

KEY FINDINGS

Religious freedom conditions in Nigeria remained poor in 2017. The Nigerian government at the national and state levels continued to tolerate violence and discrimination on the basis of religion or belief, and suppressed the freedom to manifest religion or belief. The federal government continued to detain the leader of the Shi'a Islamic Movement of Nigeria (IMN), Sheikh Ibrahim Zakzaky, along with his wife and hundreds of other members, and state governments continued to ban the group's activities. Sectarian violence between predominantly Muslim herders and predominantly Christian farmers increased, and the Nigerian federal government failed to implement effective strategies to prevent or stop such violence or to hold perpetra-

tors accountable. Despite gains made by the Nigerian military in the fight against Boko Haram, the government's nonmilitary efforts remained nascent, and Boko Haram's attacks continued. The government also failed to hold Nigerian Army officers accountable for excessive use of force against IMN members, against Boko Haram, and in efforts to curtail sectarian violence. Finally, other religious freedom abuses continued at the state level, including coercive official or societal actions to enforce particular religious norms. Based on these violations, in 2018 USCIRF again finds that Nigeria should be designated as a "country of particular concern," or CPC, under the International Religious Freedom Act (IRFA), as it has found since 2009.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Designate Nigeria as a CPC under IRFA;
- Seek to enter into a binding agreement with the Nigerian government, as authorized under section 405 (c) of IRFA, and provide associated financial and technical support, to obligate the Nigerian government to take substantial steps to address violations of religious freedom, including but not limited to:
 - Professionalize and train specialized police and joint security units to respond to sectarian violence and acts of terrorism, including in counterterrorism, investigative techniques, community policing, nonlethal crowd control, and conflict prevention methods;
 - Enhance training for all military and police officers on international human rights standards, and ensure security officers accused of excessive use of force and other human rights abuses are investigated and held accountable;
 - Conduct professional and thorough investigations of and prosecute incidents of sectarian violence and terrorism and suspected and/or accused perpetrators;
 - Develop effective conflict prevention and early warning mechanisms at the local, state, and federal levels using practical and implementable criteria;
- Encourage politicians and religious leaders to participate in conflict management training and projects to prevent violence and counter divisive and inciting messages;
- Advise and support the Nigerian government in the development of counter- and deradicalization programs;
- Hold a session of the U.S.-Nigeria Bi-National Commission to discuss further actions to end sectarian violence, address land concerns, hold perpetrators accountable, and reconcile communities;
- Ensure religious freedom issues are addressed in the assessments required by Congress under section 1279A of the National Defense Authorization Act for Fiscal Year 2018, including by:
 - Assessing the role of religious identity in human rights violations by Nigerian security forces;
 - Assessing the engagement of religious leaders by Nigerian forces in efforts to improve protection of civilians; and
 - Incorporating education and training on religious freedom issues into the plan for the U.S. government to work with Nigerian institutions to improve detainee conditions;
- Within existing U.S. assistance to Nigeria, increase funding and support for conflict prevention and management programming in central and northern states facing high levels of sectarian violence, and for research into the relationship between corruption and religious freedom violations in Nigeria; and
- Use targeted tools against specific officials and agencies identified as having participated in or being responsible for human rights abuses, including particularly severe violations of religious freedom; these tools include the "specially designated nationals" list maintained by the U.S. Department of the Treasury's Office of Foreign Assets Control, visa denials under section 604(a) of IRFA and the Global Magnitsky Human Rights Accountability Act, and asset freezes under the Global Magnitsky Act.

COUNTRY FACTS

FULL NAME

Federal Republic of Nigeria

GOVERNMENT

Presidential Republic

POPULATION

190,632,261

GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

N/A

RELIGIOUS DEMOGRAPHY*

50% Muslim

40% Christian

10% Indigenous beliefs

*Estimates from the CIA World Factbook

BACKGROUND

With vast ethnic and linguistic diversity and longstanding concerns among the population that some ethnic or religious groups may dominate over others, the Nigerian government seeks to promote a unified national identity and deter ethnic and religious marginalization and sectarian conflict. The 1999 Constitution of Nigeria includes provisions protecting freedom of religious belief and prohibiting religious discrimination. Mandated to enforce the constitution's federal character principle, which seeks to ensure that the government reflects the country's diversity, the Federal Character Commission attempts to provide fair and representative access to posts in the civil service, armed forces, police, and other agencies, and to ensure equitable distribution of resources and services. However, because this principle is applied through the controversial "indigene" concept, whereby certain groups are considered native to a particular area and as a result are afforded benefits and privileges not provided to those deemed non-native "settlers," members of some groups have been denied equal citizenship at the local level. Historically, the population in the north has been largely Muslim and, in the south, mostly Christian.

Across Nigeria, traditional rulers and religious leaders still wield influence in politics and governance, although religious groups have argued they receive

unequal representation in government. In 12 Muslim-majority northern Nigerian states, federalism has allowed the adoption of Shari'ah law in the criminal codes. Religious police are also used to enforce Shari'ah, often focusing on family issues and moral behavior.

For decades, Nigeria has struggled to address sectarian violence between farmer and herder communities that are often polarized along religious lines. Inflammatory media reports have increased tensions, and 2017 saw an increase in cycles of violence in these communities as compared to the previous year. Attacks

by the terrorist group Boko Haram, which began in 2009, continued in spite of progress by the Nigerian government in its counterinsurgency efforts. Through its

violent Islamist campaign in Nigeria and the Lake Chad Basin, Boko Haram is responsible for the deaths of tens of thousands, the kidnapping of hundreds, and the displacement of nearly two million Nigerians. Similarly, the pastoralist conflict mainly in the Middle Belt of the country has resulted in mass displacement, destruction of property, and the deaths of thousands.

A USCIRF delegation traveled to Nigeria in January and February 2017, visiting Abuja and Kaduna to meet with government officials, religious communities, and civil society organizations.

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RELIGIOUS FREEDOM CONDITIONS 2017

Repression of the Islamic Movement of Nigeria

The IMN, the country's largest Shi'a Muslim group, was formed by Sheikh Ibrahim Al Zakzaky in the northern city of Zaria in Kaduna State in the 1980s and 90s, with the aim of establishing an Islamic state. The group has a history of violent clashes with Nigerian security forces and Sunni Muslim groups. Although the IMN has renounced violence, the Nigerian government has continued to classify it as a violent group and to use excessive force to repress its members and activities.

More than two years since the most violent crackdown on IMN—the mass killing and burial of 347 IMN members by the Nigerian Army in Zaria in December 2015—and despite a Kaduna State commission of inquiry finding the army responsible and recommending prosecutions, no Nigerian Army officers have been held to account. Nigerian police also continued to detain hundreds of IMN members—including, most prominently, Sheikh Al Zakzaky and his wife Malama Zeenah Ibrahim, who were held without charges, despite an order from the Federal High Court in Abuja ruling that they be released within 45 days of December 2, 2016. Zakzaky had been severely injured, and three of his sons killed, in the December 2015 attack. In March 2017, in response to public criticism from human rights groups, the Nigerian Ministry of Foreign Affairs called Zakzaky's case a "high and sensitive national security issue"; he and his wife remained in detention at the end of the reporting period.

Throughout 2017, IMN members staged protests around the country advocating for the release of Zakzaky. In Kaduna and Sokoto, their activities, including religious processions, were banned. Police continued to arrest members, using tear gas to disperse protests. The IMN and news sources reported that the force used was at times excessive, causing both injuries and deaths.

Sectarian Violence

For decades, farmer and herder communities have clashed throughout Nigeria, most prominently in the Middle Belt region, without adequate government response. Because the groups are predominantly

divided along ethnic and religious lines—with mainly Christian farmers and Muslim herders—communities often perceive the attacks as religiously motivated. In 2017, conflict between herder and farmer communities continued across

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the country, and increasingly in southern parts of Nigeria, causing death, destruction, and displacement. For example, in July, over 30 people were killed in sectarian violence in Kaduna. One November 2017 report documented 139 Christians killed in Benue State between January and August 2017. Human rights groups reported 549 deaths in herder-farmer clashes throughout Nigeria in 2017, and thousands of individuals displaced.

Desertification and conflict in the north of the country have led herders to take routes farther south. As farmers and herders dispute land use and contest grazing paths, violence often results. The proliferation of arms on both sides, polarizing media coverage, and shortfalls in security have exacerbated the problem. During USCIRF's visit to Nigeria in 2017, civil society and government officials offered an array of reasons for the complex conflict, including: land disputes; herds-men being more heavily armed to protect their cattle from cattle rustling; Fulani (an ethnic group of mostly nomadic herder people) engaging in revenge attacks in southern Kaduna; and for Christian interlocutors, a Fulani ethnic cleansing campaign against indigenous ethnic groups to take their lands. All parties, including Christians and Muslims, told USCIRF that they did not feel protected by security services. They expressed frustration that there is impunity for attackers, and that when they call for help in advance or during attacks, police do not come.

By the end of the reporting period, herder-farmer conflicts and ethnoreligious tensions continued to rise. There were increased reports of concerns of an ethnic

cleansing campaign against Christian communities, with various media sources and organizations characterizing the perpetrators as coming from a single Fulani militant group. Some religious leaders and organizations from affected communities contributed to inflammatory narratives based on unsubstantiated reports about the conflict, while others called for increased interreligious cooperation and understanding to foster peace. In the strongly religious context of Nigeria, religious leaders' voices in particular can have an elevated influence within society and on political leaders.

Human rights groups, religious leaders, and other civil society organizations have frequently criticized the government and security services for failing to respond to or prevent conflict, or to hold perpetrators to account. Deficiencies in policing have led to the deployment of military forces in attempts to restore order. In these cases, the military has faced criticism for using excessive force, harming civilians, fostering mistrust of authorities and among religious groups, and tacitly encouraging vigilante responses. In one example in November, a militia from a farming community killed between 30 and 60 members—mostly women and children—of a herder community in Kikan. In December, armed herdsmen engaged in a series of reprisal attacks on villages around Adamawa State, and the Nigerian Air Force responded by firing rockets on villages, causing further destruction and killing civilians.

Political debates continued over solutions, including promoting private ranching or state-run cattle colonies, where herders can bring their cattle to graze, and passing anti-open-grazing laws. In July and October 2017, respectively, Taraba and Benue states enacted laws making open grazing by herders a crime. Some herder communities began to move across state borders as a result. Opponents say these laws marginalize herders and impinge on their rights. In December, the governor of Benue State began implementation of the law in Benue by ordering the arrest of herders and confiscation of cattle.

Boko Haram

Since 2009, Boko Haram has inflicted mass terror on civilians, killing at least 20,000 Nigerians, kidnapping thousands, and displacing nearly two million. Boko Haram has destroyed countless churches, homes, and government buildings in attacks and has forcibly closed many schools. The group has killed and harmed people for being “nonbelievers,” including prominent religious leaders. Some of the most affected are women and girls, who have been abducted and subjected to forced marriage, forced conversion, sexual abuse, and torture.

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in the previous year, using more suicide bombings, increasingly carried out by women and children. During the year, the group reportedly killed at least 300 people in Nigeria, and more than 900 in the Lake Chad region. In May, Boko Haram released 82 more schoolgirls from the group of 276 abducted from Chibok in 2014, in

exchange for six Boko Haram fighters. Around 100 girls from that abduction remained missing at the end of the reporting period, along with an unknown number of others. In March, Boko Haram reportedly kidnapped an additional 22 women and girls. Interlocutors repeatedly reported to USCIRF during the 2017 visit that the government and security services were either unable or unwilling to provide security for people in this region or address the ongoing problem of abductions.

With the 2016 split of Boko Haram into one faction supporting Abubakar Shekau and another supporting Islamic State of Iraq and Syria (ISIS)-endorsed Abu Musab Al Barnawi, some attacks have been attributed to or claimed by the ISIS-West Africa faction. In 2017, such ISIS-West Africa attacks included suicide bombings, as well as targeting of Nigerian and regional troops in northern Nigeria.

The Nigerian military made progress in 2017 in recapturing territory and arresting and dispersing fighters, in part through regional coordination efforts, yet it did not stop Boko Haram's ability to launch major attacks

and terrorize civilians. It also failed to adequately account for or secure the release of abducted individuals. Further undermining military efforts are accusations of security forces committing human rights violations. In October 2017, the Nigerian Army opened a new office in Maiduguri to deal with such abuse cases. The International Criminal Court has ongoing preliminary investigations into potential crimes against humanity by both Boko Haram and Nigerian security forces.

In October 2017, the Nigerian military began a series of secret trials of over 2,300 Boko Haram suspects. According to reports, at least 468 were ordered to participate in deradicalization programs.

State-Level Religious Governance and Policing

Twelve states in northern Nigeria are governed by forms of Shari'ah law and some utilize religious police to supplement the regular police force or provide social services. State enforcement of Shari'ah and the use or funding of religious police (known as Hisbah) organizations varies by location, as does public perception of their value or impact. In some states, vigilante or informal police and neighborhood watches, including Hisbah, are regulated and defined by law. In Plateau and Kaduna states, some neighborhood watch groups are organized along religious lines, including with religious leadership. In 2017, Hisbah police continued to arrest and detain, seize or destroy the property of, and enforce punishments on individuals who violated local religious and morality codes.

Women and Religious Freedom

Although child marriage was outlawed in Nigeria with the Child Rights Act of 2003, which set the minimum age for marriage at 18, many states still do not enforce this prohibition. According to the United Nations, Nigeria has one of the highest rates of child marriage in the world. 46.8 percent of Nigerian women aged 18–49 were married before the age of 18, and Fulani and Hausa

communities have the highest prevalence of child marriage, which is often justified based on religious traditions. However, some religious leaders have opposed the practice. The emir of Kano, Lamido Sanusi II, has been a proponent of ending child marriage, and in 2017 argued to set the legal marriage age limit at 17. He has also spoken out in favor of girls' education and faced backlash from opponents in response.

U.S. POLICY

Nigeria is a key U.S. partner in Africa and one of the biggest recipients of U.S. assistance in the region. In 2010, the U.S.-Nigeria Binational Commission (BNC) was established to strengthen strategic dialogue between the two countries. In 2015, the BNC was reinvigorated with joint commitments around three focus areas: security, economic development, and good governance. The United States continues to provide military and humanitarian assistance as well as programming in line with these priorities in Nigeria, while maintaining a steady emphasis on human rights issues.

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partnership, Nigeria must strengthen transparency of investigations into security operations and hold perpetrators of human rights violations accountable. He raised this need at the November 2017 BNC meeting in Abuja, where he also noted that an effective response to Boko Haram

in the northeast should be more holistic and not solely a military effort. Deputy Secretary Sullivan reinforced the need for training and accountability of security forces in a December 2017 address on counterterrorism, following his visit to Nigeria.

The U.S. government designated Boko Haram as a Foreign Terrorist Organization in 2013. A large congressional delegation traveled to Nigeria in August 2017 to strengthen relations and to address the fight against Boko Haram. In December 2017, the U.S. National Defense Authorization Act for Fiscal Year 2018 was

signed into law, with a provision requiring the president to develop a strategy on improving defense institutions and security sector forces in Nigeria, and to submit to Congress a report that includes assessments of: the threats posed by Boko Haram and ISIS-West Africa, efforts by the Nigerian government to protect civilians and human rights, a plan for the United States to work with Nigerian officials to investigate human rights violations committed by Nigerian security forces, and a plan to work with Nigerian defense and security institutions to improve detainee conditions.

Concerns about human rights violations led the U.S. government to block weapons sales to Nigeria in recent years, but in 2016 relations began to improve. In December 2017, the U.S. government approved a nearly \$600 million sale of planes and equipment. The deal was part of the U.S. commitment to counterterrorism efforts in Nigeria and the Lake Chad Basin against Boko Haram and ISIS-West Africa.

To support Nigeria's fight against corruption, the United States encouraged the Nigerian government to join the Open Government Partnership (OGP), an international platform focused on making governments more open, accountable, and responsive to citizens, which it did in 2016. The U.S. government funded a project that led to Nigeria creating its 2017–2019 OGP National Action Plan focused on fiscal transparency, anticorruption, access to information, and citizen engagement. In December 2017, the United States and United Kingdom cohosted the inaugural Global Forum on Asset Recovery (GFAR) headquarters with the focus on recovering stolen assets from four key countries, including Nigeria. In 2017, the U.S. government also pledged support to religious leaders fighting corruption, recognizing their critical role in Nigerian society.