

Introduction

Nigeria's Federal Constitution prohibits discrimination on the basis of religion and guarantees freedom of thought, conscience, religion or belief to all citizens, including the right to change religion or belief. However, the adoption of the shari'a penal code by 12 states from 2001 onwards effectively rendered Islam the state religion in these states in violation of the nation's secular constitution.

Nigeria is party to international agreements that guarantee freedom of religion or belief (FoRB) and non-discrimination, including the African Charter on Human and Peoples Rights (ACHPR). However, violations of the right to FoRB have occurred for decades in the north, arising mainly from the marginalization of minority faiths dating back to the colonial era. A longstanding impunity in religion-related violence has created an enabling environment for the emergence of extremist religious sects with an antipathy to FoRB.

Violence by armed non-state actors

Violence perpetrated by an armed group comprising members of the Fulani ethnic group (Fulani militia) has been reported in Plateau state since March 2010. Attacks on non-Muslim communities elsewhere in Central Nigeria have been ongoing since 2011, but increased exponentially in 2015, as the increasingly well-armed militia targeted farming communities in Bauchi, Benue, southern Kaduna, Nasarawa, Plateau and Taraba states. The militia is believed to have been responsible for more deaths since 2015 than Boko Haram as armed men have destroyed, overrun and seized property, displacing tens of thousands and occupying their land. In a region where ethnicity generally correlates with religion, ethnic minorities are invariably religious minorities also; thus several local observers have described these attacks as being a campaign of ethno-religious cleansing.

Kidnappings for ransom by men of Fulani ethnicity have increased exponentially in central Nigeria, spreading to the south and east. There appears to be a link between these armed gangs and the militia violence. A captured kidnapper illustrated this linkage: "What they normally do is that if there is crisis [i.e., trouble with communities], they will give us N1000 each to risk our lives. I was only comfortable with it because they gave me access to guns, which I sometimes use for kidnapping."

Boko Haram/ISWAP

Men continue to be murdered, and women and girls abducted, by terrorist factions operating in the north east. On 19 February 2018, 110 girls were abducted from the Government Girls Science and Technical College in Dapchi, Yobe state by the Boko Haram breakaway faction,

Islamic State West Africa Province (ISWAP). Credible sources allege the security forces failed to act on warnings of an impending attack.

On 21 March 2018, ISWAP returned 105 girls, warning townsfolk never to enrol their children in school again, or they would be seized permanently. Five had died en route to the terrorists' hideout. However, 17 year-old Leah Sharibu, the sole Christian among them, remains in captivity, declared a "slave for life" for her refusal to convert as a pre-condition for release.

On 14 April 2014 276 female students were abducted from the Government Girls Secondary School in Chibok, Borno state by Abubakar Shekau's faction of Boko Haram. 176 of these girls are from families belonging to the Ekklesiyar Yan'uwa a Nigeria (EYN, the Church of the Brethren in Nigeria). Some managed to escape. Others were released following negotiations, and allegedly in exchange for imprisoned key Boko Haram fighters and significant sums of money. 112 girls remain unaccounted for.

Denial of FoRB

Non-Muslims in Shari'a states report being denied the rights, opportunities, provisions and protections Muslims enjoy, and to which they are constitutionally entitled. Members of Christian communities have consistently reported such violations as difficulty or outright denial of access to schools, social amenities and jobs in the security sector, among others, and the denial of promotions beyond a certain level.

In most Shari'a states, the construction of churches continues to be restricted severely. Most congregations cannot purchase land for the construction of buildings, nor obtain certificates of ownership for land they have purchased for this purpose. 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, ostensibly for development purposes.

In addition, in many Shari'a states, and particularly in rural areas, the education of female minors from minority faith communities is frequently curtailed by abduction, forcible conversion and marriage without parental consent. Parents seeking the release of their daughters are generally informed they have converted and married willingly, or that they are in the custody of Muslim traditional rulers or Shari'a Commissions and have no desire to return. Local Islamic institutions and traditional rulers are often complicit in these abductions, and appeals to law enforcement agencies for assistance generally prove fruitless.

Recent developments

Theological students Michael Nnadi, 18, was abducted along with Pius Kanwai, 19, Peter Umenukor, 23, and Stephen Amos, 23, by men dressed in military fatigues who invaded their seminary in Kaduna state at around 10pm on 8 January 2020. The assailants reportedly spent 30 minutes ransacking the premises before absconding with the first year philosophy students. Mr Nnadi was murdered by his captors on 1 February.

On 20 January 2020, ISWAP released a video showing the execution of 22 year-old Ropvil Daciya Dalep from Jing village in Pankshin Local Government Area (LGA), Plateau state. He was abducted on 9 January on the outskirts of the Borno State capital along with 20 year-old zoology student Lilian Daniel Gyang, also from Plateau State. A third person who was abducted with them was later released. The video shows Mr Dalep kneeling as a masked child stands behind him brandishing a pistol. Prior to shooting him the child, who began by chanting in Arabic before speaking in Hausa, claims that Mr Dalep's execution is in revenge for "bloodshed", allegedly by Christians. The boy says: "In particular, this is one among the Christians from Plateau State. We are saying to Christians, we have not forgotten what you have done to our parents and ancestors and we are telling all Christians around the world, we have not forgotten and will not stop. We must avenge the bloodshed that has been done like this one..." This was the second time ISWAP had highlighted Plateau state and referred to both the faith and state of origin of its victim.

The Abubakar Shekau faction of Boko Haram executed the chair of the Christian Association of Nigeria (CAN) in Adamawa state, Reverend Lawan Andimi, also on 20 January 2020. Rev Andimi had been abducted on 2 January, when terrorists wearing military fatigues ransacked Michika town and forced him into a vehicle. Prior to executing him the Shekau faction had demanded £2 million in ransom and rejected an offer of N50 million (approximately £105,162). Rev Andimi was beheaded as negotiations were ongoing.

On 25 and 31 December 2019 27 children were seized by the Nigerian Police and Kano state Government from the Du Merci orphanages in Kano and Kaduna states respectively. The children have been unable to attend school since being placed in the government-run Nasarawa Children's home in Kano. They allege they have also been prevented from leaving the premises, insulted, physically assaulted, and pressurised to convert. Reports by the state police and other authorities that the children

they seized are aged between 3 and 12 were proved erroneous, as the group included a 30 year-old female graduate, a 22 year-old man, and a married woman who is over 22 years old who was visiting the home with her new baby. The older children were recently released into the custody of CAN's Kano state chapter.

The orphanage's founder Professor Richard Solomon Musa Tarfa, who was arrested at the centre in Kano on 25 December 2019, remains detained, as he is unable to meet the excessive bail demands. His case has been transferred to a higher court. Initially accused of operating an illegal orphanage, the charge was changed once his wife produced documentation proving the orphanage was duly registered with several Kano state official entities and the professor was subsequently charged with criminal conspiracy and the abduction of minors.

Recommendations

To the government of Nigeria:

- Address every source of violence in a swift, decisive and unbiased manner, seeking international assistance if required, and ensuring that every vulnerable community receives the protection it requires, regardless of the religion or ethnicity of its inhabitants.
- Urgently address the abduction, conversion and forcible marriage of non-Muslim girls in Shari'a states, ensuring that individual states facilitate the swift return of abductees and bring to justice individuals and organisations implicated in enforced disappearances.
- Ensure the release and safe return of Leah Sharibu, Alice Ngaddah, and the remaining 112 Chibok Girls.
- Ensure that individual states respect FoRB in its entirety, including the right to own land and construct houses of worship.
- Fully compensate religious groups that have been deprived of places of worship through destruction during outbreaks of religious violence or seizure of land for development purposes, and facilitate reconstruction and/or access to viable alternative land.
- Allow all of the children seized during raids on the Du Merci orphanages in Kano and Kaduna states to return to their homes.
- Facilitate the immediate and unconditional release of Professor Richard Solomon Musa Tarfa, dropping all charges against him and allowing him to return to his family.