

United Nations Human Rights Council, 56th Session
18 June to 12 July 2024
Item 6: Universal Periodic Review – Nigeria
Speaker: Humanists UK representative: Laura Newlyn¹

We urge Nigeria to support the recommendations of Cameroon, Gambia, Lebanon, Norway, and even the Russian Federation to develop further mechanisms that protect individuals from discrimination based on religion or belief.² In particular, we call on Nigeria to support the recommendation of the Netherlands, to increase efforts to strengthen accountability and security to ensure the enjoyment of the right to freedom of religion or belief, or FoRB.

Nigeria's Constitution protects FoRB, including the right to change religion or belief.³ However, these protections are undermined by *de facto* blasphemy laws under section 204 of the Criminal Code that determines 'an act which any class of persons consider as a public insult on their religion' may be imprisoned for up to two years.⁴ Further to this, the Constitution allows constituent states to establish their own Sharia courts on civil matters only, yet twelve northern states utilise Sharia criminal codes.⁵ These courts can and do implement severe sentences for blasphemy and apostasy, with punishments including execution. This runs counter to this Council's resolution 36/17 which urges all states that have not yet abolished the death penalty to ensure it is not imposed for specific forms of conduct, including apostasy.⁶

We remain concerned about how this overlaps, intersects with, and undermines the right to freedom of expression, which is also guaranteed by the Constitution. Our friend and colleague Mubarak Bala, President of the Humanist Association of Nigeria, is currently serving a prison sentence for posting 'blasphemous' content on Facebook that was deemed likely to cause a disturbance.⁷ The decision of the Court of Appeal in Kano that his sentence be reduced from 24 to five years is a step in the right direction. But Bala should never have been charged in the first place for peacefully expressing his humanist values.

We call on Nigeria to repeal its blasphemy and apostasy laws, to release those detained under such laws, and to refrain from allowing Sharia courts to decide on criminal matters.

¹ Humanists UK is the operating name of the British Humanist Association.

² United Nations, *Report of the Working Group on the Universal Periodic Review – Nigeria*. 2024.
<https://undocs.org/A/HRC/56/7>

³ Federal Ministry of Justice, Abuja, *Constitution of the Federal Republic of Nigeria 1999*, article 38,
https://www.constituteproject.org/constitution/Nigeria_1999.pdf

⁴ Humanists International, *Freedom of Thought Report: Nigeria*, 30 November 2020,
<https://fot.humanists.international/countries/africa-western-africa/nigeria/>

⁵ US Commission on International Religious Freedom, *Annual Report*, May 2024, p37,
<https://www.uscirf.gov/sites/default/files/2024-05/2024%20Annual%20Report.pdf>

⁶ Resolution adopted by the Human Rights Council on 29 September 2017 36/17, 'The question of the death penalty,' https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/36/L.6

⁷ Humanists International, *Cases of Concern: Mubarak Bala*. 2024.
<https://humanists.international/case-of-concern/mubarak-bala/>