

Introduction

1. CSW-UK is a human rights organisation specialising in the right to freedom of religion or belief (FoRB). CSW Nigeria advocates for and assists victims of religion-related violence in Nigeria.
2. This submission seeks to highlight concerns regarding the situation of FoRB and related rights and freedoms.

Freedom of Religion or Belief (FoRB)

3. During the reporting period Christian communities in Shari'a states continued to experience marginalization, discrimination, and socioeconomic deprivations that derogate from constitutional provisions, including denial of worship places in federal educational institutions and seizures and demolitions of properties on spurious grounds.
4. For example, in October 2021 the Kaduna State government demolished without compensation 263 buildings in the predominantly Christian Gracelands community in Zaria, including six churches, a small mosque and a school complex, despite a court ruling against demolition in at least one instance. In June 2022 a chapel under construction at Kaduna State University, approved in 2014 by the University's Governing Council, was demolished.
5. Immediately prior to leaving office, former Kaduna State governor Nasir El-Rufai ordered the demolition of over 900 buildings. 21 May 2023 saw the demolition of properties belonging to the Islamic Movement of Nigeria (IMN), a minority Shi'a faith group in the Rigasa area. Next, the Gbagyi Villa residential complex in the predominantly Christian southern part of Kaduna City was targeted, beginning with the demolition of the Alheri Baptist Church on 22 May.
6. At least eight people were killed, and several others wounded, including a 12-year-old girl, when the Kaduna State Vigilante Service (KADSVIS), a group created by El-Rufai, opened fire on protesting residents as demolitions continued in defiance of a court order. One victim, Luka Enoch, suffered 11 gunshot wounds, and a woman reportedly died of shock as demolitions began.
7. The former governor regularly used inciting language targeting specific religious communities. In a viral video that emerged in June 2023 he addressed a group of Muslim clerics and the incoming governor on his penultimate day in office, speaking extensively on how the All Progressives Congress (APC) had successfully utilised religion, including by running on a Muslim-Muslim ticket, to secure electoral victory at state and federal level: 'What we are able to achieve in Kaduna, we've now achieved on the national level' – a reference to the APC's disputed victory in the February presidential elections, in which they jettisoned the tradition of a mixed faith presidential ticket for a Muslim-Muslim one.
8. El-Rufai described deceiving members of the Christian

community who bemoaned the lack of inclusivity by informing them religion was not a factor, when in reality it was. He continued: 'No liar will contest as a Christian and win elections ever again. ... That is when everyone will understand and say "Okay, we understand, we know our status"... This is the only way to have peace in this land.'

9. Minority Muslim communities also experienced violations. In its last UPR Nigeria supported a recommendation regarding the release from arbitrary detention of IMN leader Ibrahim El Zakzaky and his wife Zeenat and holding the killers of 374 IMN members accountable. Although a commission of inquiry set up by the Kaduna state government requested the prosecution of soldiers responsible for these killings, this did not occur.
10. Instead, the Kaduna State government charged the Zakzakys with eight counts in connection to the 2015 attack on their home, including culpable homicide, unlawful assembly, and disruption of public peace. Protests by unarmed IMN members demanding the release of the couple, who are elderly and unwell, regularly met with lethal violence, contravening Nigeria's UPR undertakings regarding FoRB and peaceful assembly, and the IMN remains proscribed in Kaduna, Kano, Katsina, Plateau and Sokoto States, undermining freedom of association.
11. The Zakzakys were eventually acquitted of all charges in July 2021, but deprived of passports. Unarmed protests demanding the return of their passports to enable them to travel for treatment abroad and IMN religious marches also met with violence. In September 2021, at least two people were killed in Abuja when security forces opened fire on IMN members marking Ashura. The authorities later claimed they had been 'unruly and riotous,' and denied anyone had been killed.
12. In August 2022, the IMN reported that at least six IMN members were killed and 40 injured during the Ashura procession in Zaria. Then in March 2023, six men were killed while protesting in Rigasa, Kaduna City, amid claims by the former governor that his convoy was attacked, a claim similar to the one made by the former Chief of Army Staff which preceded the deadly December 2015 assault on IMN properties.
13. Followers of traditional African religions recently experienced restrictions on their right to FoRB. In a recent example, when Yeye Ajesikemi Omolara, a priestess of the Yoruba religion Obatala and member of the Kwara state Association of Traditional Religion (also known as Isese), announced in early July that the 2023 festival would take place from 22 to 24 July in Ilorin, the Kwara State capital, members of the Majlisu Shabab li Ulamahu Society, an Islamic group, stormed her residence and warned her not to hold the festival.
14. The Emir of Ilorin's spokesperson later stated the event was cancelled to prevent a crisis, as Muslims in Ilorin opposed idolatry. By 10 July a group named the Ancient

Religion Societies of African Descendants International Council (ARSADIC) released a statement to the effect that traditional worshipers would not tolerate the infringement of the rights of their fellow adherents. The situation remained unresolved at time of writing.

Recommendations

15. ***Federal and State authorities must fulfil FoRB in its entirety, recognising it as a non-derogable right, penalising and ending discrimination based on religion, and advancing social cohesion by promoting and protecting FoRB for all.***
16. ***Nigeria must ensure the availability of worship facilities for each religious persuasion in relevant federal facilities, including in schools, colleges, and universities.***
17. ***Nigeria must ensure that states fully compensate religious communities whose places of worship, homes and businesses have been demolished, facilitating access to viable alternative land if this is required.***

Right to Effective Remedy

18. Nigeria supported several recommendations regarding combating extremism and terrorism and protecting citizens. However, civilians are attacked at will by armed non-state actors for whom religion and/or ethnicity are either instrumentalised as rallying points or are *raison d'être*.
19. Farming communities in central states increasingly experience lethal attacks by irregular armed groups of Fulani extraction. In 2020 the Boko Haram terrorist faction secured alliances with armed groups in northwestern and central states, and in 2021 some of its fighters and bomb makers relocated to forests in predominantly Christian southern Kaduna. Islamic State West Africa Province (ISWAP) and al Qaeda affiliate Ansaru secured similar alliances.
20. The alliances resulted in significant violence. For example, in August 2021 Kaduna State witnessed an attack on the Nigerian Defence Academy (NDA). Two officers were killed, several sustained gunshot injuries and a senior officer was abducted for ransom. In May 2022 the Abuja-Kaduna train was attacked and passengers were abducted for ransom. In July 2022 all 68 Boko Haram members detained in Kuje Prison, Abuja, were released in an attack that met no resistance. This violence now affects every region, including the south. In the northwest it takes on a primarily ethnic character.
21. A government gazette published in January 2022 designated these non-state actors, who previously were vaguely referred to as '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.'
22. The first terrorist attack on a church in southern Nigeria occurred on 5 June 2022. Forty-one people were killed when assailants identified by survivors as being of Fulani ethnicity invaded St Francis Xavier Catholic Church in Owo, Ondo State, during Pentecost Sunday mass.
23. Following a noticeable decrease in violence during the electoral period, communities across Nigeria are experiencing a renewed surge, particularly in Benue, Plateau and southern Kaduna States. Around 400 people were killed in Benue State within a three-week period in April 2023, as communities in three Local Government Areas (LGAs) came under attack. Victims included children, pregnant women and people displaced by earlier violence sheltering in a makeshift camp in a local school.
24. Between 11 March and 15 April over 70 people were killed in Zangon Kataf LGA in southern Kaduna State, and an unknown number displaced in four attacks on separate localities. In Plateau State around 130 people were killed in attacks on over 23 communities in the Mangu and Riyom LGAs which began on 15 May. By the first week of July, 231 people had died in Mangu LGA within a two-month period.
25. Predominantly Christian areas in central Nigeria also experience kidnappings for ransom almost daily. In November 2022 CSW interviewed former abductees from southern Kaduna whose experiences bore similarities. Following abduction by Fulani assailants, they were force-marched for hours before reaching forest camps, with any stragglers assaulted severely or killed. Camps are characterised by casual brutality, frequent beatings, mutilations, and executions, often after extortionate payments are made.
26. Female and male abductees, young and old, suffer sexual violence, including gang rape. Psychological torture does not end once released, as many still receive random calls from former captors on phones used during ransom negotiations.
27. Congregants, and especially church leaders, are targeted for abduction for ransom and murder. On 7 February 2022 armed men raided the home of Rev Fr Joseph Danjuma Shekari of St Monica's Catholic Church, Ikulu Parish, abducted him and killed his cook, a secondary school student. They also stole around 2 million Naira (approximately US\$ 2,578) donated during a thanksgiving service, and other valuables. The reverend was released on 8 February.
28. On 8 March 2022 Rev Fr Joseph Aketeh Bako was seized from St. John's Catholic Church, Kudenda in Kaduna state. His death, following severe mistreatment, was announced on 24 April. Rev Fr Leo Raphael Ozigi, parish priest of St. Mary's Church in Sarakin Pawa Village, Niger State, was kidnapped on 27 March and released on 8 April. Rev Fr Felix Zakari Fidson, parish priest of St. Ann's Catholic Church in Zaria, was abducted on 24 March on his way to the Diocesan headquarters, and was released on 3 May.
29. On 25 May 2022 armed men broke into the rectory of St. Patrick's Catholic Church, in the Kafur LGA of Katsina

State, kidnapping parish priest, Rev Fr Stephen Ojapa (MSP, Missionary Society of Saint Paul of Nigeria), his assistant Rev Fr Oliver Okpara, and two boys who were also in the church at that time.

30. On 29 May 2022, the Prelate of Methodist Church Nigeria, the Bishop of Owerri, and the Prelate's Chaplain were abducted by eight gunmen of Fulani ethnicity whilst on an official visit to Abia State. They were assaulted, tortured, threatened, and eventually released on 30 May following payment of 100 million Naira (around US\$ 128,938) in ransom.
31. On 4 June 2022, Rev Fr Christopher Onotu, parish priest of Our Lady of Perpetual Help Catholic Church Obangede in Okene, Kogi State, was abducted. On 14 June gunmen attacked the Celestial Church of Christ, in Ewekoro LGA of Abeokuta, Ogun State, abducting the assistant parish leader and a Sunday School teacher. Their captors demanded a ransom of 50 million Naira (approximately US\$ 644,694)
32. On 4 January 2023 the parish priest of St. George Omu-Ekiti Catholic Church in Oye, Ekiti State, Rev Fr Michael Olubunmi Olofinlade, was abducted while returning from a pastoral assignment.
33. On 15 January 2023 Rev Father Isaac Achi, parish priest of Saints Peter and Paul Catholic Church in the Kafin Koro community in Niger State and chair of the local chapter of the Christian Association of Nigeria (CAN), was burned beyond recognition when armed assailants set his rectory ablaze after failing to enter forcibly. Rev Fr Collins Omeh was shot while escaping the burning building, and later treated in hospital. In 2011 Rev Fr Achi survived the Christmas Day bombing of St. Theresa's Catholic Church in Madalla, Niger State. The Madalla bomber was among Boko Haram escapees from Kuje Prison in July 2022.
34. In Katsina state, terrorists on motorcycles attacked the morning service of Global Mission Church in Kankara LGA on 15 January 2023, abducting 25 worshippers, and severely assaulting and injuring the church pastor when he attempted to intervene.
35. On 1 July 2023, armed assailants attacked a Redeemed Christian Church of God (RCCG) prayer service in Ogun State, killing the pastor and abducting seven members of the church.

Recommendations

36. ***Nigeria must provide immediate and effective protection for communities targeted by terrorist violence in accordance with its constitutional obligations under Section 14 (2) (b), addressing every source of violence decisively, regardless of the religion, belief or ethnicity of perpetrators or victims, and ensuring the return of all abductees.***
37. ***Nigeria is encouraged to respond positively to the visit request by the Special Rapporteur on Internally Displaced Persons, encouraging her to visit IDPs***

in central states as well as those in the northeast, and to also invite the UNSG's Special Adviser on the Prevention of Genocide to visit affected central states.

Ethnicity-based Discrimination, Right to Vote

38. Nigeria's ruling party aggravated the country's most sensitive fault lines before and after recent elections, by jettisoning the traditional mixed-faith presidential ticket and targeting the Igbo tribe through ethnicity-laced rhetoric, while projecting its own religious exclusivity on the Igbo presidential candidate of the Labour Party which, along with the main opposition, had a mixed-faith presidential ticket.
39. In Lagos State thugs were deployed to snatch ballots and assault opposition voters, targeting those who were, or were assumed to be of Igbo extraction, even in their homes. In a viral video prior to the elections, Musiliu Akinsanya, the Lagos State Parks Management Committee Chairman and notorious thug leader also known as MC Oluomo, warned Igbos in Lagos to stay home if they were not voting for ruling party candidates. No action was taken to hold him accountable.
40. A proliferation of inflammatory ethnicity-laced rhetoric from APC supporters on social media alleging, amongst other things, that Igbos had declared Lagos a 'no man's land' and sought to seize it from the indigenous Yoruba tribe, further heightened tensions. Even the Labour Party gubernatorial candidate, whose wife is Igbo, was declared an Igbo, despite his family being among the original inhabitants of Lagos.
41. Both before and after the elections, markets, and shops in areas of Lagos assumed to be predominantly Igbo were set on fire. A 65-year-old security guard died, and traders lost everything they owned when shops in the Akere Auto Parts Market were set on fire on 2 March, and one person died when a fire broke out on 28 March at Balogun Market, affecting three buildings and over 900 shops. The baseless animosity against Igbos and ethnicity-laced pronouncements on social media continue, including from government spokespersons.

Recommendations

42. ***Nigeria must respect the principle of non-discrimination as articulated in relevant national and international legislation, guarantee the right to vote, and penalise purveyors of ethnicity-laced rhetoric and violence.***

Blasphemy and Impunity

43. Nigeria's colonial era law punishes blasphemy with a two-year sentence. Additionally, the enactment of Shari'a penal codes by 12 states since 2001 allowed Shari'a courts to arrogate jurisdiction constitutionally reserved for criminal courts over capital sentences, and to issue punishments contravening Nigeria's obligations under the CAT, effectively creating a de facto state religion in violation of its secular Constitution.
44. There is a strong correlation between blasphemy

laws, extremism, and mob violence, with perpetrators enjoying impunity. On 12 May 2022 Christian student Deborah Emmanuel was lynched at her school in Sokoto State following a blasphemy accusation. Her murder was widely justified, and even celebrated, by a variety of lesser known and prominent Muslim individuals on social media, including by the Deputy Chief Imam of Abuja's National Mosque.

45. The only two men arrested amongst the mob that killed Ms Emmanuel were charged with 'public disturbance' as opposed to murder, and were freed in January 2023 on the grounds that the prosecution had regularly failed to attend court hearings, and according to the presiding judge, even when they were present, they were not serious in prosecuting the case.
46. Ms Emmanuel's extrajudicial killing triggered a spate of blasphemy accusations in which two people lost their lives. In Borno State, police hurriedly arrested Naomi Goni, a Christian student at Ramat Polytechnic, Maiduguri, following accusations she made blasphemous statements while commenting about Ms Emmanuel's death on a Facebook page she had reportedly lost to hackers a year earlier.
47. On 20 May Rhoda Jatau, a 40-year-old Christian woman who shared a video condemning Ms Emmanuel's murder on WhatsApp, was arrested in Bauchi State, as angry youth attacked the Christian community, injuring several people, including a pastor, and burning homes and businesses. Mrs Jatau has been held without bail for over a year, charged under sections 114 and 210 of the State Penal Code, and Section 24 Subsection 1 b(i) of the Cybercrime Prohibition Act of 2015 with inciting public disturbance, exciting the contempt of a religious creed, and cyberstalking. Her safety is not guaranteed, with reports circulating that extremists intend to waylay and kill her enroute to or from court.
48. On 4 June 2022, Ahmad Usman, a 30-year-old Muslim vigilante, was immolated at a fruit market in Abuja for alleged blasphemy. On or around 14 June 2022, three northerners named Abubakar Musa, Sarauta Monsur, and Surajo Yusuf stabbed, beat, and immolated sex worker Hannah Saliu in Lagos, after finding a Quran under her pillow.
49. On 20 June 2023 market trader and successful butcher Usman Buda was lynched in Sokoto State following an unproven allegation that he blasphemed during an argument with a fellow market trader. A devout member of the Salafi Izala movement, his friends insisted Mr Buda would never have blasphemed, and attributed his murder to jealousy on the part of competitors, highlighting that a butcher who lost business due to his popularity no longer has any competition.
50. On 10 August 2020 a Shari'a court in Kano State sentenced Tijjaniyya Sufi singer Yahaya Sharif-Aminu, then aged 22, to death 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. Mr Sharif-Aminu's lawyers asked the Kano Court of Appeal to rule on whether the High Court was wrong to order a retrial, arguing their client should be discharged and acquitted. They also stated the High Court was wrong in not declaring Kano State's Sharia Penal Code inconsistent with Nigeria's secular Constitution.

51. On 17 August 2022, in a worrying split decision, the Court of Appeal upheld both the legality of the Shari'a Penal Code, and the decision of the lower court to quash the original sentence due to irregularities and order a retrial. Mr Sharif-Aminu's lawyers are currently challenging Nigeria's blasphemy law and the constitutionality of Kano State's Shari'a Penal Code at the Supreme Court.
52. On 5 April 2022 President of the Nigerian Humanist Society Mubarak Bala received a 24-year sentence from a Kano State High Court. Mr Bala has been incarcerated since 28 April 2020. He was arrested when a law firm in Kano petitioned the Kano State Police Commissioner, accusing him of insulting Islam on Facebook. Held incommunicado for the first 162 days, Mr Bala spent 462 days in prison before being formally charged.

Recommendations

53. ***Nigeria is encouraged to repeal the blasphemy law, review and revoke excessive sentences, and uphold the supremacy of the Constitution by bringing state laws and practices into conformity with it, and with the nation's obligations under international law.***
54. ***Nigeria must tackle impunity surrounding blasphemy accusations by penalising purveyors of false allegations and bringing inciters and perpetrators of violence to justice.***

Peaceful Assembly, Freedom of Expression and Press Freedom

55. On 20 October 2020 Nigerian security forces opened fire on unarmed and peaceful demonstrators who had gathered at the Lekki Toll Gate in Lagos to protest brutality of the notorious police unit, the Special Armed Robbery Squad (SARS), and to request good governance and the rule of law. Soldiers opened fire as protestors finished singing the national anthem. When they withdrew, the police arrived and also opened fire.
56. The extrajudicial killing of a young man in Delta State had served as the tipping point for the #EndSARS protests, which broke out in southern Nigeria and Abuja, and evolved into a cry against corruption, nepotism and injustices blighting the lives of young people. Over a week after the protests began in the south and centre, cities in the north also saw protests that included a call for an end to the insecurity and terrorism wracking the region, using the additional hashtag #SecureThe North.
57. Initial estimates of casualties at Lekki Toll Gate ranged from nine to over 70. Video footage subsequently emerged appearing to confirm survivors' allegations that soldiers had evacuated corpses from the scene in

armoured vehicles, as occurred during the December 2015 attacks on IMN facilities in Kaduna state. In addition, engineers had arrived at the toll gate earlier that afternoon to remove and disable the CCTV, and the lights in the area were switched off just before the attack began.

58. The Nigerian army, which was ostensibly enforcing a curfew announced by the Lagos State government hours before the attack, initially denied responsibility, insisting soldiers were not in the area, despite mobile phones footage proving otherwise. The Governor of Lagos also distanced himself from responsibility, visiting some of the wounded in hospital, yet claiming later in a television address that there had been no casualties.
59. The Buhari administration subsequently began to stifle the freedoms of expression, assembly, association, and the press, freezing the bank accounts of 19 people and a public affairs company deemed to have featured prominently in the protests for 90 days with the option of renewal upon expiry, and arbitrarily detaining anyone deemed to have participated in them. Several prominent protestors were forced to flee the country, including Obianuju Catherine Udeh, popularly known as DJ Switch, whose live streaming at the toll gate provided incontrovertible evidence of military involvement in the killings.
60. In 2021 a Lagos State Judicial Panel of Enquiry on Restitution for Victims of SARS-Related Abuses deemed the army and police complicit in extrajudicial killings at the toll gate, in subsequently covering up the death toll, and in preventing medical assistance from reaching the injured, which 'contributed immensely to the large number of deaths and casualties... especially at the toll gate.'
61. The panel was able to confirm 11 deaths, the disappearance of four people who were presumed dead and that many others suffered gunshot wounds and severe assault: 'The atrocious maiming and killing of unarmed, helpless and unresisting protesters, while sitting on the floor and waving their Nigerian flag, while singing the National Anthem can be equated to a "massacre" in context.'
62. From 2015 onwards the Nigerian government has progressively eroded freedom of expression including through the weaponization of defamation laws and the Cyber-Crime Act against bloggers, journalists, and social media users. The Cyber-Crime Act (2015) has been utilised to clampdown on freedom of expression, and particularly digital/online expression.
63. The aftermath of the massacre was also followed by a further squeezing of civic space. Three media houses were each given three million Naira fines (approximately US\$ 3,868) by the National Broadcasting Corporation (NBC) on account of their #EndSARS coverage, a restrictive social media bill passed its second reading, and in an attempt to withdraw registration from the civil society organisation Enough is Enough (EiE), Nigeria's

Corporate Affairs Commission mistakenly targeted an organisation with a similar name.

64. Additionally, several bloggers and journalists deemed to have offended those in authority after speaking out about violence in central Nigeria, official violations or corruption, have either been charged with defamation, cyberstalking, or terrorism-related offenses, under the Cyber-Crime Act. Section 24 (b) of the Act criminalises anything on social media that annoys, inconveniences, insults or even causes anxiety to others, punishing this with a prison sentence of three years and a fine of up to seven million Naira (around US\$ 9,025). It allows service providers to track and keep data and information about subscribers, and allows the government to intercept electronic communication on the grounds of criminal investigation.
65. An amendment to the Broadcasting Code provides additional sanctions against news agencies. During an interview with a Lagos-based media house on 11 August 2020 former deputy governor of the Central Bank of Nigeria Dr Obadiah Mailafia highlighted the continuing attacks on Christian communities in the southern part of Kaduna State, concluded the Nigerian authorities were both unable and unwilling to protect the people there, and concurred with the 2018 contention of retired General TY Danjuma that elements within the security forces colluded with the attackers.
66. Dr Mailafia went on to describe those describing the attacks as 'farmer-herder clashes' as 'accessories to genocide,' adding he had been informed by repentant extremists that a serving northern governor was the 'commander of Boko Haram in Nigeria.' He also stated Boko Haram and the 'armed bandits' were 'one and the same thing; they have a sophisticated network' which intended to ignite a civil war in 2022.
67. Following the interview, the NBC imposed a five million Naira fine (around US\$ 6,446) on the Lagos media house using the controversial amendment to the broadcasting code, which it said would also serve as a deterrent to other broadcasters. In addition, Dr Mailafia was hounded until his death in questionable circumstances in 2021, having been denied a respirator and other reasonable treatment at two separate hospitals while suffering from COVID 19.

Recommendations

68. ***Nigeria must bring to justice those responsible for the deaths at Lekki Toll Gate as well as those who ordered them, and ensure abductions, extortion, harassment and extrajudicial killings by police and other security sectors are investigated, and perpetrators are held accountable.***
69. ***Nigeria must uphold relevant rights and freedoms, including peaceful assembly and expression, revise or repeal laws impinging on them, protect press freedom, end malicious prosecutions of journalists and bloggers, and respect peaceably articulated dissenting views.***

Judicial Independence

70. As legal challenges to elections marred by violence, ballot snatching, ethnic profiling and other irregularities continue, the Supreme Court is under scrutiny, amid heightened concerns regarding the capture of the judiciary by the executive. Fears of progressive judicial capture initially emerged in 2016, when the homes of senior judges in Abuja, Port Harcourt, Gombe, Kano, Enugu and Sokoto were raided by the State Security (SSS).
71. The lead up to the flawed 2019 elections saw the removal on dubious grounds of Chief Justice Walter Samuel Nkanu Onnoghen. He was replaced by Ibrahim Tanko Mohammed, formerly a Shari'a court judge, who subsequently oversaw appeals against electoral malpractices in a perfunctory manner, summarily handing victory to the ruling party.
72. In October 2021 federal authorities attempted to deny responsibility for a raid by over 50 armed security agents on the Abuja home of senior judge Mary Odili, a Justice of the Supreme Court, on a warrant allegedly issued on the orders of Attorney General Abubakar Malami (SAN) that was revoked following an unprecedented outcry by the public and the Nigeria Bar Association.
73. Confidence in the Supreme Court was dented further by its judgments in political cases, including declaring a candidate who had come in fourth place the winner of the election for governor of Imo State, and a split decision affirming a ruling party candidate for the Yobe North senatorial district who had not even participated in the senatorial primaries in February 2023.
74. The Supreme Court is also yet to set a date for hearing appeals brought before them by the Federal Government against the October 2022 discharge and acquittal order issued by the Abuja Appeal Court in the case of Nnamdi Kanu, the British-Nigerian leader of the Indigenous People of Biafra (IPOB), who was forcibly returned from Nairobi in July 2021, and has been detained ever since.

Recommendations

75. ***Nigeria must 'undertake measures that protect and enhance an independent and impartial judiciary, as well as an independent legal profession;¹ and expedite a Supreme Court hearing on Nnamdi Kanu's case.***

Right to Education and Child Rights

76. The right to education of non-Muslim girls in Shari'a states continues to be curtailed by abduction, forced conversion, and forced marriage without parental consent, with no real consequences for perpetrators. Local Islamic institutions and traditional rulers are often complicit in these violations.
77. In recent examples from Yobe State: Faith Timothy,

a 20-year-old senior secondary school student, went missing on 28 February 2023, while Rejoice Markus, a 16-year-old secondary school student, was abducted on 25 April during school holidays. Both subsequently reappeared in the custody of the Emir of Yobe, who informed their relatives they had converted.

78. Both are forcefully confined and separated from their parents, despite Nigeria being a signatory to the African Charter on Human and Peoples Rights (ACHPR), which describes 'the family' as 'the natural unit and basis of society,' and stipulates the state's duty to protect and assist it. Ms. Timothy has expressed a desire to return to her parents' home in Kaduna State, while as a minor Ms. Markus should be in her parents' custody. Their right to education is being violated, as they are being prevented from continuing their studies at a time when local and international initiatives are underway to ensure girls in northern Nigeria receive education. There are also fears they may soon be forced into marriage.
79. The reporting period saw a spike in the abduction of students from schools. 1.3 million children are thought to have been affected by school attacks or abductions in 2020. According to UNICEF at least one million could have missed school during 2021, while 11,536 schools had closed since 2020 due to abduction and security concerns.
80. CSW documented the abduction of at least 1,328 students, 48 staff and three staff family members in 22 incidents between 24 August 2020 and 31 December 2021. The figure for abductees may be higher, as the total number of students - and staff - seized from FGC Birnin Yauri in Kebbi state on 18 June 2021 remains unclear. Moreover, an unspecified number of female students were forcibly married.
81. Furthermore, at least 11 students were killed, with this number potentially rising as high as 16 if fatalities in a 30 May 2021 attack on Salihu Tanko Islamiyya School in Niger state, were indeed six and not one, as was originally reported. In addition, four staff/security lost their lives in the 15 August attack on the College of Agriculture and Animal Science, Bakura in Zamfara State, and two family members reportedly died of shock following a 30 May 2021 attack on Salihu Tanko Islamiyya School.
82. Seven of these abductions occurred in Kaduna state. Zamfara state was the scene of four attacks. Katsina state and the Federal Capital, Abuja, each saw three incidents, Niger state saw two, and Kebbi state, Nasarawa state and Plateau state experienced one each.
83. On 25 December 2019 armed police accompanied by agents of the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) invaded the Du Merci orphanage in Kano state without a warrant and arrested the orphanage's co-founder, Professor Richard Solomon Musa Tarfa. A second raid took place on another Du

1 'Reimagining justice: confronting contemporary challenges to the independence of judges and lawyers', Report of the Special Rapporteur on the independence of judges and lawyers, Margaret Satterthwaite, Human Rights Council, Fifty-third session 19 June–14 July 2023

Merci orphanage in Kaduna state on 31 December. He eventually faced baseless charges of abducting 19 children from their legal guardians and confining them in an unregistered orphanage.

84. Twenty-seven children seized during the raids were eventually placed in the government-run Nasarawa Children's home in Kano city. Professor Tarfa spent almost a year in pre-trial detention, amid repeated trial delays and a demand for exorbitant bail, before being released on lowered bail on December 2020. On 24 June 2021 he was cleared of the abduction charges, but later was sentenced to two years imprisonment on 4 March 2022 for forgery, a charge submitted by the prosecution lawyer at his previous trial a day before resting his case.
85. Sixteen of the children seized during the raids on the Du Merci centres remain in the government-run Nasarawa Children's Home in Kano City. They were denied access to education until 2021, and one suffered deformities after being burnt in a fire and receiving insufficient treatment. Moreover, in January 2021 the authorities began forcibly relocating the five youngest children aged between three and eight to a remote facility reportedly owned by the former governor of Kano State where their names have been changed and they were forcefully converted.
86. Although Kano State Court of Appeal acquitted Prof Tarfa on 27 January 2023, the State government failed to return the children to the care of the Tarfas. Legal proceedings to recover custody of the children are imminent.

Recommendations

87. ***Nigeria's government must ensure individual states enforce domestic legislation penalising abduction and facilitate the swift return of all female abductees unharmed to their respective families, in accordance with Nigeria's Child Rights Act and the nation's obligations under the ACHPR and ICCPR.***
88. ***Nigeria must ensure safe access to, and protection for educational establishments, particularly in areas vulnerable to attacks.***
89. ***Federal and State authorities must expedite the return of the Du Merci children to the care of Professor and Mrs Tarfa, offering reparations for trauma and legal expenses.***

**CSW everyone
free to believe**

T +44 (0)20 8329 0010
 @CSW_UK
 /CSWUK
 csw.org.uk

PO Box 99
 New Malden
 Surrey, KT3 3YF
 United Kingdom

© Copyright CSW 2022. 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.