



Nigeria

Shia Rights Watch Submission for the UN Universal Periodic Review

31st Session of the UPR Working Group, November 2018

Established in 2011, Shia Rights Watch (SRW) is a non-governmental, not-for-profit research entity and advocacy group headquartered in Washington D.C. USA. SRW works with over 700 local respondents to verify humanitarian news. SRW aims to draw international attention to countries where minority rights, namely that of Shia Muslims, are violated by providing an outlet for freedom of speech. As of 2015, SRW holds an ECOSOC status with the United Nations.

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Summary

1. Systematic corruption in the nation of Nigeria has led to the escalation of violence against minority groups. In addition to violence incited by extremist groups such as Boko Haram, the government's failure to carry out due process creates fertile ground for increased conflict.
2. In response to recommendations presented by the 17th session of the UPR in 2013, Nigeria failed to endorse 35 of the 219 recommendations. Recommendations endorsed are yet to be fully implemented.
3. In this submission, Shia Rights Watch highlights the ongoing discrimination, lack of due process and police brutality against religious minorities, namely Shia Muslims.

National Framework for Promotion and Protection of Human Rights

4. A review of the Nigerian Constitution shows a lack of sufficient support for human rights. Moreover, there is no mechanism for the enforcement of rights in the existing national systems.
5. While Nigeria has ratified some international human rights treaties, domestic enforcement of UN conventions is inadequate.
6. Within law enforcement and governance systems, checks and balances are practically non-existent. Thus, cases of human rights violation by government officials and law enforcement lack follow up mechanisms.

Religious Minorities: Cases of Anti-Shiism

7. Nigeria is home to the African continents fastest growing Shia Muslims population. However, parallel to the growth of this population, anti-Shia endeavors have also progressed. Mainly populating the Kaduna State of Zaria, Shia Muslims under the leadership of Sheikh Ibrahim Zakzaky face threats from not only the Boko Haram but also state and national armed forces.
8. In November 2015, the Nigerian army attacked Shia processions in Kaduna state, killing over 400 men, women, and children. Days later, a mass grave was discovered containing the bodies of those killed. Evidence of torture such as being burned was found on the bodies. Victims families were denied access to the body of their loved ones, and thus burial processions as per cultural and religious rites were not carried out. On that day, Sheikh Zakzaky and his wife were taken into military custody, and their whereabouts were unknown until late 2017.
9. Despite acceptance to block acts of violence against religious minorities as per 2013 UPR recommendations, Nigeria has failed to reduce violence concerning the Shia Muslims in Kaduna. Moreover, adherence to state law to Sharia law as defined by the state government has created grounds for charges of “apostasy” for religious minorities.
10. Shia Rights Watch fears the cultural and systemic violence existent in Nigeria will lead to inter-religious and inter-cultural violence in the future.

Lack of Due Process

11. Backed by international humanitarian organizations, Femi Falana, the Zakzaky lawyer secured order to form the Abuja division of Federal High Courts to release the Zakzaky's in 2015. The judge awarded Zakzaky 50 million NGN and temporary accommodations as reparations.
12. The state and the federal government have yet to follow through with the judge's orders. The lack of compliance and accountability in the Nigerian judicial and executive branches of government are unsettling.
13. In 2015, the Kaduna state governor, Nasir el-Rufai set a Judicial Commission of inquiry to probe the military's actions against Shia Muslims in the state. The panel investigation concluded that Zakzaky must not be held in the trial as evidence against him is lacking. Not only did Rufai keep Zakzaky in detention, but the governor's office also failed to prosecute military personnel who were active in the attack against Shia Muslims.
14. Fueled by systematic discrimination due process has been ignored in the case of Shia Muslims. Moreover, the lack of judicial follows through undermines Nigeria's claims of compliance with international human rights accords.

Police Brutality

15. Local respondents in Zaria report extensive limitations to their freedoms by the local and national law enforcement.
16. In November 2015, police forces shot at peacefully protesting crowds without discrimination, killing children and women.
17. In June 2017, Ibrahim Yakubu, a journalist with the Hausa radio service of the German Deutsche Welle, was arrested and detained while covering a procession by the Muslim Shiites group in Kaduna. He told media that police officers beat him.
18. Law enforcement in Nigeria foster violence as a culture which promotes ferocity towards religious and ethnic minorities.

Recommendations

- a. Full implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR)
- b. Immediate release of prisoners of conscience, namely Sheikh Ibrahim Zakzaky and his wife, in addition to justice for maltreatment
- c. Protection of religious minorities as per continuance of 2013 UPR recommendations
- d. Promotion of inter-religious and anti-moral corruption agencies with representation from religious minorities
- e. Military reform with aims of addressing moral corruption and ethical military action
- f. Review of systemic corruption in state and national systems
- g. Dialogue events between the Shia community in Kaduna and state and federal leaders
- h. Abolishment of the death penalty for detainees