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Human rights situations that require the Council's attention

Written statement* submitted by 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.

[1 February 2021]

* Issued as received, in the language(s) of submission only.



The Human Rights Council must establish a Commission of Inquiry to Investigate Crimes Against Humanity Taking Place in Nigeria

The United Nations has, since its foundation, promised to dedicate itself to the maintenance of peace and justice. It is therefore with great concern that the international community receives weekly reports of deadly violence and incessant attacks in Nigeria. To address the ongoing terrorist attacks perpetrated by Boko Haram, Fulani militants, and other militia, as well as the resulting large-scale displacement and tremendous loss of life, the Human Rights Council has a responsibility to establish an international investigative body to ensure accountability for these serious human rights violations.

At the end of 2020, the Office of the Prosecutor of the International Criminal Court concluded that there is reasonable basis to believe that members of Boko Haram and its splinter groups have committed atrocities constituting crimes against humanity and war crimes.¹ The Special Rapporteur on extrajudicial, summary or arbitrary executions has raised a similar alarm over the reported violence ongoing in Nigeria and growing numbers of internally displaced, and especially the failure of the government to prosecute perpetrators in accordance with domestic law.²

Addressed below are the different various crimes against humanity that highlight the need of establishing a Commission of Inquiry.

Violence against women and girls

Women and children have disconcertingly often been the primary victims of the violence; this, coupled with being a religious minority girl or woman in the north and northeast regions of Nigeria, has resulted in increased vulnerabilities. In early 2014, the Islamic militant group Boko Haram kidnapped 276 predominantly Christian schoolgirls from Chibok's secondary school while they were sitting school examinations; over 100 of these girls remain missing.³ And four years later, an almost identical incident occurred in which Boko Haram kidnapped over 100 young schoolgirls from the Government Girls' Science and Technical College in Dapchi; though the majority of these girls were eventually returned, one young girl named L. S. remains in captivity over two years later because she refused to renounce Christianity and return to Islam at her captors' request.⁴ Between February and mid-April of 2019, about 400 Adara people, mostly women, children, and the elderly, were killed in Fulani militant raids. About 13,000 others were displaced.⁵ Speaking to the atrocities, Alheri Bawa Magaji, the daughter of a local Nigerian leader, stated "[w]e have 2-month-old babies, 6-month-old babies, babies in the bellies torn from their mothers' wombs and slaughtered like animals."⁶

Violence targeting religious communities and houses of worship

The Special Rapporteur on extrajudicial, summary or arbitrary executions noted in 2019 that there has been an increase in the frequency of attacks and killings over the last five years in Nigeria. In addition, Nigerian authorities have repeatedly failed to investigate and hold the perpetrators of the violence accountable, even in the case of mass killings. This reluctance and inability to deliver justice has created a climate of impunity for the perpetrators. Specifically, the Special Rapporteur reported that in 2018 the violence involving Fulani

¹ Office of the Prosecutor of the International Criminal Court, Statement of the Prosecutor, Fatou Bensouda, on the conclusion of the preliminary examination of the situation in Nigeria, 11 December 2020.

² Agnes Callamard, End of visit statement of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her visit to Nigeria, 24 September 2019.

³ BBC News, "Nigeria Chibok abductions: What we know", 8 May 2017.

⁴ Bukola Adebayo, "Lone Dapchi schoolgirl in Boko Haram captivity begs for her freedom", CNN, 28 August 2018.

⁵ Onize Ohikere, "Nigerian Christians seek U.S. Intervention", 18 June 2019.

⁶ Ibid.

militant herdsmen and Christian farmers had become six times deadlier than the Boko Haram insurgency, with over 1,300 individuals killed in the short period of six months.⁷ At the time of the Rapporteur's report in 2019, some 300,000 individuals had been forced to flee their homes due to the extent and deadliness of the violence.⁸

In just one region, Benue State, over 500 churches were reportedly destroyed by Fulani militants between 2011 and 2018.⁹

Throughout 2019 there was a rising number of attacks against the Adara tribe in southern Kaduna, including the following noteworthy incidents:

- The Christian village of Ungwar Barde in Kajuru local government area was attacked on February 10, 2019 by Fulani militants, resulting in the death of 10, including a pregnant woman. It was attacked again on March 10, 2019, with 17 killed.¹⁰
- Karamai village was attacked on February 26, 2019 by Fulani militants, leading to the deaths of 38 Adara victims and the destruction of 40 homes which were burned to the ground.¹¹
- A few weeks later, on March 10, 2019, Inkirimi and Dogonnoma villages were attacked by Fulani militants; 52 people were killed, and 100 houses burned.¹²

According to a May 15, 2020 report by a local Nigerian non-governmental organization (NGO) called International Society for Civil Liberties & Rule of Law [Intersociety], within the first five months of 2020, about 620 Nigerian Christians had been killed in deadly attacks by groups such as Fulani militants and Boko Haram. Intersociety further estimates that approximately 11,500 Nigerian Christians have been killed by Fulani militants and Boko Haram insurgents since 2015.

Recommendations

In light of the above and the numerous United Nations (UN) bodies and civil society members who have raised concern¹³ we urge the members and observer states of the Human Rights Council to:

⁷ Agnes Callamard, *supra* note 2.

⁸ *Ibid.*

⁹ Christian Solidarity Worldwide, *supra* note 8.

¹⁰ Amos Tauna, "Kajuru killings: Adara people tell Buhari to declare state of emergency in Kaduna community", 13 March 2019.

¹¹ *Ibid.*

¹² *Ibid.*

¹³ Please find in this footnote the listed organisations, individuals and NGOs who have reported on the situation in Nigeria: USCIRF (USCIRF 2019 Annual Report, "USCIRF again recommended that Nigeria be designated by the State Department as a Country of Particular Concern (CPC) for religious freedom violations that are "systematic, ongoing and egregious."; USCIRF Shari'a Criminal Law in Northern Nigeria 2019 Report); Parliamentarians (United Kingdom All Party Parliamentary Group for International Freedom of Religion or Belief: Nigeria: Unfolding Genocide?); UN Reports (UN Special Rapporteur: End of visit statement of the Special Rapporteur on extrajudicial, summary or arbitrary executions on her visit to Nigeria; Five UN Special Procedures Communications specifically relating to religion and belief, freedom of expression and rule of law (2019-2020) that remain unanswered by the Nigerian government; Office of the UN High Commissioner for Refugees, Nigeria violence sees 23,000 refugees flee into Niger); Academia (José Luis Bazán: "Working Paper, Fulani Militias' Terror: Compilation of News (2017-2020)", Brussels, May 2020); NGO reports (August 2020 Amnesty International report: Nigeria: Government failings leave rural communities at the mercy of gunmen; August 2020 International Committee on Nigeria (ICON): Nigeria: Silent Slaughter; August 2020 Mission Africa Research: "The Quiet Genocide."; August 2020 Intersociety: "1,421 Christians Hacked to Death by Nigeria's Jihadists in Seven Months of 2020"; June 2020 Genocide Watch: "Genocide Watch Map of Genocidal Massacres Nigeria and the Sahel 2010-2020"; May 2020 Human Rights Writers Association of Nigeria (HURIWA): HURIWA condemns the Kajuru massacres; March 2020 Intersociety: Nigeria: A Killing Field of Defenceless Christians; December 2019 Open Doors: Nigeria Country Dossier; November 2019 Humanitarian Aid Relief

- Establish a Commission of Inquiry to investigate the violence that remains unmitigated in Nigeria, especially the violence committed by Islamist jihadist militias.
 - Ensure that the testimonies of the survivors of the crimes are recorded, and that all avenues to acquire reliable evidence are exhausted.
 - Work with Nigeria to ensure the release of the Chibok girls and L. S. and the other Dapchi girls. The United States of America (US) successfully worked with Nigeria to release a US national who was kidnapped – similar resources must be used to rescue the women and girls who have been kidnapped.
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Trust (HART United Kingdom of Great Britain and Northern Ireland): “‘Your Land or Your Blood’ The escalating persecution and displacement of Christians in northern and central Nigeria”; August 2019 Jubilee Campaign: “Genocide is Loading”; 2016 21Wilberforce: “Nigeria - Fractured and Forgotten: Discrimination and violence along religious fault lines”; Articles (August 2020 Ruth Mclean The New York Times: "Outspoken Atheist, Arrested in Nigeria for BlapsheMy, Hasn't Been Seen Since"; January 2020 Nina Shea in Hudson Institute/ National Catholic Register : “Africa’s Young Christian Communities Are Now in Islamic-Extremist Crosshairs”; December 2019 Bernard-Henri Lévy in the Wall Street Journal: “The New War Against Africa’s Christians”).