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2.8. Christian and Muslim minorities in specific areas

COMMON ANALYSIS
Last update: February 2019
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These profiles focus on the situation of Christians and Muslims in areas where they represent a religious minority.

COI summary

[Main COI references: Targeting, 3.8; Country focus, 6.5]

According to the Nigerian Constitution, Nigeria is a secular state and freedom of religion is guaranteed.

It is hard to obtain official and up-to-date data concerning religious affiliations in Nigeria [Targeting, 3.8.1]. According to CIA data from 2018, Islam was the religion of 53.5 % of Nigerians and is the dominant religion in the north, with Christianity (45.9 % of Nigerians) dominant in the south [Security situation 2021, 1.1]. There is also 'a sizable Christian minority in several northern states', mainly as a consequence of internal migration. At the same time, there is a considerable population of Muslims in the South, especially in the South-West. The remaining population (0.6 % of Nigerians) holds traditional beliefs. The mix of practices from different religions is also common.

Both Muslims and Christians report discrimination in areas where they form a minority.

The Constitution recognises the possibility to implement Sharia for civil proceedings involving questions of Islamic personal law, such as marriage, inheritance, and other family matters, and where all the parties involved are Muslims. Between 2000 and 2002, twelve Northern states extended Sharia to criminal cases, although a number of constitutional questions arose (e.g. the rights of religious minorities and of women, the punishment of apostasy). In particular, it has been reported that religious minorities in Sharia-declared states are suffering widespread discrimination and harsh penalties that violate Nigeria's international human rights obligations. The Sharia declared states include Bauchi, Borno, Gombe, Jigawa, Kaduna, Kano, Katsina, Kebbi, Niger, Sokoto, Yobe, and Zamfara [Actors of protection, 2.1.2].

Non-Muslims can opt to have their cases heard by Sharia courts when they are involved in civil or criminal disputes with Muslims. This often occurs as the Sharia courts are generally considered cheaper and more efficient than civil courts. However, Sharia courts do not have the authority to compel the participation of non-Muslims [Actors of protection, 6.2.1.1].

Conflicts involving Christian and Muslim communities are concentrated in northern cities and in the Middle Belt, where farmers are predominantly Christians and herders are predominantly Muslims. Conflicts between farmers and herders have also expanded in southern Nigeria [Security situation 2021, 1.4.1.1]. These clashes are often caused or exacerbated by other tensions, such as tensions between local host communities ('indigenes') and internal migrant communities ('settlers'). In these conflicts, religious factors intertwine

with socio-economic and ethnic ones.

Christians face a particularly difficult situation in the North-East of Nigeria because of the presence of Boko Haram, although the group also targets moderate Muslims. See the profile Individuals targeted by Boko Haram.

Christians further reported a lack of protection by the authorities for churches and Christian communities, especially in the Central and Northern Sharia states, and in admission to universities, as well as in acquiring land permission to build churches.

Muslims living in areas where they are a minority have reported discrimination by the authorities, in particular against women wearing hijab. In May 2017, the use of hijab was banned in public schools in Lagos state.

It can also be noted that, in March 2016, IPOB and MASSOB issued an announcement to the Fulani (Muslim) herders to retreat to northern Nigeria. See the profile Individuals involved in and affected by conflicts between herders and farmers.

Tensions related to religious factors do not only concern the relationships between Christians and Muslims. Nigeria has a small Shia population, estimated at 4 million, which is located mainly in northern Sunni Nigeria. The main Shia organisation is the Islamic Movement in Nigeria (IMN), active since the 1980s. The leader of the organisation called for a revolution similar to the Islamic revolution in Iran and has been detained several times on charges of 'seditious speech and calls to revolution'. In Kaduna State, the tension between the military and the IMN has been mounting. On 12 December 2015 in Zaria (Kaduna State), the Nigerian Army killed more than 350 men, women and children, considered supporters of IMN. The Kaduna State Government declared IMN unlawful in December 2016. On 15 May 2018, the IMN leader and his wife were charged with illegal assembly, criminal conspiracy and culpable homicide, punishable by death. Members of IMN and supporters staged protests in Abuja, Kaduna and some other cities for their release. Clashes between police and protesters resulted in a number of deaths and many protesters have been held in detention since. In December 2020 the Office of the Prosecutor of the International Criminal Court concluded that there is reasonable basis to believe that war crimes and crimes against humanity had been committed by the Nigerian military since the beginning of the non-international armed conflict with Boko Haram since June 2011.The Prosecutor of the ICC has also examined alleged crimes falling outside of the context of this conflict.[12]

Risk analysis

Some acts to which individuals under these profiles could be exposed are of such severe nature that they would amount to persecution (e.g. killing, rape, abduction, forced conversion, forced marriage, illegal detention). When the acts in question are of (solely) discriminatory measures, the individual assessment of whether discrimination could amount to persecution should take into account the severity and/or repetitiveness of the acts or whether they occur as an accumulation of various measures.

Not all individuals under these profiles would face the level of risk required to establish well-founded fear of persecution. The individual assessment of whether there is a reasonable degree of likelihood for the applicant to face persecution should take into account risk-impacting circumstances such as: area of origin, gender, in the case of the Shia minority – engagement with IMN, etc.

Nexus to a reason for persecution

Available information indicates that persecution of these profiles is highly likely to be for reasons of religion. In the case of the Shia minority, persecution may be for reasons of religion and/or to (imputed) political opinion.

[12] **Statement of the Prosecutor, Fatou Bensouda, on the conclusion of the preliminary examination of the situation in Nigeria, 11 December 2020, https://www.icc-cpi.int/nigeria, Preliminary examination: Nigeria https://www.icc-cpi.int/Pages/item.aspx?name=201211-prosecutor-statement, https://www.icc-cpi.int/nigeria [back to text]**

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