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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by the Jubilee Campaign, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 February 2017]

* This written statement is issued, unedited, in the language(s) received from the submitting non-governmental organization(s).

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Human Rights and Freedom of Religion or Belief in the Federal Republic of Nigeria

Jubilee Campaign¹ and Stefanos Foundation² would like to provide information concerning the gross human rights violations in the Federal Republic of Nigeria perpetrated by Fulani militants in the form of killing, maiming, and displacing minority ethnic people and farmers. The Fulani militants are associated with the Fulani ethnic group, who are a large nomadic group with members in 19 African countries. In total their population is 30 million, that of which Nigeria contains 18 million.³ During attacks, Fulani militia members are often armed with machetes and AK47s. They kill villagers and displace survivors by destroying homes and farmland. Typically, they then occupy the deserted village after the inhabitants flee. After killing 1,229 people in 2014, the Fulani militants were ranked the fourth deadliest terrorist organization in the world.⁴ According to our findings, since 2015 over 3,000 persons have been killed in attacks.

Nigeria is a very complex nation with religion deeply interwoven in its political and social infrastructure. In the case of the Fulani violence against farming communities, religious and ethnic tensions have acted as a growing motive and catalyzer of the violence. Fulani members are primarily Muslim, and the farming communities that they attack are primarily Christian. This violence has created deeper religious divides in the country between its religious and ethnic populations and has exploited vulnerable communities.

The violence has mainly occurred in North Central Nigeria and has been rapidly spreading in the east and south due to impunity. Therefore, we intend to also provide information regarding the inability or unwillingness of the Nigerian government to curb the continuous and sustained attacks across the country. Appointed federal officials filling positions in the education, security, justice and other internal affairs departments are overwhelmingly Muslim, which suggests a bias in the refusal or inability to stop this continued and sustained violence against the armless, law-abiding citizens of Nigeria. Yet, the Constitution of Nigeria, 1999 (as amended) declares that the security and welfare of the people shall be the primary responsibility of the government.

Freedom of Religion or Belief:

The Nigerian Constitution guarantees freedom of religion, including the freedom to change one's religion or belief and freedom to manifest and propagate one's religion or belief in worship, teaching, practice and observance. Yet, in North Central Nigeria, the spirit of this provision in the constitution is not observed. Minority ethnic persons are deprived access to infrastructure in their communities, often marginalized from the judicial system, and sometimes unconstitutionally subjected to Sharia law and the authority of Sharia police. In many cases, non-Muslims are denied the required certification to build places of worship, and at times are denied employment opportunities, scholarships, opportunities for political participation, and admission into government-owned schools at all levels. Though the Nigerian Constitution guarantees freedom from discrimination on the basis of religion, numerous cases have demonstrated that there is a foundation of institutional discrimination against non-Muslims, which manifests in cases of injustice.

Weakness of the Law and its Implementation:

Nigerian law is inconsistently implemented throughout the country. There are many causes that contribute to this inconsistent implementation: Nigeria operates under a slow and rigorous judicial process that is overly dependent on the executive. Security departments are ill equipped lacking closed-circuit television and other technology necessary to monitor crime. Many communities lack local police, and police who do respond to crime often have difficulty

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³ Nigeria: Fractured and Forgotten – www.standwithnigeria.org

⁴ Global Terrorism Index (2015) – economicsandpeace.org

navigating the unfamiliar terrain. The National Human Rights Commission, though responsive, has restricted investigative and enforcement powers. It also relies heavily on the executive arm of government for funding, which hinders its performance and ability to fulfill its obligations.

Deadly Attacks by Fulani Militants:

Communal violence has long occurred between ethnic groups in Nigeria, but in recent years violence between Fulani members and farming communities has become increasingly one-sided with a sharp increase in well-planned, deadly attacks by the Fulani militants on the farming communities. For example, on March 15, 2014, Fulani militants attacked Ugwar Sankwai, Ungwan Gata and Chenshyi of Kaduna state killing roughly 100 people.⁵ On March 15, 2015, Fulani militants attacked Egba village in Agatu, Benue state leaving a death toll ranging from 90 to 100.⁶ In February 2016, the Fulani militants launched a deadly attack in various villages of Agatu, Benue State. Within a few days (February 23rd-29th) 300-500 people were murdered.⁷ In massacres such as these, the militia also destroys homes and cropland. In addition, the militants conduct countless small-scale attacks and murders.

Ineffectiveness of Security Agencies:

There have been various instances of attacks in which victims assert that the perpetrators were Fulani militants who used AK47s and grenades to attack them. There was also an account of an aircraft that hovered over an attacked site and allegedly resupplied the attackers. Despite the continued attacks, security agencies claim ignorance of these events or state that they were not commanded to intervene. Several communities have been displaced by Fulani militants with the villages now inhabited by the attackers who build houses and live in those communities unchallenged and unquestioned. Whenever the villagers return to their farms, they are gunned down. Yet, there are no arrests or prosecutions regarding this. In several instances, victims of attack have recounted how they went to seek protection from the security agents on the ground but were not tended to because the security agents claimed that they had not been given orders to do so. Other victims have stated that though security agents responded, their response was exceedingly slow and ineffective. Overall, the victims of this violence have been neglected by the government. They receive very little protection, no victim services, and no justice for the crimes committed against them. They have been left defenseless and sometimes are even blamed for bringing the violence upon themselves.

Because security agents have failed to protect the people, victimized communities have begun to recognize their need for self-defense, and unfortunately some have also resorted to retaliation. In this, they have already been judged harshly by officials. In an interview Kaduna State Governor Mallam Nasir el-Rufai stated that self-defense is hate speech and that those promoting this message would be arrested.⁸

Example of Negligence and Impunity by Government Officials:

In August 2016, the Kaduna State Police Spokesman Aliyu Usman released a statement in response to an attack by Fulani militants on Godogodo village that killed 6-7 persons on August 13. In his statement he claimed that some arrests had been made, and though tension remained, the police were in control of the situation.⁹ Soon after this statement, Governor el-Rufai visited Godogodo, condemned the ongoing attacks, and vowed to increase security for the area.¹⁰ To the dismay of local residents, these statements by government and police authorities proved to be empty promises that made vulnerable residents feel falsely protected. On August 19 and 21, 3-5 more people were killed near Godogodo and Ningon villages by Fulani militants.¹¹ The President of the Ningon Community Development Association described to a Nigerian newspaper the police's exceedingly delayed response to the attack.¹⁰ Then from

⁵ Nigeria attacks: 100 killed in attacks on villages in Kaduna – www.bbc.com

⁶ Fulani Herdsmen Kill Scores In Agatu, Benue State – www.channelstv.com

⁷ Hundreds killed in Nigeria attacks – www.worldwatchmonitor.org

⁸ Our actions to resolve Shiite IMN, Southern Kaduna crises – El-Rufai – www.premiumtimesng.com

⁹ Kaduna Herdsmen Attack: They're on vengeance mission—MIYETTI – www.vanguardngr.com

¹⁰ Fulani herdsmen kill RCCG pastor, two others in Kaduna – punchng.com

¹¹ Herdsmen in Nigeria Kill Pastor, Others, as Policy to Settle Cattlemen Decried – morningstarnews.org

September 24-26, the Fulani militants killed 8 more people. With still no adequate protection given to the residents after these killings, the militants were able to then launch a full-fledged attack on October 15 in Godogodo village killing 40 villagers and burning their homes and churches. After this string of attacks, victims voiced that they felt completely abandoned by their government. Unfortunately, attacks have continued into 2017.

Recommendations:

- The United Nations Committee on Prevention of Genocide should conduct an independent and impartial investigation into the allegations of killings, destruction, and occupation of communities by Fulani militants.
 - The Human Rights Council should make a statement condemning the attacks and call on the Nigerian government to respect the rights of its religious minorities.
 - Pressure Nigerian authorities to create a comprehensive plan to stop the attacks, prosecute perpetrators, and provide care and rehabilitation for victims.
 - Pressure the Nigerian Government to equip its National Human Rights Commission to investigate and enforce relevant laws without so many financial and bureaucratic constraints.
 - Under the supervision of the United Nations, past and current incidents of human rights abuses in Nigeria should be carefully documented and reported on an international scale.
 - Call on the Nigerian government to hold accountable all groups who have claimed responsibility for attacks, no matter their motive for attacking.
 - Due to local impunity, identified perpetrators should be referred to the International Criminal Court and tried under international law for the killing of thousands of persons.
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