

ABOUT HUMANISTS UK

At Humanists UK, we want a tolerant world where rational thinking and kindness prevail. We work to support lasting change for a better society, championing ideas for the one life we have. Our work helps people be happier and more fulfilled, and by bringing non-religious people together we help them develop their own views and an understanding of the world around them. Founded in 1896, we are trusted to promote humanism by over 100,000 members and supporters and over 115 members of the All-Party Parliamentary Humanist Group. Through our ceremonies, pastoral support, education services, and campaigning work, we advance free thinking and freedom of choice so everyone can live in a fair and equal society.

We work closely with Humanists International, founded in 1952 as the global representative body of the humanist movement, with over 170 member organisations in over 70 countries, and of which our Chief Executive is also the current President. We are accredited at the UN Human Rights Council – the only national humanist group to hold such accreditation – and make interventions there every session. We contribute annually to Humanists International's *Freedom of Thought Report*.¹ And we co-founded the End Blasphemy Laws campaign,² which campaigns against blasphemy and apostasy laws around the world. Ten countries have repealed their blasphemy laws since it was founded, and one has abolished the death penalty for apostasy.

SUMMARY OF THE SITUATION IN NIGERIA

- Article 18 of the International Covenant on Civil and Political Rights 'protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief'.
- Nigeria is one of only 13 countries where blasphemy or apostasy remain punishable by death.
- Expression of core humanist principles on democracy, freedom or human rights is severely restricted.
- The non-religious are so severely persecuted by state and non-state actors it is not possible to be openly non-religious. The severity of persecution also makes it very difficult to calculate what proportion of the population is non-religious.
- State legislation is partly derived from religious law or by religious authorities
- In April 2022, Mubarak Bala, President of the Humanist Association of Nigeria, was sentenced to 24 years in prison for posting alleged 'blasphemous' content on Facebook.
- Alarming, the Illegal Immigration Bill includes Nigeria on its list of 'safe' third countries where asylum seekers can be deported to.

FREEDOM OF RELIGION OR BELIEF IN NIGERIA

The right to freedom of thought, conscience, religion, and belief is a human right enshrined in article 18 of the Universal Declaration of Human Rights,³ and article 18 of the International

¹ Humanists International. *The Freedom of Thought Report* <https://fot.humanists.international/>

² End Blasphemy Laws campaign: <https://end-blasphemy-laws.org/>

³ Universal Declaration of Human Rights, United Nations: <http://www.un.org/en/universal-declaration-human-rights/>



Covenant on Civil and Political Rights (ICCPR).⁴ This is supported by the UN Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief.⁵ *General Comment No 22* adds:

'Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms "belief" and "religion" are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions.'⁶

Nigeria has ratified the ICCPR without making any reservations or interpretive declarations.⁷ It is therefore party to this provision yet FoRB continues to be under threat. FoRB violations often also impact on a number of other rights, including the right to freedom of expression and, to some extent, the right to freedom of assembly and association. There is also a strong correlation with discrimination against women and LGBT people.

PERSECUTION OF THE NON-RELIGIOUS IN NIGERIA

Nigeria is one of only 13 countries where blasphemy or apostasy remain punishable by death. Nigeria is a primarily Muslim and Christian country, with most Muslims living in the north of the country and most Christians living in the south. While laws and treatment may differ to some degree state by state, life for non-religious people in Nigeria remains challenging and dangerous.

Every year Humanists International compiles the *Freedom of Thought Report: A Global Report on Discrimination Against Humanists, Atheists, and the Non-religious; Their Human Rights and Legal Status*, which we contribute to. Nigeria received the worst rating of 'grave violation' in all metrics within the report. The latest edition of the report says with respect to Nigeria:⁸

- 'Blasphemy' or criticism of religion is outlawed and punishable by death
- 'Apostasy' or conversion from a specific religion is outlawed and punishable by death
- Expression of core humanist principles on democracy, freedom or human rights is severely restricted
- The non-religious are persecuted socially or there are prohibitive social taboos against atheism, humanism or secularism
- State legislation is partly derived from religious law or by religious authorities
- Systemic religious privilege results in significant social discrimination.

⁴ International Covenant on Civil and Political Rights, United Nations: <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>

⁵ Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, United Nations: <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-elimination-all-forms-intolerance-and-discrimination>

⁶ *CCPR General Comment No. 22: Article 18 (Freedom of Thought, Conscience or Religion)*, UN Human Rights Committee (HRC), 30 July 1993, CCPR/C/21/Rev.1/Add.4: <https://www.refworld.org/docid/453883fb22.html>

⁷ United Nations, Treaty Collection, Depository: Status of Treaties, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&clang=_en

⁸ Humanists International, *Freedom of Thought Report 2021: Nigeria* <https://fot.humanists.international/countries/africa-western-africa/nigeria/>



While the Nigerian constitution protects freedom of religion or belief in theory, the state enforces several anti-secular and theocratic policies. Notably, Sections 275-279 of the constitution allow constituent states to establish Sharia courts on civil matters. Until 2000, this was restricted to personal status and civil law, but criminal law is now under the jurisdiction of Sharia courts in twelve northern states.⁹

The constitution prohibits constituent states from adopting a state religion, however, this is not the case in practice. State Governor Nyesom Wike pronounced the state of Rivers a Christian state in a June 2019 speech.¹⁰ In addition, in many of Nigeria's northern, Muslim-majority states, Islam is often regarded as the de facto state religion due to its pervasive influence on the allocation of public funds. Politicians have also been known to refer to religion when justifying their stance on legislative proposals.

Some states have the death penalty for blasphemy under Sharia law, while some also confer prison sentences on blasphemers. Such laws, while at odds with the constitution, will stand unless someone convicted under them takes a challenge under the constitution to the Supreme Court of Nigeria.

EXAMPLES OF PERSECUTION

The **Humanist Association of Nigeria** was founded by humanist activist Leo Igwe. It took 17 years to achieve an official registration as a formal organisation from the Nigerian Government. It focuses on speaking out against the death penalty, in favour of LGBT rights, and campaigning against violence related to 'witchcraft' beliefs, for which its members have faced physical attacks and the threat of court action.

Mubarak Bala is a Nigerian human rights activist and President of the Humanist Association of Nigeria. In April 2022, he was sentenced to 24 years in prison for posting 'blasphemous' content on Facebook.¹¹ He was originally arrested from his home in Kaduna state on 28 April 2020 and held without charge for more than a year. He faced charges before the Kano State High Court in connection with Facebook posts he is alleged to have made over the course of April 2020, which are deemed to have caused a public disturbance due to their 'blasphemous' content.

In addition to being arbitrarily detained for over a year before he was charged, there have been several other violations of his rights to a fair trial, which include being denied access to his legal counsel until October 2020, failing to comply with a Federal High Court order to release him on bail, and consistent attempts to obstruct his legal team. He has also been denied medical treatment in

⁹ United States Commission On International Religious Freedom (USCIRF), *Shari'ah Criminal Law In Northern Nigeria*, 2019. <https://www.uscirf.gov/news-room/releases-statements/uscirf-releases-new-report-shariah-criminal-law-northern-nigeria>

¹⁰ Seun Adeyeye, 'Rivers is a Christian state, says Wike', pulse.ng, 24 June 2019.

<https://www.pulse.ng/news/local/rivers-is-a-christian-state-says-wike/03wh1jh>

¹¹ He had previously been arrested in April 2014 and detained in a psychiatric ward on the grounds of his humanist beliefs.



violation of his rights and has had court dates repeatedly delayed.¹²

Bala's team is now appealing his sentence, having pled guilty to charges of 'conducting himself in a manner likely to cause breach of public peace'. We understand that Bala was subjected to pressure in order to secure a guilty plea.¹³

OTHER NOTABLE BLASPHEMY CASES

Leo Igwe is a leading human rights defender and humanist in Africa, having formed the Humanist Association of Nigeria in 1990. Igwe has fought for reason against superstition and witchcraft for years and started the campaign Advocacy for Alleged Witches that has helped many victims accused of witchcraft throughout Africa.

In 2020, Igwe received a letter from lawyers acting on behalf of Helen Ukpabio. Ukpabio organises deliverance sessions where she identifies and supposedly exorcises people, mainly children, of witchcraft. Headquartered in Calabar in Southern Nigeria, her Liberty Gospel Church has grown to be a witch hunting church with branches in Nigeria and overseas.

Igwe was accused of making statements prejudicial to Ukpabio, which have impacted her social and economic standing. The lawyers demanded Igwe to retract all articles deemed defamatory, publish an apology in all outlets in which his writings have been published, and pay 20 billion Naira (approx. £36.5 million) in compensation.

In 2020, some state authorities escalated **enforcement of blasphemy laws** in comparison to previous years. Some particularly egregious examples of how individuals accused of blasphemy (or those who represent them) are treated are:

In August 2020, a Sharia court in Kano State convicted **Yahaya Sharif-Aminu** of blasphemy for insulting the Prophet Muhammad in a private WhatsApp message and sentenced him to death.¹⁴ A higher court later invalidated the conviction and demanded a retrial. Kano authorities also found 16-year-old **Omar Farouk** guilty of blasphemy and detained him throughout the year, although his conviction was overturned in early 2021 and he was released.¹⁵

In parts of Nigeria, those thought guilty of blasphemy, whether rightly or wrongly, are also at risk of social persecution, including intimidation, threats and extreme violence. A 74-year-old Christian market trader, **Bridget Agbahime**, also from Kano state, was publicly murdered in 2016 by a mob of

¹² *Global persecution of the non-religious – Briefing from Humanists UK*, November 2021.

<https://humanists.uk/wp-content/uploads/2021-11-01-KW-v1-Briefing-for-APPG-on-FoRB-for-debate-on-religion-or-belief-persecution-1.pdf>

¹³ Humanists International, 'Nigeria: one year on from sentencing, let Mubarak know that he is not forgotten', 5 April 2023, <https://humanists.international/2023/04/nigeria-one-year-on-from-sentencing-let-mubarak-know-that-he-is-not-forgotten/>

¹⁴ BBC News, 'Nigerian singer sentenced to death for blasphemy in Kano state,' 10 August 2020. <https://www.bbc.co.uk/news/world-africa-53726256>

¹⁵ USCIRF, Annual Report 2021: Nigeria, <https://www.uscifr.gov/sites/default/files/2021-05/Nigeria%20Chapter%20AR2021.pdf>



over 500 people following a false accusation of blasphemy against the Prophet Muhammad. Despite promises from State authorities of 'a meticulous investigation and speedy prosecution of arrested suspects' as their trial neared on the advice of the State Attorney General all five accused of her murder were freed as having no case to answer.¹⁶

DEMOGRAPHICS OF THE NON-RELIGIOUS

Given the fear of imprisonment and the threats of violence described above it is not possible to be openly non-religious in northern Nigeria, and very challenging even in the south. Therefore, it is very difficult to calculate what proportion of the population is non-religious. This is complicated by a lack of official statistics on religion in Nigeria, with the Nigerian National Bureau of Statistics reporting that 'virtual (sic) nothing is done in terms of data collection' regarding religion.¹⁷ The Pew Research Centre estimated that in 2010, 49.3 of Nigerians were Christian and 48.8 were Muslim, while less than 1 percent were unaffiliated with any religion.¹⁸ In contrast, a 2011 telephone poll conducted by WIN-Gallup International and included in *The Global Index of Religion and Atheism* suggested that 4 percent of Nigerians reported to be 'not a religious person', with 1 percent describing themselves as 'a convinced atheist'.¹⁹ Nonetheless, given the small sample size of this poll, and the threat of persecution faced for being openly non-religious in Nigeria, it is highly likely that this figure is inaccurate.

ILLEGAL IMMIGRATION BILL

We are alarmed that Nigeria is listed as one of the 57 so-called 'safe' third countries in the Illegal Immigration Bill which could have a hugely negative impact on the non-religious, as evidenced above.²⁰ Under the Bill, an order to remove someone to Nigeria (or other 'safe' country) would have to be challenged under a new process that sits outside human rights laws.

For more details, information and evidence, contact Humanists UK:

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¹⁶ 'Kano blasphemy killing: Where is justice for Bridget Agbahime?', *Pambazuka News*, 17 November 2016:

<https://www.pambazuka.org/human-security/kano-blasphemy-killing-where-justice-bridget-agbahime>

¹⁷ Nigerian National Bureau of Statistics, Religion and Related Activities: <https://nigerianstat.gov.ng/elibrary/read/27>

¹⁸ Pew-Templeton Global Religious Futures Project, 'Religious Demography: Affiliation of Nigeria', 2010:

http://www.globalreligiousfutures.org/countries/nigeria#/?affiliations_religion_id=0&affiliations_year=2010®ion_name=All%20Countries&restrictions_year=2016

¹⁹ *Global index of Religiosity and Atheism 2012*, WIN-Gallup International: <https://www.scribd.com/document/136318147/Win-gallup-International-Global-Index-of-Religiosity-and-Atheism-2012#>

²⁰ UK Parliament, Illegal Immigration Bill, 28 March 2023, <https://bills.parliament.uk/bills/3429>

