Legal framework

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 shari'a penal codes by 12 states from 2001 onwards effectively rendered Islam the state religion in those states in violation of the 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) and the International Covenant on Civil and Political Rights (ICCPR). It is also one of 71 countries that criminalises blasphemy through a colonial era law which stipulates a two-year sentence, and which is incompatible with the country's national and international obligations. Blasphemy is also penalised under shari'a penal codes, which often prescribe the death sentence. Moreover, blasphemy laws and allegations have been linked to severe human rights abuses that are shrouded in impunity, including extrajudicial killings and collective punishment.

Violations of the right to FoRB have occurred for several decades in the north, arising mainly from the marginalisation of minority faith communities dating back to the colonial era. A longstanding impunity surrounding religion-related violence has created an enabling environment for the regular emergence of extremist religious sects with an antipathy to FoRB, including Boko Haram,[1] the Islamic State West Africa Province (ISWAP), Ansaru,[2] and the resurgent Lakurawa terrorist faction.

Violence by armed non-state actors

Violence by an irregular armed group, or militia, comprising members of Fulani ethnicity has been underway in predominantly Christian Plateau state since March 2010. Attacks on non-Muslim communities elsewhere in central Nigeria, also known as the Middlebelt, have been ongoing since 2011, but increased exponentially in 2015, as the increasingly well-armed militia targeted farming communities in Bauchi, Benue, Nasarawa, Plateau and Taraba states and the southern part of Kaduna state.

The militia overrun farming communities, looting, burning, destroying property, forcibly displacing indigenous populations and occupying their ancestral lands. Tens of thousands have been killed, with some members of the international community raising concerns the current violations may constitute emerging atrocity crimes. In a region where ethnicity generally correlates with religion, these attacks have often been described as a campaign of ethno-religious cleansing.

Inadequate intervention to address this violence by successive governments, and a concomitant proliferation of small arms, has caused a general rise in lawlessness which terrorist factions based in the northeast increasingly exploit. Rural banditry that targets Hausa Muslim villagers in northern Kaduna State and north-western Katsina, Kebbi, Niger, Sokoto and Zamfara States, has evolved from cattle rustling into a relentless cycle of murder, rape, abduction and extortion by Fulani assailants, reminiscent of events in central Nigeria. Similar attacks now occur in southern states with increasing frequency.

There is evidence of links between terrorist factions in the northeast and armed groups operating in the northwest and centre, including reports of Boko Haram fighters relocating to forests in southern Kaduna. A government gazette published in January 2022 designated non-state actors operating in northwest Nigeria, who were previously described 'armed bandits', as 'terrorists', extending this designation to 'other similar groups' operating 'in any part of Nigeria, especially in the North-West and North-Central Regions.'[3]

Kidnapping for ransom

Kidnapping for ransom is the fastest growing criminal enterprise. While asserting, correctly, that not all kidnappers are of Fulani ethnicity, the Sultan of Sokoto acknowledged that seven or eight of every 10 arrested kidnappers were Fulanis. Abductions for ransom are also perpetrated during militia attacks in central Nigeria, and particularly in Kaduna state, on an almost daily basis. Christian leaders, their families, and congregations are particular targets.

Since 2020 there has been a significant uptake in abductions of students and a significant and sustained increase in violence across Nigeria. CSW documented 21 incidents between 24 August 2020 and 2 November 2021 in which at least 1,307 students, 46 staff and three staff family members were abducted, and at least 11 students and four staff/security personnel were killed.

Denial of FoRB in shari'a states

Non-Muslim communities in shari'a states experience systemic and systematic marginalisation, discrimination and socioeconomic privations that predate independence and violate constitutional provisions for non-discrimination. Members of Christian communities experience the denial of worship places and access to certain courses in federal educational institutions, restrictions on contesting for political positions above a certain level, the deprivation of social amenities, restrictions on employment in the security sector among others, the denial of promotions beyond and a lack of sufficient burial sites in state capitals.

1 *Jamā'at Ahl as-Sunnah lid-Da'wah wal-Jihād* (JASDJ, Group of the People of Sunnah for Dawah and Jihad), also known in the past as the Nigerian Taliban.
2 *Jamāʿatu Anṣāril Muslimīna fī Bilādis Sūdān* (The Vanguard for the Protection of Muslims in Black Africa), an al Qaeda affiliate.
3 Federal Republic of Nigeria Official Gazette No 212 Vol 108, 'Terrorism (Prevention) Proscription Order Notice', 29 November 2021 https://thenigerialawyer.com/wp-content/uploads/2022/01/Gazette-declaring-bandits-TheNigerialawyer.pdf

In most shari'a states, the construction of churches is severely restricted. Many congregations cannot purchase land for church construction, nor obtain certificates of ownership for land purchased for this purpose. Nine churches which were destroyed in Tudun Wada, Kano State, in October 2007 in an act of collective punishment following a false blasphemy allegation still cannot be rebuilt despite a court ruling in favour of one of the churches, ostensibly 'for security reasons.' Congregations continue to worship in the open air, and before each service the Catholic church is obliged to cleanse the remains of the altar of human excrement left there overnight.

In many shari'a states, and particularly in rural areas, underage girls from minority faith communities regularly experience abduction, forced conversion and marriage without parental consent at the hands of local men, and often with the complicity of traditional leaders and religious institutions. Parents seeking the return of their daughters are generally told that they converted and married willingly, or are in the custody of Muslim traditional rulers or Shari'a Commissions and have no desire to return. Appeals to law enforcement agencies generally prove fruitless, despite strong domestic legislation penalising abduction, trafficking and child defilement.

Current cases of concern

Leah Sharibu

On 19 February 2018, 110 girls were abducted from the Government Girls Science and Technical College in Dapchi, Yobe state by terrorists belonging to the Islamic State West Africa Province (ISWAP), a Boko Haram breakaway faction. Credible sources allege the security forces failed to act on warnings of an impending attack. On 21 March 2018, following negotiations with the government, ISWAP returned 104 girls, warning townsfolk never to enrol their children in school again, or they would be seized permanently. Five had died enroute to the terrorists' hideout. However, Leah Sharibu, aged 14 at the time and the sole Christian among them, remains in captivity, declared a 'slave for life' for her refusal to convert as a pre-condition for release.

The Chibok girls

14 April 2025 marked the 11th anniversary of the abduction of 276 girls from the Government Girls Secondary School in Chibok, a town in southern Borno State, where the population is around 35% Christian. 217 of the abductees were members of the Church of the Brethren in Nigeria. Several have been released, allegedly for significant payments, during prisoner exchanges, while others have escaped, initially in the wake of the government's announcement of an amnesty for repentant fighters in 2015, and particularly following the defeat of Boko Haram by IS in 2021. However, 82 Chibok girls are still missing.

Several Chibok girls who returned with children and Boko Haram fighters purporting to be their husbands were housed with these men in government deradicalisation centres, a development that has been likened to criminals benefiting from their crimes.[4] Although the Borno State government asserted the returnees were not coerced into staying with these men, none appear to have received the psychosocial interventions necessary to assist them in processing their ordeal and coming to an informed decision.

Yahaya Sharif-Aminu

On 10 August 2020 a shari'a court in Kano State sentenced 22-year-old Yahaya Sharif-Aminu, a singer and member of the Tijjaniyya Sufi order, to death by hanging for allegedly blaspheming in a song he shared via WhatsApp. On 21 January 2021 the appellate division of the Kano state High Court overturned the sentence, citing procedural irregularities, and ordered a retrial. In February 2022 the Kano state Court of Appeals postponed the retrial of Mr Sharif-Aminu until 12 May, following a request by the Kano State government for more time to file its response to Mr Sharif-Aminu's appeal for an order quashing the High Court's order for a retrial, and nullifying the Kano State shari'a law under which he was charged and sentenced. In a ruling that could have a bearing on this and other cases, on 9 April 2025 the Economic Community of West African States (ECOWAS) Court of Justice found that the blasphemy provisions in Kano State law were incompatible with freedom of expression protections articulated in regional and international human rights instruments, and called on the government to repeal or amend it and similar laws to align with Article 9 (2) of the African Charter.[5]

Du Merci orphanages

In December 2019 armed police officers accompanied by agents of the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) raided the Du Merci orphanages in Kano and Kaduna states and arrested the orphanages' co-founder, Professor Richard Solomon Musa Tarfa. Despite his acquittal of abduction and forgery after three years of judicial harassment and imprisonment, 16 of the 27 children seized from the orphanages remain in a government-run orphanage in Kano City, Kano State, where they experience physical and emotional mistreatment, and pressure to convert. In 2021 the United Nations (UN) Working Group on Arbitrary Detention concluded Professor and Mrs Tarfa were 'singled out because of their Christian faith and because they are running an orphanage in a predominantly Muslim area.' The Working Group called for

4 CSW Nigeria, 'A Criminal Shouldn't Benefit from His/her Criminal Activities', 9 April 2024 https://cswng.org.ng/a-criminal-shouldnt-benefit-from-hisher-criminal-activities

5 Incorporated Trustees of Expression Now Human Rights Initiative v Federal Government of Nigeria, ECW/CCJ/APP/41/23

the children's immediate release and appropriate remedies to be accorded to all.[6]

Recommendations

To the government of Nigeria:

- Formulate a comprehensive strategy to address every source of violence in a swift, decisive and unbiased manner, seeking international assistance where necessary, and ensuring that every vulnerable community receives adequate protection, regardless of the religion, belief or ethnicity of its inhabitants.
- Secure the release and safe return of Leah Sharibu, the remaining Chibok girls, and all others held captive by violent non state actors.
- Prioritise the reintegration and return to education of escaped Chibok girls, ensuring they receive psychosocial assistance.
- Combat the impunity surrounding religion-related violence by penalising purveyors of false blasphemy allegations and bringing inciters and perpetrators of violence to justice, thereby strengthening the rule of law.
- Bring state laws and practices into conformity with the constitution and with Nigeria's international obligations, ensuring individual states respect FoRB in its entirety, including the right to own land and construct houses of worship.
- Ensure state governments and security operatives enforce laws penalising perpetrators and facilitators of child abduction, forced conversion and defilement in shari'a states, and facilitate the swift return of abductees to their families in accordance with Nigeria's Child Rights Act and the nation's obligations under regional and international law.
- Fully implement the Safe Schools Initiative, extending it to vulnerable communities throughout the country, and formulate alternative educational arrangement for displaced children.
- Expedite the return of the 16 children from the Du Merci orphanages to the care of Professor and Mrs Tarfa, providing reparations for their trauma, as recommended by the UN Working Group on Arbitrary Detention.
- Review and repeal Section 204 of the Criminal Code, which criminalises blasphemy, ensuring the release of those serving excessive sentences.
- Promote equal citizenship, and consider the creation of an Equity Commission mandated to advance FoRB and respect for religious diversity.

To the European Union and Member States:

- Consistently address Nigeria's failure at every level of governance to tackle the country's security vacuum, and offer greater support to remedy this.
- Consider imposing sanctions on individuals responsible for human rights violations, including members of state or federal governments who have shown serious and consistent discrimination and/or negligence in their response to militia violence.
- Continue to monitor the situation of FoRB through the EU Delegation, and to support civil society initiatives promoting accountability.
- Urge Nigeria to address the phenomenon of abduction, forcible conversion and forced marriage of non-Muslim girls in shari'a states, ensure the release of all abductees, and bring all perpetrators to justice.
- Call on the government of Nigeria to review and repeal Section 204 of the Criminal Code; and to bring all state and federal laws into conformity with international standards and Nigeria's constitutional, regional and international obligations.
- Urge Nigeria to expedite the return of the 16 children from the Du Merci orphanages to the care of Professor and Mrs Tarfa, providing reparations for their trauma, as recommended by the UN Working Group on Arbitrary Detention.
- Support the adoption of a Human Rights Council resolution to mandate an independent international investigative mechanism or independent expert to report on the relentless violence in central Nigeria, which has now spread to other regions.
- Urge the government of Nigeria, at every level and appropriate opportunity, to enact the reforms highlighted in the recommendation section above 'To the government of Nigeria'.

To the United Nations and Member States:

- Hold Nigeria to its obligations under international and regional human rights and humanitarian law, and ensure the concerns and recommendations highlighted in this briefing, are consistently raised in public and in private, including during high-level visits and other bilateral exchanges.
- Urge all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to address the concerns raise in this briefing in their monitoring and reporting on Nigeria.
- Encourage UN Special Procedures to request country visits to Nigeria and ensure that members of civil society can meet with them without reprisal.
- Urge Nigeria to recalibrate military strategy and resource its armed forces as a matter of urgency, to

6 UN Human Rights Council, Working Group on Arbitrary Detention, 'Opinion No. 16/2021 concerning Solomon Musa Tarfa, Mercy Solomon Tarfa and 16 minors whose names are known to the Working Group (Nigeria), 23 June 2021 https://www.ohchr.org/sites/default/files/Documents/Issues/Detention/Opinions/Session90/A_HRC_WGAD_2021_16.pdf

ensure sufficient protection from terrorist factions for vulnerable communities regardless of their religion or ethnicity, and to address the national security threat posed by the Fulani militia and armed banditry.

- Call on Nigeria to combat collusion, inaction or the targeting of members of victim communities by security elements and to ensure they conduct themselves in accordance with human rights and humanitarian norms.
- Urge the government of Nigeria, at every level and appropriate opportunity, to implement the recommendations highlighted in the recommendation section above 'To the government of Nigeria'.

CSW everyone free to believe

T +32 473 53 29 50
@CSWAdvocacy
/CSWUK
csw.org.uk

PO BOX 90 Brussels Livingstone
1000 Brussels,
Belgium

© Copyright CSW 2025. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, transmitted, in any form or by any means, electronic, photocopying, mechanical, recording and/or otherwise without the prior written permission of CSW.