting and called on the political parties and candidates to renounce electoral violence.

Despite problems of sectarian violence, none of the Bi-National Commission working groups have addressed specifically issues of recurrent inter-religious violence and the culture of impunity. However, the State Department and USAID have implemented programs on conflict mitigation and improving interfaith relations in line with USCIRF recommendations. The State Department funds capacity-building initiatives for the Kaduna Interfaith Mediation Center (IMC) to address ethnic and religious violence across the country. USAID's TOLERANCE program works with the IMC to provide conflict mitigation and management assistance in northern and Middle Belt states in Nigeria. Additionally, the State Department's Office of International Religious Freedom funds the NGO Search for Common Ground to conduct interfaith conflict mediation programs in the Middle Belt and the Bureau of Democracy, Human Rights, and Labor supports an Open Society Foundation interfaith religious education and dialogue program.

Recommendations

Nigeria has the capacity to improve religious freedom conditions by more fully addressing Boko Haram and sectarian violence, and will only realize respect for human rights, lasting progress, security, stability, and prosperity as a democracy if it does so. Moreover, USCIRF is concerned that the charged rhetoric used by political and religious leaders could lead to an escalation of violence and a more divided, sectarian Nigeria. For these reasons, USCIRF recommends that the U.S. government designate Nigeria as a CPC. In addition to so designating Nigeria, USCIRF recommends that the U.S. government should:

- Seek to enter into a binding agreement with the Nigerian government, as defined in section 405(c) of IRFA, and be prepared to provide financial and technical support to help the Nigerian government commit to undertake reforms 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 and terrorism;
 - 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; and
 - taking steps to professionalize its police and military forces in its counter-terrorism, 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;
- Hold a joint session of the U.S.-Nigeria Bi-National Commission working groups on good governance and security to address issues of Nigeria's recurrent sectarian violence and failure to prosecute perpetrators;
- Impose visa bans on persons who instigate sectarian violence;
- Urge the Nigerian government to create a Ministry of Northern Affairs and provide technical assistance to this new body to address the socio-economic disparities in the north that fuel the creation and continuation of Boko Haram;
- Advise the Nigerian government in the development of de-radicalization and community reintegration programs for youth and women enslaved by Boko Haram;
- Encourage and support through training and education efforts by the Nigerian government to provide additional security personnel to protect northern Christian minorities and clerics and Muslim traditional rulers who denounce and actively work to end the Boko Haram insurgency;
- Expand engagement with Middle Belt and northern religious leaders and elders on universal human rights, including freedom of religion or belief;

- Ensure that U.S-funded education efforts in northern Nigeria to increase access to schools and reform traditional Islamic schools include lessons on the promotion of freedom of religion or belief, tolerance, and human rights;
- Continue to support civil society and faith-based organizations at the national, regional, state, and local levels that have special expertise and a demonstrated commitment to intra-religious and interreligious dialogue, religious education, reconciliation and conflict prevention; and
- Support programs and institutions, particularly in areas where sectarian violence has occurred, that monitor, report on, and counter religiously-inflammatory language and incitement to violence, consistent with the right to freedom of expression.