

2016 - 2017 SHR REPORT

FOREWORD

The State of Human Rights in Nigeria (2016-2017) Report is produced pursuant to Section 5(c) of the NHRC Act 1995 (as amended) which obligates the Commission to publish and submit from time to time, to the President, National Assembly, Judiciary, states and local governments report on the state of human rights promotion and protection in Nigeria.

The Report is part of the series produced since 2006 maiden publication and builds on experience garnered over the years. While this publication does not completely contain all the various range of human rights issues, it is a reflection of pattern and nature of complaints received by the Commission in the headquarters and field offices within the years under review. The complaints are disaggregated according to thematic areas. The report covers Civil and Political Rights as well as Economic, Social and Cultural Rights. It also contains Reports in areas of Terrorism and Inter-Communal Conflict, Election and Political Participation, Niger Delta and the Environment amongst others. These are captured under different human rights issue-areas such as Right to Life, Right to Dignity of the Human Person and freedom from Torture, inhuman and degrading punishment; Right to Freedom from Discrimination, Sexual and Gender Based Violence, Right to Work and Right to Health, Education and Shelter among others.

The complaints reported have been admitted for investigation and intervention in line with the mandate of the Commission. It is significant to note that this Report reflects the pattern or trend of human rights complaints only. Findings by the Commission in respect of the complaints investigated are not captured in this Report. The Report also contains human rights issues monitored through the Media in 2016 and 2017 – print and electronic.

The report may serve various purposes such as educating the public on pattern of human rights violations in the years under consideration. It is recommended for use by the Government, researchers and the entire citizenry.

Thank you.

Tony Ojukwu, Esq

Executive Secretary,

National Human Rights Commission

ACKNOWLEDGEMENT

The State of Human Report is a product of the National Human Rights Commission which contains selected complaints received and handled both at the headquarters and the field offices. The Commission acknowledges and sincerely appreciates the contribution of the staff at the Headquarters and Field Offices for putting together this Report.

The Commission also acknowledges the enormous contribution of Tony Ojukwu, Esq., the Executive Secretary of the Commission under whose leadership this project is implemented. We also acknowledge the supervision provided by the Special Assistant to the Executive Secretary and Head, Monitoring Department, Mr. Benedict Agu; as well as the technical support provided by staff from various departments and thematic groups. They are: Nwanelo Sandra, Ivy Acka, Uche Okwuobi, Onugu Kenechukwu Nnamdi, Joy Abah, Hyginus Njoku, Danladi Yohanna, Kabir Aliyu Elayo, Aisha Kaltungo, Saidu Akus, Joseph Oboh, Amaka Fred Ifeachi, Arinze Okoro, Mariam Kadiri, Ademilola Adesiun, Dowgo Debbie, Nwabueze Anthonia, Iheme Richmond, Titilayo Samuel and Zara Abubakar-Abdullahi.

Finally, we also acknowledge the contribution of the Nigerian Human Rights Community for the continuous struggle for the protection, promotion, enforcement and accountability for human rights and justice for all.

INTRODUCTION

The National Human Rights Commission (NHRC) was established in 1995 by virtue of the NHRC Establishment Act of 1995. The establishment was in response to the resolution of the United Nations (otherwise known as the Paris principles) which enjoined member nations of UN to establish national institutions in their respective countries with the core mandate of protecting and promoting human rights.

Following the establishment of the NHRC with its attendant teething problems and constraints, it became necessary to amend the Establishment Act to broaden the mandate of NHRC, strengthen its operations and ensure its independence. This culminated into the amendment of the NHRC in 2010 by the National Assembly which broadened the responsibilities, powers and functions of NHRC.

Specifically, sections 5 and 6 of the NHRC Act 1995 (as amended) assigned enormous responsibilities and powers to the NHRC. Some of the core functions and powers of the NHRC are as follows:

FUNCTIONS

- a. To deal with all matters relating to the promotion and protection of human rights guaranteed by the Constitution of the Federal Republic of Nigeria, the United Nations Charter and the Universal Declaration on Human Rights, the International Convention on Civil and Political Rights, the International Convention on Economic, Social and Cultural Rights, the Convention on the Elimination of all forms of Discrimination Against Women, the International Convention on the Elimination of Racial Discrimination, the Convention on the Rights of the Child, the African Charter on Human and Peoples' Rights and other international and regional instruments on human rights to which Nigeria is party;.
- b. Receive human rights complaints, monitor and investigate all alleged cases of human rights violation in Nigeria and make appropriate recommendation for the prosecution or make appropriate determination as may be deemed necessary in each circumstance;
- c. assist victims of human rights violation and seek appropriate redress and remedies on their behalf;
- d. Undertake studies on all matters pertaining to human rights and assist the Federal, State and Local Government where it considers it appropriate to do so in the formulation of appropriate policies on the guarantee of human rights;
- e. Publish and submit, from time to time, to the President, National Assembly, Judiciary, State and Local Governments, reports on the state of human rights promotion and protection in Nigeria;
- f. Liaise and cooperate with local and international organizations on human rights for the purpose of advancing the promotion and protection of human rights;
- g. Organize local and international seminars, workshops and conferences on human rights issues for public enlightenment

- h. promote an understanding of public discussion of human rights issues in Nigeria and undertake research and educational programmes and such other programmes for promoting and protecting human rights and co-ordinate any such programme on behalf of the Federal, State or Local Government on its own initiative when so requested by the Federal, State or Local Government and report concerning the enactment of legislations on matters relating to human rights;

POWERS

- a. Institute any civil action on any matter it deems fit in relation to the exercise of its functions under this Act;
- b. Visit persons, police cells and other places of detention in order to ascertain the conditions thereon and make recommendations to the appropriate authorities;
- c. Make determination as to the damages or compensation payable in relation to any violation of human rights where it deems this necessary in the circumstances of the case;
- d. enter upon any land or premises or by any agent or agents duly authorized in writing for any purpose which, in the opinion of the Council is material to the functions of the Commission, and in particular, for the purpose of obtaining evidence or information or of inspecting or taking copies of any document required by, or which may be of assistance to the Commission and of safeguarding any such document or property which in the opinion of the Council ought to be safeguarded for any purpose of its investigations or proceedings.
- e. summon and interrogate any person, body or authority to appear before it for the purpose of public inquiry aimed at the resolution of a complaint of human rights violation or issue a warrant to compel the attendance of any person who after having been summoned to attend, fails, refuses or neglects to do so and does not excuse such failure, refusal or neglect to the satisfaction of the Commission;
- f. compel any person, body or authority who, in its opinion, has any information relating to any matter under its investigation to furnish it with any information or produce any document or other evidence which is in his or her custody and which relates to any matter being investigated.

This Report therefore is in fulfillment of the statutory mandate of the Commission as enshrined under section 5(c) of the NHRC Act (as amended) to publish from time to time reports on the state of human rights protection and promotion in Nigeria.

EXECUTIVE SUMMARY

The State of Human Rights in Nigeria Report 2016/2017 is a compilation of the human rights situation in Nigeria in the respective years under review. These reports presents broad coverage of issue-areas as they pertain to complaints and media monitoring generated from the Commission's Headquarters, Zonal and State offices. The report is an assessment of human rights situation in the country and seeks to highlight the gaps in the promotion, protection, enforcement and accountability for human rights in Nigeria. Further, the report makes recommendations to address identified pattern or trend militating against the protection, promotion, enforcement and accountability for human rights in Nigeria.

The report is divided into three Parts and twenty-one Chapters as follows:

PART 1: Civil and Political Rights

- Right to Life
- Dignity of the human person
- Personal Liberty
- Freedom of Expression and the Media
- Freedom of Thought, Conscience and Religion
- Fair Hearing
- Freedom from Discrimination
- Family and Private Life
- Peaceful Assembly
- Right to Acquire and Own Property

PART 2: Economic, Social and Cultural Rights

- Right to Health
- Right to Education
- Labour Right

PART 3: OTHER THEMATIC AREAS

- Terrorism & Inter- Communal Violence
- Corruption

- Access to Justice & Independence of Judiciary
- Sexual and Gender Based Violence
- Rights of the Child
- Environment and Niger Delta
- Human Trafficking
- Election and Political Participation

Each chapter begins with an introduction followed by complaints received and investigated by the Commission. Also reports from the media on human rights violations are also considered.

It is pertinent to mention that the years under review concern issues that touch on violations of the rights of the child to development, protection and survival. Most complaints in this category reveal how children have become victims of domestic neglect and abandonment of parental care. This has caused untold discomfort to children leading to abuse of child's education, nutrition, health and parental attention.

The report also highlights complaints relating to Sexual and Gender Based Violence (SGBV), Terrorism and Inter-Communal Violence, Civil and Political Rights as well as Economic, Social and Cultural Rights.

For the purpose of confidentiality and ease of reference, the following symbols are adopted in this report:

X- Female Complainant

Y- Male Complainant

XY- Third Party Complainant

PART 1
CIVIL AND POLITICAL RIGHTS

CHAPTER 1
RIGHT TO LIFE

INTRODUCTION

Every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life. In countries that have not abolished the death penalty, sentence of death may be imposed only for the most serious crimes in accordance with the law in force at the time of the commission of the crime

The right to life is enshrined in Article 3 of the Universal Declaration of Human Rights as well as in Article 6 of the International Covenant on Civil and Political Rights . The Convention on the Rights of the Child contains this right in Article 6. Similarly, the Convention on the Rights of Persons with Disabilities contains this right in Article 10 which provides that: ‘*State Parties reaffirm that every human being has the inherent right to life and shall take all necessary measures to ensure its effective enjoyment by persons with disabilities on an equal basis with others*’. Article 4 of the African Charter on Human and Peoples' Rights provides that ‘*human beings are inviolable. Every human being shall be entitled to respect for his life and the integrity of his person. No one may be arbitrarily deprived of this right*’.

Section 33(1) of the Constitution of the Federal Republic of Nigeria (CFRN), 1999, as amended, provides that ‘*every person has a right to life, and no one shall be deprived intentionally of his life, save in execution of the sentence of a court in respect of a criminal offence of which he has been found guilty in Nigeria*’.

From these provisions, two core elements could be extracted: ‘*every person has a right to life*’ and ‘*no one shall be deprived intentionally of his life*’.

A person would not be deemed to have been deprived of his right to life in the following instances:

1. When he is executed in respect of a criminal offence for which he has been found guilty by a court of law in Nigeria;
2. When he is killed as a result of lawful force used for the defence of any person from unlawful violence or for the defence of property;
3. When he is killed in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
4. When he is killed for the purpose of suppressing a riot, insurrection or mutiny.

The right to life cannot, however, be seen only in the light of the deprivation of life, but more importantly, in the light of the sustenance of life. The right not to have one’s life taken arbitrarily implies an obligation on the part of State to take reasonable steps to prevent situations that could result in the violation of the right to life. Of all human rights, it is arguable that the most fundamental and indeed the most important is the Right to Life. This is because, a dead man cannot exercise or enjoy all

other rights. Life therefore remains a condition precedent for the enjoyment of all other rights, hence its importance.

International human rights law requires States to respect, promote, and fulfil human rights. This entails the obligation to prevent and sanction harm, including deprivation of life, caused not only by their own agents but also by acts of private persons or entities. The duty to protect life also implies that States *should take appropriate measures to address the general conditions in society* that may eventually give rise to direct threats to life or prevent individuals from enjoying the right to life.

A major problem with the 'restrictive or traditional interpretation' of right to life is that it has the effect of excluding such other components (such as the right to health, food, healthy environment, etc) contained in the bundle conveniently wrapped up as the right to life. This has the effect of restricting the enforcement of the right to the occurrence of death and thus confining the right to the realm of a broken promise, for which compensation is a just and adequate remedy. The right would mean nothing more than the right to compensation for unlawful death rather than a right that protects life from unlawful deprivation.

What does positive duty to provide conditions that guarantee dignified life mean? What this means is that the right to life is not just a bare negative duty on the State not to arbitrarily take life; it emphasizes that the right to life, has at its core, the positive duty on the State to create the essentials that would allow for a dignified life. In essence, right to life includes not only the right of every human being not to be deprived of his life arbitrarily, but also the right that he will not be prevented from having access to the conditions that guarantee a dignified existence. States have the obligation to guarantee the creation of the conditions required in order that violations of this basic right do not occur.

Accordingly, States are obliged to adopt measures that may be necessary to create an adequate statutory framework to discourage any threat to the right to life; to establish an effective system of administration of justice able to investigate, punish and redress any deprivation of lives by state agents, or by individuals. The State also has the obligation to protect the right of not being prevented from access to conditions that may guarantee a decent life. This entails the adoption of positive measures to prevent the breach of such right. In this sense, there is an inherent linkage between right to health and right to life; and other related rights. The right to healthcare is in itself quite encompassing. It covers everything that would adversely affect health when deprived, and thus, ultimately threatens life. Rightly put: the right to life presupposes the existence and availability to certain basic facilities such as food, health, shelter and education. Life to be maintained needs food which has to be produced by members of the society all of whom have this right to life. Thus the right to life is linked to the right to work in order to obtain means of subsistence to procure food and shelter. The connection of the right to life to adequate security and lack of basic infrastructure is most obvious to those who have to live with the fear that their lives may be wantonly deprived by forces around them.

Whether deaths resulting from the barrel of armed robbers' guns, road accidents or those of intimidation and assassination; or from extremism⁸ can be completely separated from the failure of government in its obligations to take positive steps to prevent situations that could result in the violation of the right to life has been a begging question. The more the failure of government in these

regards, the more impunity those directly responsible for the state of affairs enjoy and the more they prosper in the execution of their evil machinations.

These are the first pieces of evidence to assess the level of compliance of government with its obligation to guarantee the right to life. Section 33 of the CFRN, 1999, as amended does not attempt to define the content of the right to life and, therefore, not exhaustive. This is understandable as no constitutional document is expected to cover minute details of possible eventualities.

Complaints Received on Right to Life

1. C/011/2016/ADSO

On the 10th March, 2016 the Commission received a complaint from X who alleged that her son threatened to kill her over their property. That out of the 10 rooms left by her late husband, her son collected 7, and still wants to collect another when their only source of income is the money they collect from the rooms as rent.

2. C/2016/93/SSZ

The Commission received a complaint from Y who alleged that the Nigeria Police Force, on 19th of June 2016, arrested his son and detained him at the Rumuolumeni Police Divisional Headquarters, Rivers State where he was kept till the 24th of June, 2016 without informing the victim's family. It was a suspect who was released from the same cell over another matter that informed the victim's family. The informant stated that the victim and three other suspects that were arrested with him were in handcuffs all through the period of detention. The victim's mother was denied access to him by the Investigating Police Officer. The victim was later discovered dead on 28th June 2016.

3. C/2016/216/SSZ

The Commission received a complaint from XY against the Nigeria Police Force. XY alleged that Y was on his way to his place of work on the 17th of February, 2016 when police men from Eleme Divisional Police Headquarters, Rivers State deployed to a protest scene at Indorama Eleme Petrochemical Limited Factory fired tear gas at the protesters. A canister of the tear gas hit Y at the back of his head which led to his death. XY also alleged that those who were present were prevented from attending to him.

XY further alleged that the police took Y's corpse to the mortuary where they paid for his head to be stitched, his body embalmed and deposited in the morgue.

4. C/2016/1804/NCZ

The Commission received a complaint from XY alleging that her friend was strangled to death by her boyfriend on 15th of February, 2016 following a minor misunderstanding between them.

5. C/2015/1948/NCZ

The Commission received a complaint dated 27th of June, 2016 from XY alleging that his brother was beaten to death by some soldiers at a check point manned by Special Task Force (STF) Sector 1, Jos, Plateau State.

6. C/2016/479/BSO

The Commission received a complaint from a legal practitioner, XY alleging that men of the Nigeria Police shot and killed a father of 2, while the deceased and his friends were attempting to find out the cause of a gunshot they heard while they were drinking. XY also alleged that the police claimed that the deceased was an armed robber and had attempted to disarm a police officer while trying to arrest him. XY further alleged that the police had refused to release the body of the deceased to his family.

7. C/2016/2307/NCZ

The Commission received a complaint on the 11th March, 2016 from Y, against the alleged violators who are from Siri Babba Gwalameji Local Government Area of Bauchi State. Y also alleged that the alleged violators forcefully entered into his house, shot and stabbed him on the head, spine, then cut off his left hand and his right thumb.

8. C/2016/51/KD

On the 3rd March, 2016 XY lodged a complaint with the Commission on alleging that his sister had been impregnated by the alleged violator. XY also alleged that his sister had died while receiving treatment for liver failure, heart problem and lungs infection. He alleged that she had contracted the disease after being abducted by the alleged violator's step-mother and subsequently given a mixture of liquid substance and goat head to terminate the pregnancy by her. XY further alleged that his life has been threatened by the alleged violator.

9. C/2016/52/KD

The Commission received a complaint on the 7th March, 2016 from XY alleging that her son was hit by a stray bullet during the Zaria Army/Shiite clash. She stated that she had reported the incident to the police before taking the victim to the hospital. She further alleged that while the police were mopping up suspected Shiite casualties in Ahmadu Bello University Teaching Hospital, Zaria they included her son.

10. C/2016/240/KD

The commission received a complaint on the 19th December, 2016 from X alleged that her husband and his second wife were threatening her life.

11. C/2017/5023/HQ

The Commission received a Complaint dated 12th June, 2017 from XY against the Nigerian Army (NA) on-behalf of a victim who allegedly died in Army detention facility.

XY claimed that a Lance Corporal had been on detention since March, 2014 till 23rd February, 2017 when he was allegedly killed by the Officer In-Charge (OC) of the Military Police. XY alleged further that the deceased, until his death, was detained for the offence of Absence without Leave (AWOL) without a proper disciplinary action, when he went on an unauthorized journey to Lagos State to see his sick aunt.

12. C/2017/51/AMO

On 4th March, 2017, the Commission received a complaint from Y alleging that his late wife's family threatened his life after his wife was pronounced dead in a hospital during labour. He also alleged that his wife's corpse was taken away and he was not allowed to bury her.

13. C/2017/94-95/AMO

On 7th March, 2017, the Commission received a complaint from X alleging abuse and threat to life against Y. X alleged that Y uses her court yard as refuse dump, pours dirty water, calls her name and beats her up.

14. C/2017/167169/HQ

The Commission received a complaint on the 24th 2017 from X stating that she was married to her husband since 2012, and have 2 children aged 3 and 1. X alleged that her husband repeatedly threatened to kill her, and beat her on several occasions.

15. C/2017/178/G

On 12th October 2017 the Commission received a complaint from Y alleging that on 26th September 2017 a group of people acting on the order of the alleged violator came to his house and attacked him with guns. He further claimed that he sustained injuries on his head and body from the attack while his son was killed.

16. C/2017/688/AMO

On 20th January, 2017, the Commission received a complaint from Y against the alleged violator on threat to life. Y also stated that the alleged violator, who was his co-tenant was in the habit of using her position as a police officer to intimidate, harass and threaten his life.

17. C/2017/47/SSZ

On the 9th day of February, 2017 XY alleged that some officers of the SARS of the NPF, Obirikom in Rivers State, arrested the victim and took him to an undisclosed location prompting a search for the

said victim until it was reported at the anti-kidnapping unit where XY was informed that the victim was rushed to the University of Port-Harcourt Teaching Hospital for treatment due to the injury sustained during his arrest. It was later gathered from a Police Inspector of the anti-kidnapping unit that the victim was dead. After an interview with XY, preliminary investigation revealed that the victim was allegedly killed by the police officers who arrested him on allegation of cultism.

18. C/2017/198/SSZ / C/2017/ 7911/HQ

The Commission received a complaint from Y accusing an Officer of the Nigeria Police of threatening his life. Y further alleged that the Officer, who was in charge of the State Investigation Bureau (SIB), was still using men of the Nigeria Police Force to threaten him and his family.

19. C/2017/70/KD

On 10th April 2017, the Commission received a complaint from XY alleging that the police arrested the victim in his residence where he was severely tortured and he later died in SARS custody.

20. C/2017/121/KD

On 9th June, 2017 the Commission received a complaint from XY alleging that a soldier of the Nigerian Army allegedly killed a victim near Command Secondary School, Kaduna State. The family of the victim demanded for the immediate arrest of the perpetrator, release the body of the victim to the family for proper burial, and that the Army should pay the family compensation for the killing of the victim.

21. NHRC/OSUN/17/023

The Commission received a complaint dated 1st April, 2017 from Y alleging that his brother was shot and killed at Okerewe Ile Ife, Osun State by Police Officers from Moore Police Station.

The Commission conducted investigation on the matter and visited the scene of the shooting on 3rd of April 2017. The investigation revealed that all the four Police Officers involved in the killing were arrested and are facing criminal prosecution at Ile Ife, Osun State.

22. NHRC/OSUN/017/021

The Commission received a complaint dated 22nd March, 2017 from X alleging that her husband beats and assaults her at any given opportunity. She also alleged that she suffers from sickle cell anemia and that the persistent battery by her husband could endanger her life.

23. NHRC/OSUN/17/068

The Commission received a complaint dated 22nd November, 2017 from X alleging that the alleged violator threatened her life through phone calls and text messages.

24. C/2017/557/BSO

The Commission received a complaint from XY on 19th January, 2017 against the men of Nigerian Security and Civil Defence Corps (NSCDC) at Ogbadibo LGA, Benue State. XY also alleged that his brother was shot by some NSCDC personnel at about 7:30 to 8:00pm on 13th January, 2017 at the Old Branch Otukpa Ogbadibo L G A, of Benue State.

25. NHRC/OSUN/17/009

The Commission received a complaint dated 31st January, 2017 from Y alleging that the Divisional Police Officer (DPO) of Dugbe Osogbo police station, Osun State threatened his life and unlawfully removed his vulcanizing equipment, Car Jack, and the sum of fifty thousand naira from his shop which was given to him by Ile-Idande and Housing Estate Communities.

26. C/2017/5710/HQ

The Commission received a complaint dated 25th of May, 2017 from XY alleging that on the 22nd December 2016, the victim drove his car into a filling station in company of his fiancée and two (2) other persons to buy fuel in preparation for his wedding slated for the 27th December, 2016. XY also alleged that in the course of buying the fuel, he discovered that his iphone 7 was missing. He complained to one of the fuel attendants about the missing phone which led to a minor altercation. XY further alleged that as soon as the victim entered his car to leave the filling station, a Police Officer shot at him and he died instantly.

27. C/2017/6858/HQ

The Commission received a complaint dated 22nd of June, 2017 from XY alleging that the victim received several threats to her life and also being subjected to assault by the victim's estranged husband.

28. NHRC/OSUN/17/003

The Commission received a complaint dated 9th of January, 2017 from Y alleging that his life is being threatened by the alleged violator who is an Officer of Nigerian Security and Civil Defence Corps (NSCDC) over a transaction for the sale of his house.

29. ANS/SEZ/2017/22

The Commission received a complaint dated 26th April, 2017 from Y against the men of Nigerian Police Force, Ajali Police Station, Anambra State Command. He stated that he asked the team of the police officers who mounted a check point in front of his rice mill to move their vehicle so that a lorry could enter his mill and off load goods. He further alleged that a Police Officer intentionally shot at him twice with intent to kill him and thereafter abandoned him. That he was rushed to the Teaching

Hospital Awka and the Police never bothered to contribute towards his treatment, feeding or even assist his helpless family.

MEDIA REPORT ON RIGHT TO LIFE

1. On the 23rd February, 2016, the Nigerian Tribune page 9, reported that a nurse and 2 others have been arraigned before an Ebute Metta Chief Magistrate court in Lagos and charged with the murder of one Helen Peters. The accused are standing trial for alleged conspiracy and murder among other charges.
2. The accused had invited a nurse Adebisi to help inject the deceased with 50 milligrams of Legatine to paralyze her which eventually led to her death. The police had been asked to continue investigation and the case file duplicated and forwarded to the Director of Public Prosecution.
3. On 23 February, 2016 The Authority newspaper page 7, reported that one Onuigbo Nwankwoke was killed by his kinsman, Michael Onyiah when he went to recover N100 debt owed him by the suspect in Alili Ikwo Community in Ikwo Local Government area of Ebonyi State. The police public relations officer in the state has confirmed the report and said investigation was on going.
4. On 24th February, 2016, The Authority newspaper, Page 34 reported that a mother of two and wife of the late Augustine Igbinomwanhia who was allegedly beaten and tortured to death by a naval officer in Port Harcourt, Rivers state is now seeking justice.
5. On 25th February, 2016, the Nigerian Tribune page 6, reported that following attack on some communities in Agatu Local Government Area of Benue state, indigenes of the community are worried over the presence of helicopters hovering over the communities. The member representing the constituency in the state house of assembly said no fewer than 20 persons were killed in the invasion by suspected Fulani Herdsmen.
6. On 25/2/2016, the Nigerian Tribune Page 11 reported that 18 persons were killed in the heavy shoot out that happened between some soldiers and ex-militants in Yeghe community in Gokana Local Government Area of Rivers State. Chairman of Gokana and Khana local govt area, Austin Sor and Tambari Sydney respectively, condemned the military invasion in their areas.
7. On 26th February, 2016, the Nigeria Tribune Page 10, reported that the death toll in Agatu had risen to 100 as the Benue State Governor, Mr. Samuel Ortom warned that persistent attacks on Agatu community by Fulani herdsmen were getting out of hand and therefore called for urgent steps to be taken to stem the menace.
8. On 29th February, 2016, The Authority Newspaper Page 1, reported that the President has directed investigation into killings of hundreds of residents of Agatu communities in Benue State.

9. On 29th February, 2016, The Authority Page 7, reported that gunmen invaded Ogbele community in Ahoada East LGA of Rivers State and killed five youth. The attack has left the community deserted. The DPO and JTF commander from the area visited the scene of the incident and investigation ongoing.
10. On 1st August, 2016, Daily Trust Newspaper. Page 4 reported that the Kaduna State government released the report of the Judicial Commission of Inquiry which investigated the December clash between the Nigerian Army and members of the Islamic Movement in Nigeria.
11. On 5th August, 2016, Daily Trust Pg. 4 reported that five people were feared killed in a clash between soldiers and villagers at Kpaidana village near Beji of Bosso LGA, Niger State. Sources said the villagers mistook soldiers on an operation for armed Fulani herdsmen and opened fire on them. The Niger state Police Public Relation Officer confirmed the incident. Investigation is ongoing.
12. On 5th August, 2016 Authority Newspaper Page 15 reported that sympathizers were demanding for justice for the gruesome murder of two Igbo traders in Kano by Islamic fundamentalist and men of the Police SARS within a space of two months.
13. On 29th August, 2016, Authority Newspaper pg. 1 reported that Marauding Fulani herdsmen continued to cause havoc in different parts of the country-leaving death and destruction in their wake. The Niger State government on Sunday disclosed that rampaging Fulani herdsmen have killed 37 villagers in some communities in the Niger State East Senatorial District.
14. On 30th August, 2016, Daily Trust pg. 4 reported that during the early hours of 29th August, 2016, a group of young men suspected to be armed robbers killed the leader of the Civilian Joint Task Force (CJTF), Buhari Ahmadu Tanko in Kakuri an area in Kaduna South LGA of the State.
15. On 30th August, 2016, Daily Trust pg. 6 reported that a 9-year-old minor was raped to death by a man believed to be in his 50s at Rigasa area in Igabi LGA of Kaduna State.
16. On 30th August, 2016, Daily Trust Newspaper pg. 8 reported that a hearing impaired 40-year-old Teacher, Shaaibu Yakubu Abdullahi, was arrested by the Nigerian Security and Civil Defence Corps, (NSCDC), for allegedly raping a 6-month-old baby in Potiskum, Yobe State.
17. On 30th August, 2016 Daily Trust Newspaper pg. 12 reported that gunmen killed human rights lawyer, Mr. Ken Atsuwete in Port Harcourt, Rivers State.
18. On 30th August, 2016, Authority Newspaper pg. 1 reported that traditionalists in Obubo village,

Ugbenu, in Awka North LGA of Anambra State, unleashed terror on a Catholic Priest and his parishioners during a procession in the community.

18. On 2nd March, 2016 Daily Trust Newspaper (p.12) reported that the National Human Rights Commission (NHRC) condemned the act of extra judicial killings in Nigeria following the death of one Sadiq Yunusa, a Student of Government Secondary School, Gombe State. It was reported that the deceased was allegedly shot by a policeman. Investigation of the matter by NHRC had begun as at the time of filing this report.

19. Daily Trust publication of 20/3/2017 reported on page 4 that three members of a family and a Civilian Joint Task Force (JTF) member were killed and eight others wounded when multiple blasts exploded in Maiduguri. The Police Public Relations Officer, Borno Command stated that three suicide bombers, a male and two females attempted to infiltrate Maiduguri town through Umarari village, when they were challenged by the civilian JTF. In the process, they detonated the IEDs strapped to their bodies.

20. On the 15th June, 2017, This Day Newspaper (page 10) reported that the United States and British embassies in Nigeria had withdrawn and denied entry visa to some serving and retired Nigerian Army officers. This came as a result of findings from a board of inquiry set up by the army to investigate allegations contained in a series of Amnesty International Reports accusing military officers of human rights abuses and extra judicial killings during their engagements with Boko Haram and against IDPs in the North East and members of the IPOB in the South East.
21. On 20th March, 2017 the Daily Trust Newspaper (page 4) reported that three members of a family and a Civilian JTF were killed and eight others wounded when multiple blasts exploded in Maiduguri, Borno State. The Police PRO, Borno State Command stated that three suicide bombers, a male and two female attempted to infiltrate Maiduguri town through Umarari village, when they were challenged by CJTF. They detonated the IEDs strapped to their bodies.
22. On 21st March, 2017 This Day Newspaper (page 10) reported that unknown gunmen killed about 30 residents of Zaki Biam town in Logo LGA of Benue State. The incident happened at the popular yam market. Most of those killed were traders and business men. The State Commissioner of Police confirmed the incident and State's investigation was on going.
23. On 24th March, 2017 the Daily Trust Newspaper (Page 4) reported that some gunmen suspected to be among those displaced from Zamfara State have killed five and injured seven Fulani herders and rustled over 500 cattle in Tidege area of Nasarawa State. The State Commissioner of Police, Bello Ahmadu confirmed the incident, saying the command had deployed a team of Police Officers to the affected area to tackle the challenges.
24. The Daily Trust Newspaper (page 3) of 7th April, 2017 reported that a Nigerian, Razak Ajao was killed during a mob attack against foreigners in South Africa. According to the newspaper report, the Acting Nigerian High Commissioner to South Africa confirmed the incident.
25. This Day Newspaper (page 75) of 10th April, 2017 reported that no fewer than eight persons were killed in a three day onslaught that ensued between two rival cult groups in Ilorin, Kwara State. The State Commissioner of police confirmed the incident and stated that investigation was ongoing.
26. This Day Newspaper (page 48) of 13th April, 2017 reported that five persons were feared dead in a fresh attack by suspected Fulani herdsman in Turan Kwande LGA of Benue State. The Benue State Police Public Relations Officer confirmed the attack.
27. The Daily Trust Newspaper (page 5) of 17th April, 2017 reported that some unidentified gunmen killed a journalist, Mr. Famous Giobaro in Bayelsa State. The victim was a staff of the State-owned Glory FM 97.1. The Bayelsa PPRO confirmed the incident stating that the Command was yet to get the full details of the killing.
28. On 18th April, 2017 the Daily Trust Newspaper (page 20) reported that suspected gunmen shot and killed two policemen at a Police Outpost near Suleja, Niger State and made away with their guns. The Niger State PPRO confirmed the incident.
29. On 18th of April, 2017 This Day Newspaper (page 9) reported that no fewer than 13 persons were killed in Asso village, Jamma LGA in the Southern Kaduna. The Kaduna State Governor confirmed the incident and condemned it.
30. On 24th May, 2017 the Vanguard Newspaper (page 6) reported that three persons were killed and 150 houses razed following a clash between Tiv and Jukun at Fiidi community in Makurdi, Benue State following an argument that started at a bar. The crisis created a huge refugee situation in and around the State capital. The Benue State Police Commissioner confirmed the incident and stated that 17 persons had been arrested and were under investigation.

31. On 25th May, 2017 This Day Newspaper (page 61) reported that an official of the Lagos State Kick against Indiscipline was stoned to death by angry street hawkers at the Iyara-Oworo area of Lagos State. The deceased was lynched by the street traders after the officials apprehended some of them who were hawking in traffic.
32. Daily Trust Newspaper (page 4) of 13th June, 2017 reported that a student of the Kogi State Polytechnic was killed and many others injured when unknown gunmen stormed the venue of anti-government protest in Kogi State led by Senator Dino Melaye. The State Police Commissioner confirmed the incident and stated that he had directed investigation into the incident.
33. Daily Trust Newspaper (page 4) of 14th June, 2017 reported that three persons were killed and five injured when unknown gunmen attacked six communities in Katsina State. The State Police spokesman stated that efforts were on to ensure the arrest of those behind the attacks.
34. Daily Trust Newspaper of 19th June, 2017 (page 4) reported that many people were feared dead and about 120 houses burnt in attacks carried out on Fulani settlement in Sardauna LGA in Taraba State. The State Police Public Relations Officer stated that the intervention of the police had brought the situation under control.
35. On 20th June, 2017 This Day Newspaper (Page 10) reported that 16 persons were killed during multiple suicide attacks in Maiduguri, Borno State. The State Police spokesman confirmed the incident.
36. On 21st June, 2017 The Nation Newspaper (Page 4) reported that a 'Learner Driver' killed four children outside a church in Aba, Abia State. The driver, a woman was said to have rammed into the church building where the children were. The State Police spokesman confirmed the incident and stated that the driver is in police custody.
37. On 20th June, 2017, This Day Newspaper (page 10) reported that 16 persons were killed in multiple suicide attacks in Maiduguri, Borno State. The State Police spokesman confirmed the incident.
38. This Day Newspaper (page 68) of 10th July, 2017 reported that six hundred and eighty members of the CJTF have lost their lives to the Boko Haram insurgency from 2014 till date in Borno State. The Legal Adviser to the CJTF made the disclosure. He further stated that the command had taken proactive steps in protecting lives and properties in the State.
39. Daily Trust Newspaper (page 1) of 7th August, 2017 reported that 11 persons were killed and 18 injured during a gun attack in a church in Anambra State. The gunman stormed the church and opened fire indiscriminately on the worshippers. The State Commissioner of Police confirmed the incident and investigations was going.
40. Daily Trust Newspaper (page 5) of 11th August, 2017 reported that many persons were feared dead in a fresh attack by Boko Haram Islamists in Madagali Local Government of Adamawa State. The Chairman of the Local Government confirmed the incident.
41. Daily Trust Newspaper (page 4) of 14th August, 2017 reported that Boko Haram militants attacked Konduga Local Government Area of Borno State, killing 4 people and injuring many others. The Police had not confirmed the attack at the time of reporting.

42. On 22nd September, 2017 Daily Trust Newspaper (page 5) reported that the Plateau State Peace Building Agency had reported that the estimated figure of those killed in crisis in Jos was slightly more than those recorded in the last 10 years which according to him was above 7000. The Director General stated that the risk of violence returning to the State remained very high and stressed the importance of interfaith dialogue as a mechanism for conflict resolution and peace building.
43. On 3rd October, 2017, Daily Trust Newspaper (page 18) reported that a staff of the Sun Newspaper was shot down by armed men when they stormed the newspaper office in Onitsha, Anambra State and carted away money.
44. On 22nd August, 2017 Punch Newspaper (page 5) reported that a Mobile Policeman allegedly shot dead a 54 years old man during a burial in the Isoko South Local Government Area of Delta State. The deceased was shot dead while trying to exchange pleasantries with his former employer whom the trigger-happy cop was attached to. The Delta State Commissioner of Police confirmed the incident and said investigation was ongoing.
45. On 24th August, 2017 This Day Newspaper (page 10) reported that six persons were killed in a suicide attack in Maiduguri, Borno State. The Borno State Police spokesperson confirmed the incident
46. On 25th August, 2017 Daily Trust Newspaper (page 8) reported that SARS operatives shot and killed a teenager, Farouk Olaruwajo along the Potiskum highway, Damaturu, the Yobe State capital. The incident happened when the police team on routine stop and search shot the commercial car conveying the teenager and his mother to Maiduguri. The State Police Commissioner confirmed the incident.
47. On 5th September, 2017, Daily Trust Newspaper (page 3) reported that at least 381 civilians had been killed in Boko Haram attacks and suicide bombings in Nigeria since April 2017. The Amnesty International made this known in a report which was based on media reports of Boko Haram attacks and casualties it compiled and analyzed.
48. Daily Trust Newspaper (page 24) of 11th October, 2017 reported that a Police Corporal had been remanded in prison by the Gombe State High Court over alleged killing of a civilian at a beer parlor in Gombe metropolis.
49. Daily Trust Newspaper (page 4) of 16th October, 2017 reported that the Plateau State Police Command had confirmed the death of 6 persons and 5 injured in a night attack in Tanghe village in Bassa LGA. Gunmen invaded the village at midnight and burnt down 10 houses.
50. Daily Trust Newspaper (Page 5) of 24th October, 2017 reported that 16 persons had been confirmed dead while 18 others sustained injuries as a result of multiple suicide bomb attacks in Maiduguri, Borno State. The Borno State Commissioner of Police confirmed the incident.
51. Daily Trust Newspaper (page 4) of 26th October, 2017 reported that Boko Haram insurgents had attacked and killed 8 soldiers in Damaturu LGA of Yobe State. The Police Commissioner, Yobe State command stated they were still working on the details.
52. Daily Trust Newspaper (page 6) of 31st October, 2017 reported that violent clashes between farmers and herders had claimed over 2500 lives in 4 States of Kaduna, Benue, Plateau and Nasarawa within one year. This was made known by Gen. Abdusalami Abubakar at a forum on farmers/ herders clash.

53. Daily Trust Newspaper (page 18) of 3rd November, 2017 reported that gunmen had killed the Chairman of the Non-Academic Staff Union of Secondary Schools in Okene LGA of Kogi State along with his friend. The Kogi State Police spokesman confirmed the incident and said that the Command was working hard to unravel those behind the incident and bring them to justice.
54. On 8th November, 2017 Daily Trust Newspaper (Page 6) reported that, one person had been killed and three others injured in skirmishes between Fulani herders/ farmers in Awe LGA of Nasarawa State. The State Chairman of Miyetti Allah Cattle Breeders Association of Nigeria said that the vigilante in Awe had arrested a herder who destroyed crops of the farmer that led to the skirmishes.
55. On 20th November, 2017 Daily Trust Newspaper (page 4) reported that, one person had been killed and houses razed in a clash in Lokoja LGA and Onumeye Community in Kogi State over disputed fishing ponds and farmland. The Kogi State Police Command spokesman said his men had been deployed to the area and the situation was under control.
56. On 22nd November, 2017 Daily Trust Newspaper (page 1) reported that about 80 persons were killed in Adamawa State in two separate attacks that took place hours apart. The PPRO in Adamawa State confirmed the incident.
57. On 7th of December, 2017 Daily Trust Newspaper (page 8) reported that NHRC had called on the Federal Government to stop incessant killings going on in the country. The Acting Executive Secretary condemned the recent killings and destruction of properties in villages in Adamawa State. She stated that the reaction of the Commission became imperative following the killings and reprisals which constitute violation of human rights.
58. On 7th of November, 2017, Daily Trust Newspaper (page 6) reported that two male suicide bombers had attacked a house in Madagali LGA of Adamawa State killing an elderly woman and her son. An anonymous military source confirmed the attack, saying re-enforcement had been sent to the town.
59. On 11th of December, 2017, Daily Trust Newspaper (page 8) reported that the Chairman of the North Central States chapter of Miyetti Allah allegedly cried out against the increasing hatred and killings of Fulani herders and their cows across the country. He asked the Federal Government to quickly wade into incessant killings of Fulanis.
60. On 30th May, 2017, Daily Trust Newspaper (page 4) reported that two (2) persons were killed in the APC primary election held in Lagos State ahead of the State Council Elections. Lagos State Police spokesperson Olatunde Famous -Cole confirmed the incident.
61. Daily Trust page 10 of 16th August, 2017, reported that the Senate had promised to speed up passage of Bills aimed at mitigating the spate of hate speeches and jungle justice in the country. It would help to curtail, protect and prohibit Nigerians across the country from meting out extra judicial justice to perceived offenders without recourse to statutory legal channels.
62. On the 18th October, 2017 Daily Trust Page 3 reported that the Inspector General of Police said that death sentences for convicted kidnappers would drastically reduce the menace of kidnapping in the country. He endorsed the bill passed by the National Assembly that includes death sentence as punishment for convicted kidnapping suspects.
63. The Daily Trust (pg 11) reported that on ~~the~~ 25th May 2017 the Federal Government said it is considering state pardon for inmates through prerogative of mercy with a view to decongesting the prisons. The Minister of Interior made this known after the Federal Executive meeting.

He listed other options being considered as conversion of death sentence to life imprisonment, for those who had spent over 10 years in prison, and those who had been there as lifers.

64. The Daily Trust (pg 4) reported on the 30th May, 2017 that 2 persons were killed in the APC primary election held in Lagos State ahead of the State council elections. Lagos State Police spokesperson Olatunde Famous -Cole confirmed the incident.
65. Vanguard Newspaper publication dated 13th August, 2017 reported that Ngbede Christopher Ameh was extra-judicially murdered by the Nigeria Police at Adoka in Otukpo LGA of Benue State.
66. On 16th June, 2017 Thisday Newspaper of Page 16 reported that at least 20 persons were killed following the outbreak of communal clash in border communities of Cross River and Ebonyi States.
67. On 4th July, 2017 Daily Trust Newspaper page 4 reported that at least, 150 people were killed in the clash between Wanikade and Wanihem communities in Yala LGA of Cross River State. The Director General of the State Emergency Management Agency (SEMA), John Inaku, confirmed the incident.
68. On 31st July, 2017 This Day Newspaper page 5 reported that the Lagos Police Command had commenced investigation into the death of a teenager who was raped to death by some neighborhood thugs at the Abuledo area of the State. The 14 year old student died after she was gagged and raped in her parent's residence while her entire family was sleeping.
69. On 19th September, 2017 Daily Trust Newspaper at page 7 reported that a Kaduna based businessman was shot dead by gunmen on the Kaduna-Abuja express way while his wife was kidnapped.
70. On 25th October, 2017 Daily Trust Newspaper (Page 34) reported that, gunmen killed 2 policemen and abducted an expatriate in Kogi State. The gun men had emerged from the bush while the expatriate was inspecting an ongoing road construction. The Kogi State Police Command confirmed the incident.
71. On 26th October, 2017 Daily Trust Newspaper (page 4) reported that Boko haram insurgents attacked and killed 8 soldiers in Damaturu LGA of Yobe State. The Police Commissioner, Yobe State Command stated they were still working on the details.
72. On 22nd November, 2017 Daily Trust News Paper (page 5) reported that a staff of the Federal Road Safety Corps (FRSC) was killed and 2 others abducted along Kaduna-Abuja expressway. The kidnappers were alleged to have called the family members of the victims to demand ransom. The FRSC spokesperson confirmed the incident and said the FRSC was in touch with security agencies to ensure the release of the kidnapped victims.
73. On 5th December, 2017 Daily Trust Newspaper (page 6) reported that many persons were feared killed in outbreak of communal violence in villages in Adamawa State. The Police Spokesperson stated that hundreds of Soldiers and Mobile Policemen were deployed to restore normalcy in the affected areas.
74. On 11th December, 2017 Daily Trust Newspaper (page 4) reported that kidnappers killed 3 people and kidnapped 10 others along the Kaduna-Sarkin Pawa road in Niger state. The Niger State Commissioner of Police confirmed the incident and stated that the Command was working

hard in rescuing the kidnapped.

CHAPTER 2

RIGHT TO DIGNITY OF THE HUMAN PERSON

Introduction:

This chapter focuses on the Right to Dignity of the Human Person which prohibits torture, cruel, inhuman and degrading treatment or punishment. The full legal definition accepted in international law and contained in the United Nations Convention against Torture and other Cruel, inhuman or degrading treatment or punishment is as follows:

‘Torture means any act by which severe pain or suffering whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity’.

In Africa, by the Robben Island Rules¹, on torture and other cruel, inhuman or degrading treatment or punishment, member States including Nigeria undertook the obligation² to abide by the principles contained in the Declaration.

Both physical and mental acts which cause severe pain and suffering are prohibited. Examples of practices that may amount to torture include: beating; extraction of nails; burns; electric shocks; suspension of the body; suffocation; exposure to excessive light, heat or cold; sexual aggression such as rape or other forms of sexual assault; forced administration of harmful drugs in detention or psychiatric institutions; prolonged denial of rest, sleep, food, water sufficient hygiene, medical assistance; total isolation and sensory deprivation; detention in constant uncertainty in terms of space and time; threats to torture or kill relatives; total abandonment; mock executions.

Acts which fall short of torture are still prohibited if they amount to cruel, inhuman or degrading treatment or punishment. There are two main differences between torture and these latter prohibited acts. Firstly, if a public official does something which does not cause a sufficiently severe degree of physical or mental pain or suffering, then the act would not be torture but it could constitute cruel, inhuman or degrading treatment or punishment. Secondly if the act was not inflicted for one or more of the specific purposes contained in the definition of torture (i.e. to obtain a confession or information, as a form of punishment for something done or suspected, intimidation) then it would also not be torture but could fall within cruel, inhuman or degrading treatment or punishment.

Torture as a calculated act of cruelty that is often extremely degrading and disorientating, usually leads to severe and long-term physical and psychological trauma, possible upheaval and drastic change of circumstances.

¹This is also known as the Grand Bay Declaration 24

²Under the principle of ‘*pacta sunt servanda*’, parties to an agreement are bound by their agreement

Who are perpetrators of torture?

Law enforcement personnel such as police officers have a responsibility to maintain public law and order. Part of this responsibility consists in the protection of human rights and the utmost respect for the individual. However, in their fight against crime and disorder such law enforcement personnel are also put in positions where they might violate human rights. A common example is the use of excessive force, which could amount to torture, to obtain a confession or information from a suspect in a criminal investigation. A serious conflict can develop between maintaining law and order on one hand and respecting basic human rights on the other.

Legal framework dealing with the prohibition of torture:

The prohibition against torture is absolute. There is no exception to this prohibition. It is set out in all the major international human rights texts and treaties dealing with civil and political rights. For example:

Article 5 of the Universal Declaration of Human Rights,

Article 7 of the International Covenant on Civil and Political Rights. Article 1 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and

Article 5 of the African Charter on Human and Peoples' Rights.

The absolute ban on torture includes situations where a superior officer or public authority orders it. Such an order is illegal and cannot be relied on as defense. Because the prohibition against torture is both a rule of customary International law and is contained in the major international and regional treaties, no state or individual whatsoever and in whatever circumstances can lawfully commit torture.

Unlike some other fundamental rights and freedoms which can lawfully be limited or suspended at certain times such as during war or public emergency (for example freedom of assembly or freedom of expression), the prohibition against torture can never be justifiably, suspended, altered or restricted: torture is at all times and in all circumstances prohibited.

Section 34(1) of the Constitution of the Federal Republic of Nigeria 1999 as amended, guarantees the right to the dignity of human person. Sub section (1)(a) further provides 'no person shall be subjected to torture or to inhuman or degrading treatment'. Also, Article 4 (1) (2) of the Convention Against Torture provides:

'Each State Party shall ensure that all acts of torture are offences under its criminal law. The same shall apply to an attempt to commit torture and to an act by any person which constitutes complicity or participation in torture. Each State Party shall make these offences punishable by appropriate penalties which take into account their grave nature' In addition, S. 1(a) of the Nigerian Anti-Torture Act, 2017, penalizes acts of torture and other cruel, inhuman and degrading treatment and prescribes penalties for such acts.³

What Has Been Done By:

- **Government:** Government: Has set up Judicial Commission to review compliance of the armed forces with conflict and insurgency situation, investigate alleged acts of violations of International Humanitarian and human rights Law and other human rights principles

³S.1(a) Anti-Torture Act, 2017

- **NHRC & Other Stakeholders:** In response to the public outcry of torture against men and officers of Special Anti-Robbery Squad (SARS) and State Criminal Investigation Divisions, the Federal Government mandated National Human Rights Commission to constitute a panel for purposes of hearing and investigating the complaints against SARS and to make recommendations on how to reform SARS and other members of the Nigeria Police Force.

In line with the statutory responsibility of investigating and determining case of alleged human rights violations, the National Human Rights Commission in collaboration with Cleen Foundation and other Civil Society Organizations and development partners have conducted public hearings on the activities of SARS on how best to run SARS and conducted series of training to law enforcement officials on the protection and promotion of human rights of every citizen of Nigeria and ensure that the law enforcement agents act in compliance with local and international human rights standards.

- **Law Enforcement Agent:** Quite a number of reforms have been carried out by reviewing the law enforcement Agencies. Periodic training programmes has been conducted regarding their operational procedures and giving special attention to issues of law enforcement ethics and human rights. These special attention in areas such as: - investigative process, peaceful settlement of conflicts, the understanding of crowd behaviour, and the methods of persuasion, negotiation and mediation, as well as to technical means with a view to limiting the use of force and firearms;
- The Nigeria Police Force launched a new police duty scheme to eliminate detention, torture and extortion across the country aimed at ensuring an efficient crime control.
- Commissioning of human rights offices for soldiers in the North East to help checkmate human rights violations by the troops and against the troops;
- State government working with law enforcement agencies to establish mobile police squadrons at flash point across the county;
- Human rights components are included in the training curricula of the Police. Only officers as human rights awareness, this will enable then consciously seek to respect human rights in other human beings. Regulations and disciplinary measure will be more effective where the staff have been made human rights enlightened and human rights friendly

However, it is also of great concern that the issue of lack of respect for Rights to Dignity of human person is still facing some challengers. There is therefore the need for consented efforts of all the relevant authorities by ensuring that the Rights to Dignity of human person are respected and protected.

Violation of Rights to Dignity of human person is a serious human rights issue. Yet, torture and other forms of cruel, inhuman or degrading treatment or punishment still commonly occur in many countries.

Complaints Received on Right to Dignity of Human Person

1. C/2016/2022/NCZ

The commission received a complaint from Y on the 14th August 2016 alleging that on his way back from Benue State at about 2:00am when he arrived Dogon-Karfe he was stopped, beaten and maltreated by members of the vigilante group in Dogon-Karfe, Jos.

2. C/2016/146/HQ

The Commission received a complaint from XY alleging that an Officer of the Nigerian Army who is from Ikem-Ogugu in Olamaboro Local Government Area of Kogi State harassed his grandmother on 30th December, 2015 on the allegation that she belongs to a witchcraft fraternity.

3. C/2016/1868/NCZ

The Commission received a complaint dated 12th of April 2016, from XY alleging that his Landlord, who is an Area Court Judge went to XY wife's shop on 26th of March, 2016, insulted her, pushed her forehead and threatened to beat her up in the full glare of the public. XY also alleged that his Landlord has continued to use the Police to harass them.

4. C/2016/1796/NCZ

The Commission received a complaint dated 10th of February 2016 from X alleging that her husband beats her at the slightest provocation and that she currently suffers from physical, psychological and mental trauma as a result of the actions of her husband.

5. C/2016/2072/NHCZ

The Commission received a complaint dated 19th of September 2016 from X alleging that he was beaten and maltreated by members of the Rikkos Vigilante group in Jos.

6. C/2016/2201/NCZ

The Commission received a complaint dated 28th of November 2016, from X alleging that an Assistant Superintendent of Police (ASP) physically abused her over a personal grudge she had with him.

7. C/2016/178/NSO

The Commission received a complaint from Y against men of the Nigerian Army on issue bothering on cruel inhuman and degrading treatment. He alleged that soldiers beat and molested him at a checkpoint in Keffi and that he sustained fracture on his leg. He stated that the incident occurred around 10pm. He claimed that though he identified himself to them as a Prison Officer, they went on to beat him.

8. C/2016/01/AMO

The Commission received a complaint from X alleging domestic violence against her husband, whom she had been married to since 1993 and blessed with 3 children. X further alleged that her husband had sometime threatened her with a cutlass.

9. C/2016/439/AMO

The Commission received a complaint from Y wherein he alleged that his neighbor who is a serving soldier with the Nigerian Army is always in the habit of threatening to kill him at the slightest misunderstanding between them over issues like electricity bills. .

10. C/2016/169-173/AMO

The Commission received a complaint from X wherein she alleged that her husband of over 16 years had beaten and inflicted injuries on her on mere suspicion that she connived with his sales boys to defraud him. X further alleged that the alleged violator sent her packing from their matrimonial home and was threatened to arrest her parents at whose place she ran to for refuge. .

11. C/2017/678/BSO

The Commission received a Complaint from Y on 3rd October, 2017 against the alleged violators (personnel of Nigerian Army and his wife). He alleged that he lives in the same Barrack with the alleged violators at 72 Special Forces of the Nigerian Army in North Bank, Makurdi and that they accused him of stealing.

He further alleged that after the accusation, he was taken to the Quarter Guard who arrested and detained him. He also claimed to have been tortured by the alleged violators who used machete to whip him on his back while he was made to lie on a bench and handcuffed. He claimed to have sustained injuries in the process, fell into coma on Sunday, 1st October, 2017 and was forced to weed grass in the scorching sun .

12. C/2017/135/G

On 9th September, 2017 the Commission received a complaint from X alleging that the alleged violator threatened and beat her in the presence of her children. She also alleged that she had been taking the responsibilities of the family and that of her husband.

13. C/2017/115/G

On the 4th July, 2017 the Commission received a complaint from X on allegation of domestic violence, inhuman and degrading treatment by the alleged violator who brought her to Gombe State.

14. C/2017/142/G

On 4th August, 2017 the Commission received a complaint from X alleging that her husband beats her despite the fact that was pregnant. She also alleged that the beating had caused her chest pain and injuries on her leg and eye.

15. C/2017/029/G

The Commission received a complaint on 16th February 2017 from X who alleged that her husband beats and insults her as well as brings his girlfriends into their matrimonial home.

16. C/2017/045/G

The Commission received a complaint on 9th March, 2017 from XY on behalf of his brother alleging that Kaltungo, Division NSCDC Gombe State Command invited his brother to their office and started beating him to an extent that he sustained injuries on both legs.

17. C/2017/172/G

The Commission received a complaint on 6th October, 2017 from X alleging that Y ordered officers from Gombe Police Division to torture her. She claimed that she had earlier reported her neighbor to the police and the matter was amicably settled.

However, she was later arrested and brutalized by some officers from the Police Division Gombe at the instruction of Y. She allegedly sustained varying degrees of injury.

18. C/2017/090/G

The Commission received a complaint from X alleging that her husband beats and maltreats her in the presence of their children.

19. C/2017/179/

On 13th October, 2017 the Commission received a complaint from X alleging that her husband maltreats and beats her.

20. C/2017/107/G

On 9th June, 2017 the Commission received a complaint from X alleging that her husband beats her and sends her out of their matrimonial home at any slightest provocation.

21. C/2017/149/G

On 17th August, 2017, the Commission received a complaint from Y claiming that the alleged violator (a soldier) attached to 301 Battalion Gombe State, tortured and inflicted injuries on his body which resulted in his being unconscious. Y further claimed that he reported the matter to the Brigade Commander but no action has been taken.

22. C/2017/099/G

On 31st May, 2017 the Commission received a complaint from X alleging that her husband maltreats and beats her. She further claimed that Y collected her cell phone, took her Forty Thousand naira, dragged her out of the house and subsequently told her that he is not interested in the marriage.

23. C/2017/569-573/AMO

On 27th July, 2017 the Commission received a complaint from X alleging that her Husband beats her at the slightest provocation and that he employs the use of violent words to denigrate her in the presence of their children.

24. C/2017/656-658/AMO

On 1st July, 2017, the Commission received a complaint from X alleging domestic violence and threat to life against Y (her husband) whom she has two children with.

She further alleged that Y beats and threatened to kill her. She also claimed that on Saturday, 16th September, 2017, her husband beat her because she demanded for money to buy biscuit; and that she lost a tooth

25. NHRC/OSUN/17/021

On 22nd March, 2017, the Commission received a complaint from X alleging that that her husband beat her to the extent that her life was at risk.

26. C/2017/8509/HQ:

On 17th November, 2017, the Commission received a complaint from XY (a Civil Society Organization) against the Federal Capital Territory Joint Task Force, (FCT JTF) alleging brutalization, vandalization, assault, intimidation, harassment, and inhuman/degrading treatment on the Taxi drivers by FCT JTF which has resulted in loss of lives and damage of vehicles. They also accused the FCT JTF of illegal arrest, detention and extortion on their members.

27. C/2017/7616/HQ:

On 15th August, 2017 the Commission received a complaint from Y alleging degrading and inhuman treatment meted on him by the Nigeria Police Force. Y stated that he and X (his co-tenant/neighbor) had a misunderstanding which she reported to the police at Abacha Road Police Station on the 12th August 2017.

Y further alleged that the police harassed and humiliated him instead of investigating the matter properly.

28. C/2017/144/HQ:

On 16th, January, 2017, the Commission received a complaint from Y alleging degrading and inhuman treatment meted on him by the Police. He stated that he owed his Landlord two years rent and that the Landlord reported the matter to the police who then threw him out of the house without giving him a quit notice.

29. C/2017/70/SSZ

On 15th April 2017 the Commission received a complaint from XY alleging that Y his brother was arrested by men of the Federal Special Anti-Robbery Squad (FSARS) at road 5, Rumuaghaolu town Port Harcourt at a building site where he carries out supervisory duties. He further alleged that upon Y's arrest, he was beaten aggressively and denied access to his relatives and family members XY further claimed that when he arrived at the Police Station to ascertain the reason for Y's arrest, he saw Y bleeding from his nose and when he introduced himself, two of the Police Officers pounced on him, assaulted him and threatened him with a knife.

30. C/2017/42/SSZ

On 11th of March, 2017 the Commission received a complaint from Y alleging that he was arrested and taken to Elelenwo Police Station Port Harcourt, Rivers State where he was required to make entry and his vehicle impounded. He further claimed that he was assaulted and tortured by officers of the Nigeria Police Force.

31. C/2017/186/SSZ

On 28th of August, 2017 the Commission received a complaint from XY alleging that X (his daughter) was travelling from Bayelsa to Port-Harcourt and was stopped by a team of Police Officers on duty at a Police Checkpoint in Elibrada Umuoha Community, Rivers State. XY also claimed that X was asked to step down and when she did, she was asked to identify herself which she did and on sighting the tattoo on her body, they branded her a prostitute. XY further alleged that the Police Officers slapped and dragged X to their van and after beating her, they detained her for hours in their Van.

32. C/2017/227/AKS

On 11th September, 2017, the Commission received a complaint from X alleging that Y, with whom she has a one year old child, always beats her and does not provide for the up keep of the child.

33. C/2017/288/AKS

On 29th September, 2017 the Commission received a complaint from X alleging that her husband abuses her right to dignity of human person by constantly beating and maltreating her especially whenever she requests for money from him.

34. C/2017/196/AKS

On 19th July, 2017 the Commission received a complaint from X alleging that her brother in-law forcefully evicted her from her late husband's house, maltreats her and her children and threatened her to swear to an oath to exonerate herself from her late husband's death.

35. C/2017/282/AKS

On 20th November, 2017 the Commission received a complaint from X alleging that she was in a relationship with the alleged violator and that she got pregnant for him. She also alleged that he demanded for the abortion of the pregnancy but when she refused, he called-off the relationship and abandoned her and the pregnancy.

36. C/2017/61/KD

On 22nd March, 2017 the Commission received a complaint from Y alleging that as a result of a contractual agreement between him and the alleged violator that went sour, the alleged violator engaged soldiers of the Nigerian army who beat him, stripped him naked, soaked him in water and made him to roll on the ground. He also alleged that he was locked up in a toilet before being handed over to the Police where he spent a night in the police cell.

37. C/2017 46/KD

On 7th March, 2017 the Commission received a complaint from X alleging domestic violence against her husband. She stated she had been subjected to constant beating by him since their marriage in 2000.

38. C/2017/138/KD

On 24th April, 2017 the Commission received a complaint from XY on behalf of the victim (her daughter) alleging domestic violence against the alleged violator. XY also alleged that the alleged violator had subjected the victim to domestic violence in the 8 years they had been married.

39. C/2017/88/KD

On 8th May, 2017 the Commission received a complaint from XY on behalf of the victim alleging that the victim was arrested and severely tortured by Police Officers from Ungwan Sanusi Police Station, Kaduna State on the allegation that he was befriending a married woman who was his co-tenant.

40. C/2017/77/KD

On 21st April, 2017 the Commission received a complaint from X alleging that her husband subjected her to domestic violence.

41. C/2017/212/HQ

On 24th February, 2017 the Commission received a complaint from X alleging that on the 15th January, 2017, she sold goat leg worth N800 (Eight Hundred Naira) to a customer and when she demanded for her money, the customer poured beer on her private part and in the process of the argument, the owner of the bar came out and assaulted her and she ended up with a black eye. She called the police and did not get any reasonable response from the Police

42. C/2017/6272/HQ

On the 6th May, 2017 the Commission received a complaint from Y alleging that Police Officers attached to Kuchigoro Police outpost, Abuja came to his hotel where he lodged and seized his hotel key, invaded his room, ransacked every place and forcefully removed him from the room because of his outstanding bills.

43. ANS/SEZ/2017/37

On the 8th June, 2017 the Commission received a complaint from Y on alleged torture, cruel, inhuman and degrading treatment meted on a prison inmate by a Prison Warder. He further alleged that on 8th September 2017, the prison inmate was physically attacked and brutalized by a Prison Officer and twenty five others.

MEDIA REPORT ON RIGHT TO DIGNITY OF HUMAN PERSON

1. On 7th December, 2017 Daily Trust (Page 8) reported that a project tracking officer with Budgit Nigeria who was released by the Police said he saw hell during his arrest and detention in Abuja. He was arrested by operatives of SARS and dehumanized, handcuffed on both hands and legs and then chained to a chair while being transported from Kaduna to Abuja.
2. On the 23rd March, 2017, Daily Trust Newspaper (page 32) reported that a minor, Raliya Suleiman of Junior Secondary School Kachia in Kaduna State was blinded in her right eye while being flogged by a teacher for coming to school late. She was allegedly hit in the eye by the teacher before she lost her sight. The Muslim Students Society of Nigeria has taken up the matter and promised to see it to a logical conclusion.
3. On 23rd August, 2017 Punch Newspaper (page 5) reported that a two-year old girl escaped death by whiskers after an injury to her head reportedly affected her brain. The injury was inflicted by her uncle who allegedly tortured her for excreting on the bed. The alleged violator has been charged to court.
4. On 16th August, 2017 Punch Newspaper (page 4) reported that a 58 year old farmer, Chris Onwubuke had been allegedly compelled to part with N100, 000 after he was wrongly arrested and detained by operatives of the Special Anti-Robbery Squad, Lagos state. The Lagos State Police Public Relations Officer confirmed the incident and said investigation was ongoing.

5. On 28th August, 2017 Punch Newspaper (page 4) reported that two Lawyers were assaulted by policemen from the Ogun State Police Command. The Lawyers were beaten for allegedly disrespecting the Ijebu Ode Police Area Commander. The Policemen were alleged to have queried the Lawyers for not prostrating for the Commander after they were introduced to the Commander by a client.
6. On 6th September, 2017 Daily Trust newspaper (page 10) reported that the Attorney General of Kaduna State stated that the tradition of torturing suspects to obtain confessional statement by security agents without their Lawyers is illegal.
7. On 21st September, 2017 Daily Trust Newspaper (page 9) reported that the Inspector General of Police had launched a new Police Duty Scheme. He stated that it would eliminate illegal detentions, torture and extortion at police formations across the country. The Police Duty Solicitors' Scheme is aimed at ensuring an efficient criminal justice sector in the country.
8. On 5th April, 2017 Daily Trust Newspaper (page 10) reported that the Inspector General of Police had warned policemen to desist from unlawful detention of persons. The report also quoted the IGP, stating that the Police was working with State Governors to establish mobile police squadrons at flash points across the country.
9. On 1st June, 2017 The Daily Trust (page 1) reported that hundreds of Nigerians were being abducted for ransom even though many states have made kidnapping a capital offence. The Newspaper reported that although the laws had been passed since 2008 in some states, no executions of kidnappers had taken place and kidnapping rages on despite death penalty.
10. On the 26th May, 2017 This Day reported that, gunmen numbering over 15 stormed the Lagos Model College and successfully abducted six male students who were picked randomly. Reacting to the incident, the Commissioner of Police, Lagos state Police Command, said investigation was in top gear.

CHAPTER 3

RIGHT TO LIBERTY AND MOVEMENT.

INTRODUCTION.

Along with the right to life, the right to liberty is one of the most fundamental human rights. The right to liberty is the right of all persons to freedom of their person – freedom of movement and freedom from arbitrary detention by others. Historically, the protection of individual liberty was one of the crowning achievements of the common law. Article 3 of the Universal Declaration of Human Rights (UDHR; 1948) provides: *‘Everyone has the right to life, liberty and security of person’*; Also Article 9 of the International Covenant on Civil and Political Rights (ICCPR; 1967) provides: *‘Everyone has the right to liberty and security of person. No-one shall be subjected to arbitrary arrest or detention. No-one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law. The right to personal liberty and freedom of movement as one of the most fundamental human rights affects the vital elements of an individual’s physical freedom: the right to liberty and security; the right to freedom from slavery, servitude and forced or compulsory labour; and the right to freedom of movement???’*

The rights to personal liberty and freedom of movement protect all persons’ rights to move about in the country freely and not be subjected to arbitrary arrest or detention by security operatives.

Legal Framework

The right of liberty and freedom of movement are fundamental rights protected under Chapter 4 of the Constitution, as well as numerous international human rights treaties to which Nigeria is a party. The right to personal liberty is protected by chapter 4, section 35(1) of the CFRN 1999, as amended, which provides:

Every person shall be entitled to his personal liberty and no person shall be deprived of such liberty save in the following cases and in accordance with a procedure permitted by law.

The right to freedom of movement is protected in Section 41(1) of the CFRN 1999, as amended. It provides:

Every citizen of Nigeria is entitled to move freely throughout Nigeria and to reside in any part thereof, and no citizen of Nigeria shall be expelled from Nigeria or refused entry thereby or exit therefrom.

Further, the rights to personal liberty and freedom of movement are protected by international human rights instruments that have been signed by Nigeria. These include Articles 9 and 12 of the ICCPR and Articles 6 and 12 of the African Charter on Human and People’s Rights.

Complaints Received on Right to Liberty and Movement

1. C/2016/1954/NCZ

The commission received a complaint on the 4th July 2016 from XY who alleged that his father in-law was unlawfully detained by CID of the NPF, Jos, Plateau State Command and that he had not been granted bail. Upon the commission's intervention the victim was granted bail.

2. C/2016/143/NSO.

The Commission received a complaint on 27th December, 2016, from XY against Men of the Nigeria Police Force Criminal Investigation Department (CID, Lafia. He alleged that they) stormed Duduguru Community of Jenkwe Development Area, Obi LGA at midnight and arrested pregnant women and children including the victim Y and detained them for days without being charged to court.

3. C/2016/36/KD

On the 17th February, 2016, Y lodged a complaint with the Commission on allegation of unlawful arrest, illegal detention, inhuman and degrading treatment against officers of NP F, Kaduna State Command. Y alleged that he was unlawfully arrested by the Police and officers of the Sharia Court; and that in the process of the arrest, they damaged his business premises, collected his camera, humiliated and detained him in prison for four days without granting him bail. He claimed that he was arrested and taken to a police cell, then to prison and that until his release, the Police and Sharia Court officers did not tell him his offence.

4. C/2016/004/KD

The commission received a complaint on the 8th January, 2016 from XY alleging that her aunty and others were arrested at Kamazou Area of Chikun LGA of Kaduna State by the NPF Sabon Tasha Division, after a peaceful demonstration. They were later transferred to Gabasawa Police Division where they were detained illegally.

5. C/2016/1515/HQ

The Commission received a complaint from Y alleging that he started working as a gardener for his boss on 26th June 2015 who sometimes delayed the payment of his monthly salary. He alleged that on 29th January, 2016, as he approached his boss' house to resume duty, he met some policemen together with his fellow workers outside the premises. He later learnt that armed robbers robbed the premises of his boss, kidnapped his son, made away with his money and car. He further stated that he was asked to take the house-help, who was hit on the head by the robbers to the hospital. According

to him, he was at the hospital when some policemen came, arrested and took him to the station to write a statement and was then handed over to SARS where he spent 22 days in detention.

6. C/2016/542/HQ

The Commission received a complaint from XY alleging that her husband was unlawfully arrested by officers of Department of State Services (DSS) on 17th September, 2012 and has been in their custody at Kainji Command, Niger State without trial.

7. C/2016/147/NSO

The Commission received a complaint from XY against NPF, CID Lafia, Nasarawa State over the prolonged detention of Yon the allegation of armed robbery.

However, XY alleged that the issue at stake was a land dispute, not armed robbery. He further alleged that because a Rtd General is involved in the matter, he seems to be using his position against him.

8. C/2016/2032/NCZ

The Commission received a complaint dated 18th of August 2017 from XY alleging that her husband was unlawfully detained and after several months is still in detention.

9. C/2016/1950/NHCZ

The Commission received a complaint dated 28th of June 2016 from XY alleging that his younger brother was arrested and detained by SARS for several days without any charge

10. C/2016/235/SSZ

The Commission received a complaint from XY on behalf of a detainee who was arrested by the Rumuokoro Police Division, Port Harcourt, Rivers State on the 18th of December, 2016. The detainee was arrested as a result of a fight where he allegedly caused the victim a fracture on the leg. The detainee was allegedly in Police custody for 4 days without trial.

11. C/2016/110/SSZ

The Commission received a complaint from XY against the DSS over the detention of the victim on 16th of August, 2016, and kept incommunicado for thirteen days.

12. C/2016/01/SSZ

The Commission received a complaint from X alleging that XY was arrested on the 24th of December, 2015 by armed police officers believed to be from the SARS. She further alleged acts of torture on her husband which involved chaining of both hands and legs, tied to a moving car and dragged on the ground.

13. C/2016/200/NSO

The Commission received a complaint from XY on the 23rd of June 2016 against the NPF Nasarawa State Command on allegation of unlawful arrest, detention and torture. She alleged that her brother who was the victim was arrested, detained and tortured by men of NPF without charging him to court.

14. C/2016/186/AMO

The Commission received a complaint from XY alleging that his brother who is a commercial motorcyclist was arrested and detained by the police on the allegation that he raped his passenger. XY further alleged that the police refused to release his brother on bail until he gave the Police the sum of five thousand naira.

15. C/2016/160/SSZ

The Commission received a complaint from X against the DSS. She alleged that on the 27th of September, 2016, her brother who repairs phone was arrested in his place of work at Garrison, Port Harcourt, Rivers State. According to the Complainant, a man came to his stand and started to negotiate on the repair of his phone before he was joined by three others. They pulled their guns and ordered everyone to stay back and arrested him without informing the victim his offence. She alleged further that her brother was denied access to his family and friends although he was later charged to court after more than one week in detention.

16. C /2017/212/AKS

On 18th of August 2017, the Commission received a complaint from Y (alleging that they are into Timber Business in Cross River State and makes use of the water way flowing from Cross River State, through Itu L.G.A (T-Junction) to Ibiono Ibom L.G.A down to Abia State, in conveying their timber to Okopedi Beach which is their station. He also alleged that another Timber Association headed by the alleged violator are in the habit of attacking and obstructing them from conveying their timber to their station. He further alleged that they are forced to berth and sell their timber at T-Junction Beach or pay a fine of fifteen Thousand Naira (N15,000) before passing by T-Junction Beach to their Station.

17. C/2017/217/AKS

On 23rd August, 2017 the Commission received a³⁸ Complaint from Y alleging that an apprentice who he engaged as an artist under his supervision left and reported him to a soldier because he accused the

apprentice of being responsible for some missing items in his workshop .Y also alleged that the soldier then started threatening to arrest him.

18. C/2017/3/EK

On 19th January, 2017 the Commission received a Complaint from **XY on behalf of the victim alleging that** the victim was arrested on 18th January, 2017 by the officers of the Nigeria Police from Iye-Ekiti Police Post, Ekiti State. He also alleged that the victim was subsequently moved to Ekiti State Police Headquarters where the victim was detained unlawfully for being labeled a HIV positive person.

19. C/2017/019/EK

On 7th June, 2017 the Commission received a complaint from XY against the Nigerian Police Force, Ekiti State. He alleged that *the victims* were arrested and detained by the Nigeria Police Force Ekiti State Command in January , 2017 and were denied access to their lawyers and relatives and were also subjected to inhuman and degrading treatment in detention.

20. C/2018/710/BSO

On 20th October, 2017 the Commission received a Complaint from XY against the Nigerian Police Force (SARS). XY alleged that on 15th December, 2017 the victim (her brother) was detained in Police custody after he was arrested by men of SARS for allegedly being a cultist and that all efforts to secure his bail proved abortive.

21. C/2017/615/BSO

The Commission received a Complaint on 19th April, 2017 from XY and others against Nigeria Army, 93 Battalion Takum, Taraba State and Department of State Security, Benue State Command. XY alleged that in the early hours of 18th April 2017, about 5 trucks loaded with armed military personnel from 93 Battalion, Takum, Taraba State invaded their homes, molested and beat up their wives, destroyed properties , arrested and detained some of their family members in the 93 Battalion, Takum, Taraba State. XY also claimed that the victims were tortured by the military and hospitalised as a result of their action.

22. C/2017/110/ SSZ

The Commission received a complaint on 17th July, 2017 from XY who alleged that SARS, Port Harcourt, Rivers State arrested his son over a missing handset at the scene of a fight that broke out at Elimgbu Slaughter Area, Obio/Akpo LGA, in Rivers State. XY also alleged that his son became sick in SARS custody was and that he was not charged to court after about two months of detention.

23. C/2017/59/KD

On 21st March, 2017 the Commission received a complaint from XY on behalf of the victim alleging that the victim was arrested in Kaduna State by the DSS on suspicion of being a Boko Haram member. XY also

alleged that 4 years after his arrest and detention, the DSS had not charged the victim to court and had frustrated several attempts to secure his bail. The matter was admitted for investigation and intervention

24. C/2017/31/KD

On 9th February, 2017 the Commission received a complaint from XY on behalf of the victim. He alleged that the victim was arrested and detained by the Police on allegation of misappropriation of funds. XY further alleged that the victim was denied bail by the police and was not charged to court.

25. C/2017/98/KD

On 22nd May, 2017 the Commission received a complaint from XY against the Nigerian Police Force. XY alleged that his brother was arrested, tortured and detained for more than 2 days by the Police on allegation of theft without being charged to court.

26. C/2017/91/KD

On 12th May, 2017 the Commission received a complaint from XY wherein he alleged that police arrested his brother over allegation that he had sex with a 12 year old boy. He further alleged that the Police had denied his brother bail and also refused to charge him to court.

27. C/2017/197/KD

On 16th November, 2017 the Commission received a complaint from Y against Nigeria Police Force alleging that his brother was arrested and detained by a senior Police Officer for over 5 months in Police custody without being charged to court and that all efforts to bail him proved abortive.

28. C/2017/7308/HQ

The Commission received a complaint from XY alleging that some operatives of the DSS arrested his elder brother on the 12th of April, 2017 and that he was detained in their custody without trial or granted bail. XY also alleged that efforts to charge the matter to court were resisted and that he was denied access to his family members by the DSS.

29. C/2017/014/ADSO

On 22nd May, 2017 the Commission received a complaint from XY alleging that her step-mother beat up her mother, and also caused the arrest and detention of her nephew who defended her mother during the attack.

30. C/2017/7262-7267/HQ

The Commission received a complaint from XY~~0~~ alleging that on the 17th of July, 2017, some Policemen arrested both her husband and her neighbour's husband without telling them the offences they committed neither were they charged to court.

31. C/2017/8609-8610/HQ

The Commission received a complaint from XY alleging that his two children were detained by the police for allegedly raping 3 girls in Dutse Makaranta, Abuja. XY further alleged that his children spent 12 days in detention without proper investigation and arraignment in court.

32. C/2017/8665/HQ

The Commission received a complaint from XY alleging that on 6th December, 2017 the Police came in search of his younger brother whom they alleged was involved in a criminal activity and that when his brother could not be found, the Policemen arrested their aged mother who was 70 years old and detained her at State CID.

33. C/2017/6633/HQ

The Commission received a complaint from a XY (Law Firm) alleging that the victim was subjected to unlawful detention and harassment by personnel of the State Criminal Investigation Department (SCID), Panti Divisional Police Station, Lagos State.

34. C/2017/6251/HQ

The Commission received a complaint from XY alleging that his brother was unlawfully arrested and detained by operatives of the Department of the State Security Services for seven months without charging him to court.

35. C/2017/028/HQ

The Commission received a complaint dated 28th of February, 2017 from XY alleging that (his brother was unlawfully arrested at the Murtala Mohammed International Airport, Lagos by personnel of the Department of State Security Services.

36. C/2017/8524/HQ

The Commission received a complaint from Y alleging that on the 17th of March, 2017 Police Officers from zone 9 Command Umuahia, Abia State arrested and detained him for over twelve days and that he was denied bail by an Inspector in disregard of the order of an Assistant Inspector General of Police to grant him bail.

37. C/2017/8704/HQ

The Commission received a complaint from XY (a Law Firm) alleging that on the 30th October 2017, the victims were arrested by operatives of the Department of State Service in Kano State and detained without access to their lawyer or relatives

38. C/2017/8626/HQ

The Commission received a complaint from X alleging that and the victim and 5 others of Tukuntawa Quarters, Kano State were all arrested by the Police on the 8th March, 2012 at Sabuwar Gandu, Kano

on suspicion of being Boko Haram members. That they were later transferred to Abuja Force Headquarters for further investigation and have been in detention without granting them bail or charging them to court for trial.

39. NHRC/OSUN/17/071

The Commission received a complaint dated 5th of December, 2017 from XY alleging that his son was unlawfully arrested by the Police in Osogbo, Osun State and was taken to the State Police Command, without any information on the reason for his arrest.

40. NHRC/OSUN/17/020

The Commission received a complaint dated 20th March, 2017 from Y alleging that on the 6th of February, 2017 he was unlawfully arrested by some Policemen. He also alleged that the Police falsely accused him of impersonating the Commissioner of Police.

41. C/2017/5739-5751/HQ

The Commission received a complaint from XY alleging that on the 27th of June, 2017 some men of the Nigerian Police Force arrested his son in Tudun Wada area of Kaduna State where he was manhandled and detained for no reason and that the sum of N29,000.00 was extorted from him during the torture by the Policemen.

42. ANS/SEZ/2017/75

The Commission received a complaint from Mr. XY on behalf of his son. XY alleged that his son was arrested in 2014 by the men of the Vigilantee group of his village over a misunderstanding he had with the person he rendered services to with his commercial motorcycle. He stated the vigilantee group handed his son over to SARS Awkwuzu. According to XY, he was asked by the Police to pay the sum of N500,000 for the release of the victim but was later paraded by the Commissioner of Police on the allegation of killing a Police Officer with other suspects. He further stated that his son has not been charged to court and is no longer at SARS cell.

43. ANS/SEZ/2017/19

The Commission received a complaint dated 10th April, 2017 from XY on behalf of his brother against SARS Awkuzu, Anambra State. He alleged that his brother was arrested by Inland Town, Police Station, Onitsha after which, he was released⁴² and told to be reporting to the station. He further alleged that his brother was re-arrested and transferred to Awkuzu SARS, was detained, humiliated and was asked to pay N50,000 by the SARS to secure his bail.

44. ANS/SEZ/2017/03

The Commission received a complaint from X on 12th January, 2017 alleging that her husband was arrested by the SARS on Saturday 7th January 2017 and detained at the Central Police Station Awka. She further alleged that her husband was accused of stealing some motor parts belonging to the alleged violator and was detained for six days without charging him to court or granting him bail.

45. C/2016/10/AKS

The Commission received a Complaint from XY on 25th January 2016 against the Akwa Ibom State Command of Nigerian Police Force and Directorate of State Security Services (DSS). XY alleged that on the 25th of July, 2015 her husband was abducted from their house by men dressed in Police and DSS uniforms. She claimed that the said men came into their house at 5 am on that day, handcuffed her husband and when she inquired on what was going on, they ignored her and took the victim away in two vans with SARS written on them. XY further claimed that she went to the Akwa Ibom State Police Command (SARS Division) at 10 am on the same day to inquire about her husband's status only to have the officers on duty deny any knowledge of the operation. She however claimed that a senior Police Officer whom she met at the State Police Command told her that the operation was carried out by the Police and the DSS and that her husband was in the custody of the DSS. XY claimed that she had not seen her husband since he was taken away and was afraid of his incarceration in Cell.

46. C/2017/8327/HQ

On 9th November 2017, the Commission received a complaint from Y alleging that he worked as a security personnel at the alleged violator's house in Gwarinpa, Abuja. He also alleged that he was on duty when a television set worth two hundred and thirty-two thousand naira was stolen. He further alleged that he was arrested and taken to Gwarimpa Police Station where he was detained for three days without charging him to court.

MEDIA REPORT ON RIGHT TO LIBERTY AND MOVEMENT

1. On the 24th August, 2017 Daily Trust (page 7) reported that a former minister, Alhaji Hussaini Akwanga was kidnapped from his farm in Akwanga local government Area of Nasarawa State. The state Police Commissioner confirmed the incident and said the police had launched a hunt for the gunmen to rescue the ex-minister.
2. On 17th October, 2017 Daily Trust (page 10) reported that the DPO attached to the Sarkin Pawa Police Division in Munya LGA of Niger State, his Orderly and 4 others were kidnapped by gunmen.
3. On 7th November, 2017 Daily Trust (page g. 8) reported that the 71 year old mother of the Chairman

of the Labour Party had been kidnapped in Ilorin, Kwara State. She was allegedly kidnapped by 4 persons at her family house. The Kwara State Police spokesman had started investigation and the process of liberating her was ongoing.

4. On 5th December, 2017 Daily Trust (page 27) reported that the Senator representing Ekiti North Senatorial district between 2007 and 2011 had been kidnapped alongside his driver. The abductors had contacted the family and demanded N80m ransom.
5. On 22 February, 2016 The Authority (pg. 8) reported that a Divisional Police Officer (DPO), Mr. Casmir Ihieru was to be arraigned before a Federal High Court in Abuja on his alleged unlawful possession of fire arms and also involvement in the kidnapping of an expatriate at a palm oil company in Port Harcourt, Rivers State. A police report that had indicted the DPO revealed that there was a kidnapping case on June 26, 2015 at SIAT Palm Plantation Ubioma in Ikwerre, Rivers State which an Ivorian expatriate with the company was kidnapped by a group of gunmen.
6. On 6th September, 2017, the Daily Trust Newspaper reported that a group of kidnappers who abducted a Director with the Kaduna State Ministry of Education were demanding N40m ransom. The victim was abducted in his residence at midnight in Kaduna, Kaduna State.

CHAPTER 4

RIGHT TO FREEDOM OF EXPRESSION AND THE PRESS

INTRODUCTION

The right to freedom of expression and the press is fundamental to an open and democratic society. Without open and free expression and freedom of the press, opinions and ideas cannot be freely debated, and the government and other actors cannot be publicly scrutinized. Given Nigeria's recent history of military rule in which violations of freedom of expression and the press were common place, the Commission is particularly concerned when instances of violation of this right occur.

It is the exercise of free speech that enables representatives to freely voice their opinions on government policies, plans and programmes. Without free speech, no political action is possible, and no resistance to injustice and tyranny is conceivable. However, in exercising press freedom it is asserted that the media can promote disunity and discord. Truth and objectivity are the guiding principles of journalism, there are instances where the press is sectional, partisan and in pursuit of profits and self-interest. This does not detract from the obvious that the mass media is not only a potent force of communication but a watchdog of society.

LEGAL FRAMEWORK

The objective of protecting and promoting the right to freedom of expression and the press is stated within the Fundamental Objectives and Directive Principles of State policies articulated in Chapter 2 of the 1999 Constitution, as amended. Section 22 provides:

The press, radio, television and other agencies of the mass media shall at all times be free to uphold the fundamental objectives contained in this Chapter and uphold the responsibility and accountability of the Government to the people.

The right to freedom of expression and the press is made justiciable and thereby binding and enforceable in Nigeria by its inclusion in Section 39(1) of the 1999 Constitution as amended which provides:

Every person shall be entitled to freedom of expression, including freedom to hold opinions and to receive and impart ideas and information without interference.

Additionally, the right to freedom of expression and the press is protected by Freedom of Information Act 2011 and numerous international human rights instruments signed by Nigeria, including Article 19 of the ICCPR and Article 9 of the African Charter on Human and People's Rights.

MEDIA REPORT ON RIGHT TO FREEDOM OF EXPRESSION AND THE PRESS

1. On 28th August, 2017 This Day Newspaper (page 10) reported that the Socio Economic Rights and Accountability (SERAP) asked President Buhari to instruct the military to immediately end any monitoring of Nigerians on the social media. It expressed concern that the monitoring of Nigerians on the social media by the military would directly violate the constitutionally and internationally guaranteed rights to freedom of expression and privacy.
2. On 25/8/2017 Punch Newspaper at page 2 reported that the Federal Government has directed the National Broadcasting Commission to sanction any radio, or television station that broadcasts hate speech. It said this was part of efforts aimed at stemming the growing tide of hate speeches in the country.
3. On 28/8/2017 This Day Newspaper at page 10 reported that the Socio Economic Rights and Accountability (SERAP) has asked President Buhari to instruct the military to immediately end any monitoring of Nigerians on the social media. It expressed concern that the monitoring of Nigerians on the social media by the military would directly violate the constitutionally and internationally guaranteed rights to freedom of expression and privacy online.
4. On 29th August, 2017 the Punch Newspaper reported that the Federal Government had directed

the National Broadcasting Commission to sanction any radio or television station that broadcasts hate speech. It stated this was part of efforts aimed at stemming the growing tide of hate speeches in the country.

CHAPTER 5

RIGHT TO FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

INTRODUCTION

The right to freedom of thought, conscience and religion includes the freedom to change ones religion or belief, and the freedom, either alone or in community with others and in public or private, to manifest ones religion or belief in teaching, practice, worship and observance. In a multi religious country like Nigeria where the Constitution prohibits both the Federal and State governments from establishing an official state religion, the freedom of religion is of elevated importance.

During 2016/2017 there were numerous cases of violation of freedom of thought, conscience and religion perpetrated against individuals and groups. Notably were cases of teenage Christian's girls allegedly abducted by their Muslim abductors and forcefully converted to Islam. Violations of this nature were most widespread in the Northeast where the military and security forces have been largely unable to halt attacks by Boko Haram against adherents of both religions in the region.

More broadly and across the country, especially in the northern parts of the country where Sharia law is in force, there have been reported violations of rights to freedom of worship as evidenced by reported cases of burning of churches and mosques. Though with fewer cases, the southern part of the country also reported attacks on Mosques.

Legal Framework

The right to freedom of thought, conscience and religion is fundamental to an open and democratic society. In Nigeria this right is protected in Section 38(1) of the CFRN, 1999, as amended, provides:

Every person shall be entitled to freedom of thought, conscience and religion, including freedom to change his religion or belief, and freedom (either alone or in community with others, and in public or in private) to manifest and propagate his religion or belief in worship, teaching, practice and observance.

Additionally, the right to freedom of thought, conscience and religion is protected by numerous international human rights instruments that have been signed by Nigeria, including Article 18 of the ICCPR and Article 8 of the African Charter on Human and Peoples Rights.

Complaints received on Right to Freedom of Thought, Conscience and Religion

1. NHRC/KW/016/2017

The Commission received a complaint from X alleging that her right to freedom of religion had been impeded on her father. X also alleged that her father violated her rights to practice the religion of her choice which is Islam.

2. C/2017/8619/HQ

The Commission received a complaint from X alleging that he was discriminated from taking over a position in his community because he is a Muslim.

CHAPTER 6

RIGHT TO FAIR HEARING

INTRODUCTION

In simple terms, the right to fair hearing connotes a situation where, having regard to all the circumstances of a case, the hearing may be said to have been conducted in such a manner that an impartial observer will conclude that the court, authority or tribunal was fair to all the parties to the proceedings. It also means a trial concluded according to all the legal rules formulated to ensure that justice is done to all the parties to a cause or matter.

The right to fair-hearing is an important aspect of human rights law and it is enshrined under Section 36(1) of the CFRN, 1999(as amended).provides

In the determination of civil right and duties, including any question or decision by or against any government or authority, a person shall be eligible to a fair hearing within a reasonable time by a court or other tribunal established by law and constituted in such a way as to secure its independence and impartiality.

With regard to criminal matters, section 36(2) provides: a person charged with a criminal offence, unless the charge is withdrawn, is entitled to a fair hearing within a reasonable time by a court of law. Fair hearing is therefore, antithetical to partiality and bias.

As a concept, the right to fair hearing is founded on the twin pillars of natural justice couched in the maxims ‘*audi alteram partem*’ (hear the other side) and ‘*nemo judex in causa sua*’ (no one should be a judge in his own case). These two tenets of fair hearing constitute the pillars for fair trials and once there is an infringement of the principles of natural justice, the result is a travesty of justice.

Fair hearing is a cardinal principle in the administration of justice which entails that justice should not only be done but should manifestly and undoubtedly be seen to be done. This is very fundamental in adversarial or accusatorial system or procedure practiced in Nigeria. Hence, prior to and during

any proceedings before any authority, or trial in a court of law or tribunal of any person charged with the commission of a crime or alleged to have committed a human rights violation, the CFRN1999, as amended, the Administration of Criminal Justice Act 2015 and other relevant international and regional human rights instruments have made elaborate provisions to safeguard a fair trial. A trial which does not conform to the tenets of these requirements cannot be said to have passed the litmus test for fair trial.

Fairness of all trials is fundamental to the administration of justice as it does not only give integrity to the legal system but it also ensures the confidence of the society in the justice system. Some of the components of the right to fair hearing include:

- a. **Public Hearing:** The court or tribunal must be accessible to members of the public except in situations where the court believes that it may be against public interest.
- b. **Presumption of Innocence:** Everyone is presumed innocent until proven guilty. It is very important that every accused person be informed of his offence at the point of arrest.
- c. **Adequate time and resources to provide defence:** Any one charged with a criminal offence is entitled to adequate time and facilities to prepare for his defence. Any one charged with a criminal offence is entitled to defend himself in person or by legal practitioner of his own choice. Every accused person has a right to call witnesses in his defence and also to cross examine the witnesses of the prosecution.
- d. **Interpreter:** If the accused person cannot understand the language used for trial, he has a constitutional right to an interpreter.
- e. The constitution guarantees that an accused person shall not be convicted of any crime for acts that did not constitute a crime at the time the person committed it. The law does not work retroactively. Any person who has been pardoned for an offence can never be tried for that offence again.

Additionally, section 35(4) and (5) of the 1999 Constitution recognizes the right to prompt arraignment as a fundamental right. This right imposes a corresponding duty on law enforcement to arraign and try arrested or detained persons within a reasonable time. The arraignment must take place within two days or in rare cases, a longer period sanctioned by the court as reasonable. A violation of this right through undue delay in arraigning a defendant activates a right of action, exercisable by fundamental human rights proceedings.

Complaints Received on Right to Fair Hearing

1. C/2016/1131980/HQ

The Commission received a Complaint on 24th May, 2016, from Y against an oil company alleging amongst others, that he was an employee of the company as a professional driver from 19th October, 1993 to 23rd January, 2000 before his appointment was terminated and his entitlements were not paid

to him. He also claimed that he was never queried nor served with any warning before his appointment was terminated.

2. C/2016/1209590-1209611/HQ

The Commission received a Complaint from a Civil Society Organization (CSO) lodged against the Vice Chancellor of a Nigerian University alleging victimization of whistle blowers by the University. The Complainant claimed that three (3) whistle blowers (Senior Staff) of the University were relieved of their duties because they provided information to the EFCC which was used to prosecute the vice chancellor and bursar of the institution. They alleged that their dismissal was unlawful as they were not called before any Disciplinary Panel nor were they given Fair Hearing.

3. NHRC/OSUN/17/042

The Commission received a complaint dated 14th of July 2017 from Y alleging that he was a former employee of a certain company who outsourced him to a Bank in Osogbo Branch. He further alleged that the management of the Bank accused him of being involved in Western Union/Money Gram diversion and collaboration in defrauding customers. He also alleged that he was issued a query which he replied, but that his employer who recruited him for the bank placed him on indefinite suspension without waiting for the outcome of the investigation into the matter.

4. C/2016/1132255- 1132277/HQ

The Commission received a Complaint on 25th April, 2016 from Y against the Nigeria Police (CID Division) Akwa Ibom State Command for alleged arbitrary arrest and detention and request for ₦500, 000 bail bond .Y alleged that 23 men (Film Actors) who were shooting a movie at Ikot Abasi were arrested and taken to the Akwa Ibom State Police Command, Uyo (CID DIVISION) and held in custody for two weeks without prosecution and asked to pay bail bond of ₦500, 000 without affording them the right to fair hearing.

5. C/2017/286/HQ

The Commission received a complaint from Y alleging that he was enlisted into the Nigeria Police Force as a Constable in 2006 and that sometime in April 2016, he heard about his dismissal from the Police Force through a radio announcement. He further alleged that he was not afforded fair-hearing pending the alleged termination of his appointment⁵¹

6. C/2017/252/HQ

The Commission received a complaint from Y alleging that he was enlisted into the Nigeria Army in 2003 and was deployed on tour of Operation Lafia Dole. That on the 16th of November, 2015 at 1900hrs he took permission to use the ATM machine and on his way back to base, he had an accident, sustained serious injury and was rushed to Army Camp. That the injury he sustained could not be treated at the camp, so he was referred to 44 NARHK for further medical treatment on the 18th of November, 2015. Y further alleged that on the 12th of January, 2016 a parade was conducted at the camp and he was booked absent but he claimed he took permission from the Medical Orderly with a covering letter. However, on the 1st of February, 2016 he was in 44 NARHK when a colleague of his called to inform him that he was among those 250 soldiers dismissed from service. He claimed he was not given any chance to defend himself before he was dismissed.

7. C/2017/11/EK.

The Commission received a Complaint on 20th March 2017 ,against the Nigeria Police Force Ekiti State Office, from Y (an ex-Police Constable with Force No: XXX) who alleged that he and one other Police Personnel with Force No YYY , were posted from Ado Central Police Divisional Headquarters on the 31ST October, 2006 to guard an Armed Robbery Suspect who was receiving medical attention at Ado Ekiti

General Hospital where he eventually escaped through the window of the toilet when he went to ease himself. According to Y, he was standing at the entrance of the toilet while his colleague was at the window and was not aware when and how the suspect escaped.

He also alleged that upon reporting to the Divisional Police Officer (DPO), they were detained and tried in Orderly Room for negligence of duty. That, four weeks after the trial he was told by the station officer that he had been dismissed from the Police Force. Y alleged that the Police Force did not carry out a thorough investigation to justify his dismissal. He also alleged that the other Police Personnel that was dismissed with him for the same offence had been reinstated and serving in Edo police command.

8. C/2017/24/EK.

On 3rd August, 2017 the Commission received a complaint from X against XY Bank of Nigeria Plc, alleging that he worked with the Bank, from 1986 until his termination in 2016. He also alleged that his appointment was terminated following allegations of fraud and attempted murder for which he was wrongfully convicted by the bank's panel of enquiry. He claimed that he was not given Fair Hearing by the panel.

9. C/2017/005/ADSO

On 30th of June, 2017, the Commission received a complaint from Y alleging that that he was arrested on the 30th of January, 2017 by the alleged violator and taken to the State Police Command Headquarters in the State Criminal Investigation and Intelligence Department (SCIID) Jalingo Taraba State based on allegation of Armed Robbery⁵² killing of two persons, theft of Five Hundred Thousand Naira (500,000) and destruction of property.

Y also alleged that without allowing him explain himself, he was detained for eight days before being arraigned at the Chief Magistrate Court from where he was sent to prison and denied bail. After spending 35 days in prison, he was granted bail and till date was not given fair hearing.

CHAPTER 7

RIGHT TO FREEDOM FROM DISCRIMINATION

INTRODUCTION

The pursuit of equality and freedom from discrimination appears as the driving force behind most post-war human rights treaties and instruments. It is the hallmark of what has been described as ‘second wave rights’; the first wave being famously characterized by the pursuit of life, liberty and happiness⁴; which must and can only be optimally achieved in an atmosphere that supports and guaranteed the right to freedom from discrimination.

Discrimination occurs when you are treated less favourably than another person in a similar situation and this treatment cannot be objectively and reasonably justified. Discrimination can also occur if you are disadvantaged by being treated the same as another person when your circumstances are different⁵

The idea that all human beings are equal is a recent evolving notion both in law and general acceptability across all races. To this end Article 1 of the Universal Declaration of Human Rights (UDHR, 1948) proudly proclaims that all human beings are born free and equal in dignity and rights. The freedom must embrace the equality as advanced by Article 2 which states that everyone is entitled to all the freedoms listed in the UDHR,

⁴ Values for a Godless Age, Francesca Klug, Penguin, 2000, chapters 3-5.

http://www.lse.ac.uk/humanRights/aboutUs/articlesAndTranscripts/Human_rights_equality_and_discrimination.pdf

⁵ <https://www.equalityhumanrights.com/en/human-rights-act/>

“without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty⁶”

In fact the first two articles of the UDHR are entirely devoted to the principle of equality. The second Article provides the original articulation of the modern formulation of antidiscrimination. It is effectively reproduced in the Article 2 of African Charter on Human and Peoples Rights which states that:

“Every individual shall be entitled to the enjoyment of the rights and freedoms recognised and guaranteed in the present Charter without distinction of any kind such as race, ethnic group, colour, sex, language, religion, political or any other opinion, national and social origin, fortune, birth or any status⁷”.

The right to equality and non-discrimination is recognised in Article 2 UDHR and is a cross-cutting issue of concern in different UN human rights instruments⁸, and Articles 2 of the ICCPR states that:

1. Each State Party to the present Covenant undertakes to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

2. Where not already provided for by existing legislative or other measures, each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.

3. Each State Party to the present Covenant undertakes:

(a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity;

(b) To ensure that any person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy;

(c) To ensure that the competent authorities shall enforce such remedies when granted⁹;

And Article 26 ICCPR which states that:

“All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex,

⁶ <http://www.un.org/en/universal-declaration-human-rights/> 54

⁷ <http://www.achpr.org/instruments/achpr/#a2>

⁸ <http://www.humanrights.is/en/human-rights-education-project/human-rights-concepts-ideas-and-fora/substantive-human-rights/the-right-to-equality-and-non-discrimination>

⁹ <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

language, religion, political or other opinion, national or social origin, property, birth or other status¹⁰”.

Other international instruments dealing with rights surrounding freedom from discrimination include Article 2(2) ICESCR, Article 2 CRC and Article 5 CRPD. In addition, two of the major UN human rights treaties are established explicitly to prohibit discrimination, CERD on the ground of race and CEDAW on the ground of gender.

Human rights instruments, such as CEDAW, is aimed specifically at eliminating discrimination on specific grounds. In which cases, it is possible to submit individual complaints in case of violations of the rights enshrined therein.

In the case of CEDAW, such a procedure was established by the Optional Protocol adopted in 1999. These two instruments expressly require states to take action to prevent and combat discrimination committed by third persons. For example, Article 2(e) CEDAW requires states ‘to take all appropriate measures to eliminate discrimination against women by any person, organisation or enterprise¹¹’.

The general non-discrimination clauses of each Covenant are complemented by provisions prohibiting discrimination on specific grounds. For example, Article 7(a)(i) ICESCR guarantees equal conditions of work between men and women and requires equal remuneration for work of equal value; Article 7(c) ICESCR guarantees equal opportunity for everyone to be promoted in his/her employment; Article 10(3) prohibits any discrimination in the protection and assistance for all children and young persons; and Article 13(2)(c) guarantees equal accessibility in higher education. In the same vein, Article 23(4) ICCPR requires states to take adequate steps to ensure equality of rights and responsibilities of spouses as to marriage, during marriage and at its dissolution; and Article 24 ICCPR prohibits any discrimination against children based on race, colour, sex, language, religion, national or social origin, property or birth.

Legal Framework

Within Nigerian jurisprudence, the right to freedom from discrimination may appear to be one of the rights with the most obvious infractions stemming from the socio cultural and ethno religious disparities in Nigeria. The Right to Freedom from Discrimination faces the greatest challenge from the standpoint of the engraved discriminatory practices fueled by socio cultural and ethno religious differences and by virtue of inequalities spread by the lack of institutionalizing social justice ideals, poverty and ignorance.

How be it, the CFRN 1999 (as amended) envisages a scenario where:

“(1) A citizen of Nigeria of a particular community, ethnic group, place of origin, sex, religion or political opinion shall not, by reason only that he is such a person:-

(a) be subjected either expressly by, or in the practical application of, any law in force in Nigeria or any executive or administrative action of the government, to disabilities or restrictions to which citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions are not made subject; or

¹⁰ Ibid 6

¹¹ Ibid 5

(b) be accorded either expressly by, or in the practical application of, any law in force in Nigeria or any such executive or administrative action, any privilege or advantage that is not accorded to citizens of Nigeria of other communities, ethnic groups, places of origin, sex, religions or political opinions.

(2) No citizen of Nigeria shall be subjected to any disability or deprivation merely by reason of the circumstances of his birth”¹².

It is important to note that Nigeria is a signatory to the African Charter on Human and Peoples Rights with copious sections that also deal with issues relating to the right to freedom from discrimination. In addition, Nigeria has also domesticated the Charter by enacting the African Charter on Human and Peoples Rights (Ratification and Enforcement) Act, 2004¹³; which contains similar provisions.

In describing the future of Human Rights situation in Nigeria, especially within the confines of the right to freedom from discrimination, political leadership must continue to empower and sufficiently funds institutions with the mandate in this area to bring about a discrimination free society as society continues to evolve.

Complaints Received on Right to Freedom from Discrimination

1. C/2016/1209811/HQ

The Commission received a complaint from Y alleging that since the assumption of office of the Governor of Niger State, none of the Principal Officers in government is a Christian. He further claimed that the State Executive Council had only 3 Christians out of 20 members, 4 permanent secretaries out of over 20. He further alleged that a lot of public schools in the State do not teach Christian Religious Studies and that admission of Christian students into the State School of Nursing is almost impracticable. Furthermore he claimed that Area Courts had been abolished and replaced with Sharia Courts; and that he had been building mosques in schools and government offices without providing a corresponding place of worship for Christians in public institutions.

2. C/2016/06/AKS

The Commission received a complaint on the 20th June 2016 from X, alleging that their late husband, married two wives and they have ten children of the following ages; 15, 12, 10 and 7 years respectively. She further alleged that since the death of their husband in 2010, their husband's nephew claimed their late husband's farmland which they used for farming when their late husband was alive. She claimed that they no longer have a source of livelihood to bring up their children.

¹² <http://www.nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm>

¹³ http://www.ijhssnet.com/journals/Vol_2_No_12_Special_Issue_June_2012/6.pdf

3. C/2016/43/AKS

The Commission received a complaint on the 23rd March, 2016 from X alleging that after the death of her father their family head shared her father's property to her brothers, while excluding her and her sister.

She alleged discrimination on grounds of gender and sought the Commission's intervention.

4. C/2016/70/AKS

The Commission received a complaint on 4th of July, 2016 from X alleging that her father died when she was young and his properties were entrusted to her aunt, which she was supposed to hand over to her when she attains the age of Eighteen (18). She further alleged that she is twenty-two (22) years old now and that her aunt has denied her right to her father's property, alleging that she is not the biological child of her father.

She further alleged discrimination on circumstance of her birth and sought the Commission's intervention.

5. C/2016/76/AKS

The Commission received a complaint on 2nd August, 2016 from X alleging that her brother and sister are the only children of their late father. She further alleged that the government embarked on a road construction which led to their house being marked for demolition and compensation; and that the sum of ₦ 4.4 million (Four Million, Four Hundred Thousand Naira) was paid to their brother in this regard.

X further alleged that their brother collected all the money for himself saying that his sisters as female, had no right to inherit or share in such benefits, leaving them with neither funds nor a place to stay.

6. C/2016/72/AKS

On 20th July, 2016, the Commission received a complaint from X alleging that the alleged violator assumed sole ownership of their late father's estate denying her and two sisters their share of four rooms out of an eleven-room building allocated to them by their father before his death. She further claimed that their father had plots of land but that the alleged violator sold almost all on the ground that women cannot inherit property.

7. C/2016/62/AKS

The Commission received a complaint on 27th June, 2016 from X alleging that her grandfather gave birth to three children, of which her father was the third born. She added that their grandfather gave all his three children plots of land to build on and her father had started building on his own land before he died, leaving the building uncompleted. The first son built his own house but the second son did not build. X further alleged that her father had seven children; three male and four female. Of the seven, the three male and one female died, leaving three female alive, who took over the plots of land left behind by their late brothers.

She further claimed that whenever they planted on the land, their nephew would go and harvest the crops without their consent, and that their nephew fought their mother and themselves too, and the matter was reported to the family head and the family head warned their nephew to stay clear of the land which he refused, saying that they are female and so, they do not have any right to inheritance.

8. C/2016/53/AKS

On 1st June 2016 the Commission received a complaint from X alleging that her late father left behind a property which belongs to her and her only brother since they were his only children. She further alleged that upon her father's death, her brother took over the property on the ground that she is a female, and that she had no right to inheritance.

9. C/2016/22/AKS

The Commission received a complaint on 15th February, 2016 from X alleging that she lost her father in 2012 and that her uncle had taken over all her late father's properties (three rooms and a plot of land). She further claimed that efforts to get back the properties have been abortive, as her uncle has denied them access because they are women.

10. C/2016/54/AKS

The Commission received a complaint from X on 6th June, 2016 alleging that her late father left behind 12 plots of land. She further claimed that her brother sold 11 out of the 12 plots and threatened to sell the last one on the grounds that she and her three sisters are female and have no right to inheritance.

11. C/2017/23/SSZ

The Commission received a complaint from X alleging that the female children in their family were denied access to their late father's estate on grounds that they are female and as such are not entitled to inherit their late father's estate.

12. C/2017/195/AKS

On 21st June 2017, the Commission received a complaint from X against the village head of Ifa Ikot Obong village alleging that her late father left behind two wives, eight children and a vast estate comprising of 39 flats, 39 plots of land, 18 shops and 2 tipper trucks. She further alleged that upon her father's demise, the alleged violator shared the estate among the family members but deprived her of a fair share because she is a girl.

13. C/2017/162/AKS

On 12th April 2017 the Commission received a complaint from XY against the alleged violator for denying his sister her share of their late father's property on the ground that she is female.

14. C /2017/172/AKS

On 21st April 2017 the Commission received a complaint from XY against the alleged violator. She alleged that since the demise of her father, the alleged violator (uncle) has consistently harassed her mother, beat her up on some occasion, stolen her personal belongings and connived with the family and village heads to forcefully evict her out of her home and share her father's property.

15. C/2017/281/AKS

On 9th November 2017 the Commission received a complaint from X alleging that her in-laws have taken over all her late husband's property thereby depriving their only daughter her right to inheritance of her late father's estate.

16. C/2017/284/AKS

On 15th of September 2017 the Commission received a complaint from XY against the alleged violator. She claimed that he excluded her mother in the sharing of her late father's estate which her mother supported her father to acquire.

17. C/2017/5130-5286/HQ:

The Commission received a complaint from 156 Staff of the Nigerian Prison Services (NPS) from Borno, Bauchi and Yobe States Command against the Nigerian Prison Services for alleged unlawful retirement from service. They alleged that they were forcefully directed to retire from service via a circular dated 8th of April 2016 without due process being carried out. They further stated that the Senate directed that the affected officers be recalled back and only some of the affected Staff were recalled leaving out the rest.

18. C/2017/194/AKS

On 20th of June 2017 the Commission received a complaint from X alleging that her late father's relatives sold off their father's property including land without sharing the proceeds of the sale with her and her siblings because they are female.

19. C/2017/29/KD

On 8th February 2017 the Commission received a complaint from Y alleging that his siblings had denied him his share of their late father's estate and have also not allowed him to complete his university education.

20. C/2017/2371/NCZ

The Commission received a complaint dated 28th of August 2016 from X alleging that she inherited some landed properties following the demise of her father in 2010. She further alleged that her uncle sold the property without consulting her as the heir of her late father. She also alleged that when she approached her Uncle, he sent her away, saying that she does not have right to inheritance as a woman.

21. C/2017/8745/HQ

The Commission received a Complaint from Y dated 13th September, 2017, alleging unfair dismissal from the NPF because of his HIV status.

MEDIA REPORT ON RIGHT TO FREEDOM FROM DISCRIMINATION

1. On the 9th July, 2017, Daily Trust Newspaper (page 10) reported that Persons Living with Disabilities lamented their exclusion from the ongoing economic empowerment program of the Federal Government.

CHAPTER 8

RIGHT TO PRIVATE AND FAMILY LIFE

INTRODUCTION:

The very first international commitment to the right to respect for privacy and family life is set out in the Universal Declaration of Human Rights which stipulates that ‘no-one shall be subjected to arbitrary interference with his privacy, family, home or correspondence’ and that ‘the family is the fundamental group unit of society entitled to protection by society and the state¹⁴’.

Today, the right to respect for private and family life has come to encompass a wide range of areas. Privacy now applies to a wide spectrum of issues ranging from phone communications monitoring to social media, etc.

¹⁴ <http://www.humanrights.is/en/human-rights-education-project/human-rights-concepts-ideas-and-fora/substantive-human-rights/the-right-to-privacy-and-family-life>

The right to respect for privacy mirrors the liberal concept of the individual's freedom as a self-governing being as long as his/her actions do not interfere with the rights and freedoms of others. The right to privacy is the right to individual autonomy that is violated when states interfere with, penalize, or prohibit actions that essentially only concern the individual.

The right to privacy encompasses the right to protect a person's intimacy, identity, name, gender, honour, dignity, appearance, feelings, etc. The right to privacy may be limited in the interest of others, under specific conditions, provided that the interference is not arbitrary or unlawful. People cannot be forced to change their appearance nor can they be prohibited from changing their name, etc. However, in the interest of the rights of others they may, for example, be compelled to give biological samples for the determination of paternity. Another exception could be lawful counter-terrorism surveillance that necessarily operates in breach of privacy rights. Such a breach is acceptable as long as it accords with the principles of rule of law.

Finally, with the emergence of computer technology and automated data processing, States are obliged to ensure effective data protection.

Legal Framework

Article 12 UDHR stipulates:

"No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks"¹⁵,

Article 17 ICCPR stipulates:

*"1. No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation.
2. Everyone has the right to the protection of the law against such interference or attacks"¹⁶*

Similarly, Article 14 of the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (CMW) protects migrant workers and their families from arbitrary interference with their family life and privacy. Article 16 of the Convention on the Rights of the Child (CRC) and Article 22 of the Convention on the Rights of Persons with Disabilities (CRPD) also guarantee privacy rights for Children and Persons with Disabilities (PWDs).

Authorities of State may not interfere with this right except in accordance with law and is necessary in a democratic society in the interest of national security, public safety, economic well-being of the country and for the prevention of disorder or crime.

Section 37 of the CFRN 1999 as amended provides:

"The privacy of citizens, their homes, correspondence, telephone conversations and telegraphic communications is hereby guaranteed and protected"¹⁷.

¹⁵ <http://www.un.org/en/universal-declaration-human-rights/>

¹⁶ <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

¹⁷ <http://www.nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm>

Complaints Received on Right to Private and Family Life

1. ANS/SEZ/2017/33

The Commission received a complaint from XY on 5th of June, 2017 on behalf of his family alleging that his wife was intimidated, threatened, assaulted and harassed by his landlord. That the landlord disturbs his wife early in the morning knowing fully well that she had a baby to attend to. He further alleged that the Landlord has made the lives of his household miserable while their rent has not expired.

CHAPTER 9

RIGHT TO PEACEFUL ASSEMBLY AND ASSOCIATION

INTRODUCTION:

The right to freedom of peaceful assembly and association allows for inter-relationship between citizens amongst themselves and between the Government and the governed.

In simple terms, this right protects peoples' ability to come together and work for the common good. The right to peaceful assembly and association allows for the exercise of many other civil, cultural, economic, political and social rights. It allows people to express their political opinions, engage in artistic pursuits, engage in religious observances, form and join trade unions, elect leaders to represent their interests and hold them accountable¹⁸.

These rights derive from our common human existence, rooted in the fact that every civilization is built upon cooperation and collaboration. It is human nature – and human necessity – that people

¹⁸ <http://freeassembly.net/about/freedoms/>

come together to collectively pursue their interests. Vibrant assembly and association rights are a prerequisite not only for a legitimate democracy but also for a just society¹⁹.

Legal Framework

The right to freedom of association is guaranteed under Article 10 of the African Charter on Human and Peoples' Rights and it stipulates:

1. *Every individual shall have the right to free association provided that he abides by the law.*
2. *Subject to the obligation of solidarity provided for in Article 29, no one may be compelled to join an association*²⁰.

In line with the above, Article 8 of the African Charter on the Rights and Welfare of the Child also states:

*Every child shall have the right to free association and freedom of peaceful assembly in conformity with the law*²¹.

The right to freedom of association is also guaranteed under Article 20 of the Universal Declaration of Human Rights and states:

1. *Everyone has the right to freedom of peaceful assembly and association.*
2. *No one may be compelled to belong to an association*²².

Article 22 of the International Covenant on Civil and Political Rights states:

1. *Everyone shall have the right to freedom of association with others, including the right to form and join trade unions for the protection of his interests.*

2. *No restrictions may be placed on the exercise of this right other than those which are prescribed by law and which are necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others. This article shall not prevent the imposition of lawful restrictions on members of the armed forces and of the police in their exercise of this right*²³.

¹⁹ <http://freeassembly.net/about/freedoms/>

²⁰ <http://www.achpr.org/instruments/achpr/#a10>

²¹ <http://www.achpr.org/instruments/child/#a8>

²² <http://www.un.org/en/universal-declaration-human-rights/>

²³ <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

Several other international instruments such as Article 15 of the International Convention on the Rights of the Child, Article 7(c) of the Convention on the Elimination of All Forms of Discrimination Against Women, Article 26 and 40 of the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families, Article 24(7) of the International Convention for the Protection of All Persons from Enforced Disappearance, and Article 29 of the Convention on the Rights of Persons with Disabilities²⁴ all guarantee the right to freedom of association and peaceful assemble as the case may be.

Under international and domestic law, the right to freedom of peaceful assembly is not absolute. Assemblies may be subject to certain restrictions, but such measures must be prescribed by law and “necessary in a democratic society in the interests of national security or public safety, public order, the protection of public health or morals or the protection of the rights and freedoms of others²⁵.” Any restrictions must meet a strict test of necessity and proportionality. Freedom must be the rule and not the exception. International law only protects assemblies which are peaceful, and the peaceful intentions of those assembling should be presumed.

Section 40 of the CFRN 1999 as amended provides:

‘Every person shall be entitled to assemble freely and associate with other person, and in particular he may form or belong to any political party, trade union or any other association for the protection of his interests; Provided that the provisions of this section shall not derogate from the powers conferred by this constitution on the Independent National Electoral Commission with respect to political -parties to which that commission does not accord recognition²⁶.

Section 40 of the Constitution of Nigeria 2004 guarantees the right to freedom of assembly subject to the constitutional limitations of reasonably justifiable in a democratic society such as in the interest of defence, public safety, order, morality or health or for the protection of the rights of other persons. Public assembly is an essential part of the activities of political parties, trade unions, religious bodies, professional associations etc.

Complaints Received on Right to Peaceful Assembly and Association

1. C/2016/1209934-950/HQ

The Commission received a complaint from some group of individuals alleging that on the 18th of January, 2016, a group of persons were demonstrating in Port-Harcourt urging the Federal government to release Nnamdi Kanu and others held in prison for their alleged involvement as IPOB.

²⁴ http://www.achpr.org/files/instruments/freedom-association-assembly/guidelines_on_freedom_of_association_and_assembly_in_africa_eng.pdf

²⁵ <https://www.equalityhumanrights.com/en/human-rights-act/article-11-freedom-assembly-and-association>

²⁶ <http://www.nigeria-law.org/ConstitutionOfTheFederalRepublicOfNigeria.htm>

They further claimed that about 25 of these persons were arrested on the order of the Commissioner of Police, Rivers State. They further alleged that there was a speculation that many more were arrested, including a child, without trial. It was feared that many people are still incarcerated all over the State or might have died.

MEDIA REPORT ON RIGHT TO PEACEFUL ASSEMBLY AND ASSOCIATION

On the 8th June, 2017 This Day Newspaper reported that the Federal Government had condemned the ultimatum given to the Igbos resident in the Northern areas of Nigeria to relocate as reckless and ill-thought. The Federal Government assured the Igbos that there was no cause for alarm, even as it warned the group that issued the ultimatum to the people of south-east against making incendiary statements capable of undermining the Country's peace and security.

CHAPTER 10

65

RIGHT TO ACQUIRE AND OWN PROPERTY

INTRODUCTION

Every citizen of Nigeria is empowered to acquire and own immovable property anywhere in Nigeria. Thus, section 43 of the CFRN 1999 (as amended) provides that:

‘Subject to the provisions of this Constitution, every citizen of Nigeria shall have the right to acquire and own immovable property anywhere in Nigeria’.

This right is so sacrosanct that the Court of Appeal declared, in *National Universities Commission v. Oluwo*²⁷ that ‘...The right to own property by an individual is well entrenched in the constitution of the Federal Republic of Nigeria and it carries with it, the right to dispose of the said property...’. Furthermore, section 44 (1) of the CFRN 1999 as amended provides protection against arbitrary acquisition a citizen’s right where it states:

‘No moveable property or any interest in an immovable property shall be taken possession of compulsorily and no right over or interest in any such property shall be acquired compulsorily in nay part of Nigeria except in the manner and for the purposes prescribed by a law that. Among other things-

- a. Requires the prompt payment of compensation therefor; and
- b. Gives to any person claiming such compensation a right of access for the determination of his interest in the property and the amount of compensation to a court of law or tribunal or anybody having jurisdiction in that part of Nigeria.’

The combined effect of sections 43 and 44 of the CFRN 1999 (as amended), therefore, suggest that the right to own immovable property, like every other right, is not absolute but subject to certain qualifications. This is because all lands comprised in the territory of each state in Nigeria are vested in the governor of that state and such land shall be held in trust and administered for the use and common benefit of all Nigerians.²⁸ The right of every Nigerian to own land in any part of the country is therefore subject to the interests of the Governor and it shall be unlawful for the holder of a statutory right of occupancy granted by the Governor to alienate his or her right of occupancy or any part thereof by assignment, mortgage, transfer of possession, sublease or otherwise without the consent of the Governor first had and obtained.³ Accordingly, every transaction creating an interest in land, the consent of the Governor of that state must be first had and obtained.

Another significance of section 44 of the CFRN is that section 28 of the Land Use Act 1978 gives the Governor the power to revoke a right of occupancy for overriding public interest. Interestingly, this power vested in the governor of a state is not absolute and subject to some checks. A citizen can

²⁷ [2001] 3 NWLR (Pt. 699) at p. 90

²⁸ S. 1 Land Use Act 1978 Cap. L5 Laws of the Federation of Nigeria 2004.

legitimately challenge any acquisition if such was not done in accordance with the law.²⁹ In this regard, the Supreme court of Nigeria in *Goldmark (Nig.) Ltd. v. Ibafon Co. Ltd*³⁰ stated that Government has a duty to comply with the procedure for acquisition of land in the following words:

‘The court has always emphasized that government has the right to compulsorily acquire property on payment of compensation. There is no argument about such constitutional power. There are statutes which provide for the procedure of acquiring property by the government. Government is expected to comply with those statutes which it has enacted. Where government disobeys its own statute by not complying with the laid down procedure for acquisition of property, it is the duty of the courts to intervene between the government and the private citizen’.

Also, a land compulsorily acquired for public purpose can be vitiated where it was subsequently diverted to serve private need. If a property is ostensibly acquired for public purpose and it is subsequently discovered that it has directly or indirectly been diverted to serve private needs, the acquisition can be vitiated.

Therefore, failure to comply with the legal requirements for revocation of existing rights to land renders a subsequent certificate of occupancy on such land a nullity.

Complaints Received on Right to acquire and own property

1. C/2016/2179/NCZ

The Commission received a complaint dated 16th of November 2016 from Y alleging that he is the last son of his father and since he left the family house due to the constant bullying and embarrassment he received from his elder step-brother. He also alleged that he had been denied any share of the proceeds from the property that was sold by the family.

2. C/2017/5761-5771/HQ

The people of a L.G.A in Imo State are alleging compulsory acquisition of their land by the State Government. The Commission wrote a letter to His Excellency, the Executive Governor of Imo State, seeking his comments and intervention on the matter. . A call to the complainants revealed that they are considering filing a suit at the Court, since the compensation they are requesting for has not being met. .

3. C/2017/216/AKS

²⁹ See *Olatunji v. Military Governor of Oyo State* (1994) LPELR-14116.

³⁰ [2012] 10 NWLR (Pt. 1308) p.291

On 19th May, 2017, the Commission received a complaint from X alleging that her siblings sold off their late father's piece of land against their father's instruction that the land should only be sold to organize his funeral.

4. C/2017/270/AKS

On 15th September, 2017, the Commission received a complaint from X alleging that her elder brother had upon the death of their father converted all of their late father's property including buildings to himself thereby excluding and denying her and other siblings of their share.

5. C/2017/196/AKS

On 4th July, 2017, the Commission received a complaint from X alleging that her late husband's relative, who was occupying two out of the three rooms apartment built by her late husband has refused to vacate the property despite directive by the village council to enable her and her children take ownership and occupation of the property.

6. C/2017/142/AKS

On 20th February, 2017, the Commission received a complaint from X alleging that the alleged violator denied her access to her father's property upon her father's death.

7. C/2017/186/AKS

On 5th June, 2017, the Commission received a complaint from X against the alleged violator. She claimed that he converted their late father's property for his personal benefit and sold some of it.

8. NHRC/OS/040/17

The Commission received a complaint dated 3rd July, 2017 from a Law Firm alleging that the property of the victim was illegally seized by the alleged violator.

9. NHRC/OS/001/17

The Commission received a complaint dated 4th January 2017, from X alleging that he bought a piece of land sometime in 2014. However in 2016 the alleged violator trespassed on the said land resulting in a fight between them. He further claimed that the alleged violator reported the case at the police station which led to his arrest.

10. NHRC/OSUN/17/030

The Commission received a complaint dated 19th May 2017 from X alleging that on 3rd of March 2017, part of his building comprising the fence and two shops were illegally demolished by a State Government Development Authority on the ground that he did not obtain the necessary building plan approval and for encroaching on the main road.

11. C/2017/8798/HQ

The Commission received a complaint from X alleging that the property, located at Ahmadu Bello way, Sokoto State was given to Y as a gift by her late mother sometime in the year 2000. X further alleged that the Z and two (2) others have continued to intimidate and harass Y for purposes of forcefully taking the property away from her.

12. C/2017/259/AKS

The Commission received a complaint from X alleging that her late husband's sister and step-son threatened her over her late husband's property.

13. C/2017/226/HQ

The Commission received a complaint dated 12th April, 2017 from Y alleging that his lands had been illegally tampered with and disposed of by the alleged violator.

14. C/2017/ 7816-7817/HQ

The Commission received a complaint dated 12th September 2017 from X alleging that their late husband's 3rd wife is insisting on keeping and expropriating all the properties and monies in the Bank accounts of their late husband to herself at the detriment of the other wives.

15. ANS/SEZ/2015/94

The Commission received a complaint from X on 30th September 2015 against her sister in-law alleging that she denied her access to her late husband's properties. She further alleged that after her husband death on the 6th April 2014 the alleged violator took over the ownership of her late husband's properties and all efforts made by the traditional ruler of their community to resolve this dispute proved abortive.

16. ANS/SEZ/2017/29

The Commission received a complaint from X on the 17th May, 2017 against her step children. She alleged that she was married to her late husband as a third wife but did not have any child for him. She also alleged that their marriage was contracted under the Act and that she adopted a girl child

with the consent of her husband before his death in 2016. She further alleged that her husband gave her a two bedroom bungalow as her inheritance but after the death of her husband the alleged violators ejected her from the room she was living with her husband and denied her access to economic trees and benefits from the family.

17. ANS/SEZ/2017/30

The Commission received a complaint on 23rd May, 2017 from X alleging that she got married to her late husband on 4th November 1951 and they had six children. She further alleged that her late husband built a house and that was where they had all their children. That she was managing the rent from the building till 2009 when one of her sons forcefully took over the property from her.

18. ANS/SEZ/2017/10

The Commission received a complaint from X on 14th February, 2017 alleging that her step son sold off her late husband's economic trees and landed properties without her consent. She also alleged that when she queried him, he threatened her life.

19. ANS/SEZ/2017/4

The Commission received a complaint from X on the 29th June, 2017 alleging that her step son sold her husband's properties without her consent and also took over her shop.

PART 2

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

CHAPTER 11

RIGHT TO HEALTH

INTRODUCTION

Health is a fundamental human right that is indispensable for the exercise of other human rights. Every human being is entitled to the enjoyment of the highest attainable standard of health conducive to living a life in dignity. The realization of the right to health may be pursued through numerous and complementary approaches, such as the formulation of health policies, or the implementation of health programmes developed by the World Health Organization (WHO), or the adoption of specific

legal instruments³¹. Thus, the right to health includes certain components which are legally enforceable. For instance, the principle of non-discrimination in relation to health facilities, goods and services is legally enforceable.

Section 17 (3) of the CFRN 1999 as amended provides that government shall '*ensure that health and safety of all persons in employment are safeguarded and that there are adequate medical and health facilities for all persons*'.

The health care delivery system in Nigeria is classified into primary, secondary and tertiary health institutions, most of which are outstretched and located in towns and cities.

Thus the federal government adopted National Health Policy (NHP) for the attainment of Universal Health Coverage (UHC) and other health-related Sustainable Development Goals (SDGs). The NHP adopted the Primary Health Care (PHC) to make health care accessible to the grassroots.

Accordingly, the National Council on Health (NCH) as provided for in the National Health Act (2015), is under an obligation to ensure the delivery of basic health services to the people of Nigeria and prioritize other health services that may be prescribed from time to time by the Minister of Health after consultation with the NCH. It is also under obligation to ensure that children between the ages of 0 and 5 years as well as pregnant women are immunized with vaccines against infectious diseases. Pursuant to the National Programme on Immunization (NPI) Act, there is no limitation with respect to age as the Government is required to effectively control, through immunization and the provision of vaccines, the occurrence of certain deadly diseases such as tuberculosis, poliomyelitis, diphtheria, whooping cough, tetanus, neonatal tetanus, measles, diseases of women of child-bearing age.

The National Health Insurance Scheme (NHIS) Act, Cap N42, Laws of the Federation of Nigeria, 2004 established the NHIS aimed at providing easy access to healthcare for all Nigerians at an affordable cost through various prepayment systems. It seeks to guarantee universal coverage and access to adequate and affordable healthcare in order to improve the health status of Nigerians, especially for those participating in the various programmes of the Scheme. It is instructive to state that 14 states passed their state health insurance laws. These are Lagos, Oyo, Ekiti, Delta, Bayelsa, Cross River, Akwa Ibom, Kwara, Abia, Adamawa, Kano, Anambra, Sokoto and Bauchi.

As a State party to the United Nations, Nigeria has signed and ratified several international and regional human rights Instruments that guarantee and protect the right to health. These Instruments include the International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of all Forms of Racial Discrimination (CERD), the Convention on the Elimination

³¹Article 12, CESCR General Comment No. 14: The Right to the Highest Attainable Standard of Health

of all Forms of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC), the African Charter on Human and Peoples' Rights (African Charter), the African Charter on the Rights and Welfare of the Child and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa.

Nigeria is also a party to two health-related civil and political rights treaties, namely the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In addition, it is a party to some Conventions of the International Labour Organizations, some of which contain provisions on the health of workers. Nigeria is also a party to the Geneva Conventions and Additional Protocols that prescribe rules for conduct of warfare, including health-related obligations.

Furthermore, Nigeria belongs to, and committed herself to other forums that address health related matters. These include the World Health Assembly, Programme of Action of the 1993 UN International Conference on Population and Development and the 1995 Beijing Declaration and Platform for Action.

Despite legal and regulatory framework to guarantee the right to health, as well as Nigeria's commitments, the health sector leaves much to be desired. The health centers are poorly equipped and the attendants not adequately remunerated. According to the International Centre for Investigative Reporting (ICIR), dozens of Primary Health Centre (PHCs) across the country lack basic equipment, drugs and personnel, while those that were built by the federal government remained locked up.

Furthermore, the country still battles with disease burden as follows:

- Maternal, child and infant mortality rates in Nigeria remain among the world's highest. The main causes of infant and child deaths are pneumonia, diarrhea, malaria and neonatal causes;
- Although there have been improvements in child nutrition, but malnutrition remains a major concern, particularly in northern Nigeria.

- Tens of millions of people still lack access to clean water and proper sanitation, despite some progress;
- Nigeria has the second highest HIV burden in the world. Coverage for services for prevention of mother-to-child transmission of HIV (PMTCT) remains low, and pediatric infections account for almost one third of the global burden.
- Malaria remains the foremost killer disease in Nigeria. It has the highest burden of disease in Nigeria with an estimated 300,000 children dying of malaria each year.

INSECURITY IN PARTS OF THE COUNTRY AND ITS EFFECT ON RIGHT TO HEALTH

- The WHO in a report released on 14th December 2016 stated that One third of more than 700 health facilities in Borno State, north-eastern Nigeria, have been completely destroyed. Of those facilities remaining, one third were not functioning. It also stated that because of heightened tension between security forces and insurgents, certain areas lacked health workers, medicines, equipment and basic amenities such as safe water. These made access to essential, lifesaving health care extremely difficult for people in these conflict-affected areas.
- The report further stated that out of the identified 743 health facilities in Borno State, 35% are completely destroyed, 29% partially damaged and only 34% intact. Of the 481 health facilities that have not been destroyed, 31% of them were not functioning, mostly as a result of lack of access due to insecurity. Almost 60% of health facilities have no access to safe

drinking water (32% have no access to any water at all) and 3 out of 4 (73%) facilities do not have enough chlorine stock to decontaminate the water used in the facility.

DISPUTES BETWEEN HEALTH WORKERS AND GOVERNMENT

The unending disputes between health workers, doctors and various tiers of government which occurred in the year 2016 often led to strike actions that affected the right of citizens to access health care and, therefore, exacerbate health challenges in the country. On 30th August 2017, the National Association of Resident Doctors (NARDs) embarked on an indefinite strike demanding for the resolution of persistent shortfalls and unpaid arrears of salaries earned in both federal and state tertiary health institutions. This was followed by another strike action embarked upon on 30th

September 2017, by Nigeria Union of Allied Health Professionals (NUAHP) and Joint Health Sector Union (JOHESU).

NUAHP and JOHESU had the following demands, namely: revamping the infrastructure in tertiary health institutions, report of the Inter Ministerial Sub-Committee on critical matters in the health sector, Professional autonomy, headship of departments/units in hospitals, Enhanced Entry Points (EEP) for medical laboratory scientists and Radiographers and non-payments of backlog of arrears.

Complaints Received on Right to Health

1. C/2017/6561- 6564/HQ

The Commission received a complaint on the 23rd May 2017 from X alleging that sometime in 2015, her husband broke down with various ailments but did not disclose his HIV status to her. That she only discovered his status upon visiting him in Lagos in 2016. That she went for a test and confirmed she was also positive. She claimed that since then, her husband had made life unbearable for her, abandoning her and their 3 children.

2. C/2017/25/EK

On 10th August 2017, X lodged a complaint with the Commission against the NPF, Ekiti State Command, alleging the arrest and detention of a mentally sick patient. X alleged that the victim who is an outpatient of the Psychiatric Unit of the Federal Medical Centre, Ekiti State strayed out of his house in Iyin at about 2am on the 8th August, 2017 when he went out to ease himself.

Upon realizing that he did not return, his wife went out in search for him and discovered that he had been arrested by the SARS, Ekiti State Command on the ground that he was found inside a packed vehicle. The NPF suspected him of attempting to steal the vehicle X further alleged that the NPF requested money from the family of the victim for his release.

MEDIA REPORT ON RIGHT TO HEALTH

1. On 3rd March, 2016, Daily Trust Newspaper at page 4 reported that treatment expenses was still jeopardizing treatment and care for People living with HIV/AIDS(PLWHA) as they still incur high health expenditures (within 'free' treatment programme).
2. On 4th August, 2016 the Authority Newspaper on page 21 reported that Borno IDPs have been recounting their sad ordeal as a result of the poor state of camp facilities. Many pregnant and nursing women are said to be in poor state of health as a result of the unhygienic conditions of the camp.

3. On 5th February, 2016 The Authority Newspaper at page 11 reported that the rate of women suffering from Vesico Vaginal Fistula (VVF) in the world is alarming. A health awareness group, Community Partners for Development (CPD) disclosed this in AkwaI bom State, that more than 800,000 Nigerian women nationwide are living with the condition. These women are abandoned, stigmatized and socially isolated. There is urgent need to provide more primary health care facilities in every Local Government Area in the country. It is necessary for the Ministry of Health in all states of the federation to take a holistic approach of surgical repair, rehabilitation as well as skill development and basic literacy to help women improve their physical, social and economic wellbeing.
4. On 7 June, 2017 Daily Trust Newspaper (p. 4) reported that over 50 pregnant women receiving prenatal and antenatal medical attention at the Amaku General Hospital Awka, Anambra state, protested against increase in the cost of services at the state government owned hospital. The women stated that most of them have resorted to traditional midwives and private hospitals as result of the increase.
5. On 4 July, 2017 Daily Trust Newspaper (p. 25) reported that journalists have been advised to take cognizance of the human rights of parties involved when reporting on sexual and reproductive health. President of the non-governmental organization, gave the advice during a training workshop on media coverage of sexual and reproductive health rights.
6. On 17 August, 2017 Daily Trust Newspaper (p. 10) reported that the Nigeria Medical Association, Kaduna State stated that the Doctor to Patient ratio in Kaduna State is about 1 - 4000, a huge distance from the ratio of 1 – 600 recommended by the WHO.
7. On 12 September, 2017 Daily Trust Newspaper (p.26) reported that more than 20 internally displaced persons in camps within the Maiduguri metropolis have so far died as cholera continues to ravage the camp. The Borno State commissioner of health confirmed the death toll.
8. On 6 October, 2017 Daily Trust Newspaper (p. 3) reported that the Minister of Water Resources stated that Nigeria loses 59,000⁷⁶ children under the age of 5 yearly from preventable water and sanitation related diseases. It was also reported that 68% of public health facilities do not have access to basic functioning hand hygiene station.

9. On 30 October, 2017 Daily Trust Newspaper (p. 30) reported that the Medical Director of the Federal Neuropsychiatric hospital, Maiduguri the Boko haram insurgency may have increased the population of mental and neuropsychiatric patients in the North East by introducing new drugs and drug abuse patterns in the region.
10. On 7 November, 2017 Daily Trust Newspaper (p. 10) reported that the Amnesty International has urged the Nigerian government to investigate the link between oil spills and baby deaths. The Agency Director of Global Issues said this while reacting to a study that found babies in the Niger Delta were twice as likely to die in the first month of life if their mothers lived near an oil spill before falling pregnant. He added that the Nigeria government should establish a system of independent monitoring to alert communities to any health risks posed by the oil industry and hold companies to account for any damages caused by their activities.
11. On 27 November, 2017 Daily Trust Newspaper (p. 6) reported that UNICEF stated that Nigeria has the second largest number of death of children under five years of age. It was also reported that 2.5 million children suffer from severe malnutrition in northern Nigeria.
12. On 5 February, 2016 The Authority Newspaper (p. 11) reported that Community Partners for Development (CPD), disclosed that Nigeria has the highest prevalent rate of women suffering from Vesico Vaginal Fistula (VVF) in the world. It was also reported that more than 800,000 Nigerian women nationwide are living with the condition and that these women are abandoned, stigmatized and socially isolated. CPD recommended for the provision of more primary health care facilities in every LGA in the country as well as the provision of skill development and basic literacy to help women improve their physical, social and economic wellbeing.
13. On the 22nd March, 2017, Daily Trust Newspaper (page 4) reported that sixteen people have lost their lives to cerebrospinal meningitis in Maganna LGA of Niger State. The Commissioner of health confirmed this and said the outbreak was caused by intense solar radiation, poorly ventilated residences and unhygienic surroundings.
14. On the 27th March, 2017, Daily Trust Newspaper (page 4) reported that fatalities from the scourge of meningitis in Sokoto State tripled from 7 to 21 persons within the last one week. The State Commissioner of health, Dr. Balarabe Kakale confirmed the incident.

15. On the 27th March, 2017, Daily Trust Newspaper (page 10) reported that 4,000 cases of tuberculosis is detected in Kaduna yearly. The State Commissioner of health made the disclosure while addressing newsmen at the Ministry to mark World Tuberculosis Day.
16. On the 31st March, 2017, This Day Newspaper (page 50) reported that death toll from meningitis outbreak has risen to 270 in Sokoto, Kebbi, Katsina Zamfara and Niger States. The Nigeria Centre for Disease Control said given the size of the outbreak and the number of State affected, it was collaborating with the National Primary Healthcare to coordinate the response to the outbreak.
17. Daily Trust Newspaper (page 8) of 3rd April, 2017 reported that the Federal Government directed all federal medical facilities and primary healthcare centres to treat cases of meningitis free of charge. The Minister of Health disclosed this in a statement.
18. This Day Newspaper (page 11) of 5th April, 2017 reported that Internally Displaced Persons, prisons and other detention centres are susceptible to the outbreak of meningitis due to overcrowding and unhygienic conditions of the place.
19. Daily Trust Newspaper (page 27) of 25th April, 2017 reported that malaria is fast ravaging the displaced persons camp. In the new Kuchingoro IDP camp in Abuja, the Chairman of the camp lamented that the camp has repeatedly witnessed malaria outbreaks affecting adults and children alike since they arrived three years ago. He said the IDPs have been pleading with government to put them under the care of a public hospital but nothing has been done till date.
20. On the 23rd May, 2017 Punch Newspaper (page 4) reported that a thirteen years old boy, a pupil of Command Secondary School, Suleja was administered of drug by a nurse at the school's sick bay.

The boy who is reportedly suffering from burnt skin, blisters, red eyes and bleeding lips was been treated at the Kubwa General hospital. The boy who could barely speak said he wants the nurse to be sanctioned because of other pupils in the school.

21. Daily Trust Newspaper (page 4) of 30th May, 2017 reported that the Zamfara State Governor expressed worry over the number of qualified medical doctors in the State. According to the Governor, 3 million people in the State were being served by only 46 qualified Doctors.

22. On the 7th June, 2017, Daily Trust Newspaper (page 4) reported that over 50 pregnant women receiving prenatal and antenatal medical attention at the Amaku General Hospital Awka, Anambra State, protested against increase in the cost of services at the State Government owned hospital. The women stated that most of them have resorted to traditional midwives and private hospitals as result of the increase.
23. On the 4th July, 2017, Daily Trust Newspaper (page 25) reported that journalists have been advised to take cognizance of the human rights of parties involved when reporting on sexual and reproductive health. President of non-governmental organization, gave the advice during a training workshop on media coverage of sexual and reproductive health rights.
24. On the 12th September, 2017, Daily Trust Newspaper (page 26) reported that more than 20 internally displaced persons in camps within the Maiduguri metropolis have so far died as cholera continues to ravage the camp. The Borno State Commissioner of Health confirmed the death toll, He said Government is working to improve the sanitation.
25. On the 7th November, 2017, Daily Trust Newspaper (page 10) reported that the Amnesty International has urged the Nigerian Government to investigate the link between oil spills and baby deaths. The agency Director of Global issuers said this while reacting to a study that found babies in the Niger Delta were twice as likely to die in the first month of life if their mothers lived near an oil spill before falling pregnant. He added that the Nigeria government should establish a system of independent monitoring to alert communities to any health risks posed by the oil industry and hold companies to account for any damages caused by their activities.
26. On 27/3/2017 Daily Trust Newspaper at page10 reported that 4,000 cases of tuberculosis is detected in Kaduna yearly. The state commissioner of health made the disclosure while addressing newsmen at the Ministry to mark World Tuberculosis Day.

He went further to state that N20m has been approved by the state Governor for the promotion of tuberculosis programme and treatment.

27. On 17/4/2017 Daily Trust Newspaper at page 4 reported that the Borno state Government plans to introduce trauma counseling in its primary and post-primary schools to assist

students cope with post insurgency trauma which may impede learning. The Permanent Secretary, Ministry of Education made the announcement at the commemoration of the abduction of the Chibok girls.

28. On 30th May, 2017 Daily Trust Newspaper at page 4 reported that the Zamfara state Governor expressed worry over the number of qualified medical doctors in the state. According to the Governor, 3 million people in the state were being served by only 46 qualified doctors. To mitigate the wide gap of patients to doctors, the Governor has concluded plans to recruit about 200 additional health personnel.

CHAPTER 12

RIGHT TO EDUCATION

Every citizen of Nigeria is entitled to the right to education irrespective of gender, ethnic or social origin, religion or political preference, age or disability.

This right is encapsulated in international, regional and domestic human rights instruments which guarantee the right to education. This right is provided in the Universal Declaration of Human Rights (UDHR), International Covenant on Economic, Social and Cultural Rights (IECSR) and the African Charter on Human and Peoples' Rights (ACHPR). Other instruments where the right to education is guaranteed include the Convention on Elimination of Discrimination Against Women (CEDAW) and the Convention on the Rights of the Child (CRC).

Section 18 of the Constitution of the Federal Republic of Nigeria (CFRN) 1999 (as amended) provides that the Nigerian government shall direct its educational policy towards ensuring that there is equal educational opportunity for citizens at all levels and also to promote science and technology in schools, provide free and compulsory universal primary education, university education and strive to, when practicable, eradicate illiteracy.

It is instructive to mention that in a landmark judgment, the ECOWAS Community Court of Justice in *Registered Trustees of SERAP v. Federal Government of Nigeria*³² reaffirmed the position of these instruments where the court declared that States are obliged to promote and ensure the universality and indivisibility of all human rights as recognized by the ACHPR. It declared further that Nigerians have an enforceable right to basic education.

The educational system is anchored on the National Policy on Education (NPE) document that address the issue of imbalance in the provision of education in different parts of the country with regard to access, quality of resources and girls' education.

The Federal Ministry of Education (FMoE) is the line Ministry responsible for the coherence of the NPE and procedures to ensure that State policies operate within the bounds of NPE, taking into consideration, local realities.

The Co-ordination of this policy at the political level takes place through the National Council of Education (NCE), which is the highest policy making body, chaired by the Federal Minister of Education and includes all the State Commissioners of Education. This body is advised by the Joint

³² ECW/CCJ/JUD/18/12 available at www.Courtecowas.org <accessed on 22nd December, 2018>

Consultative Committee on Education (JCCE) and consists of all the Federal and State Directors of Education and Chief Executives of educational statutory bodies.

In spite of the robust structure put in place by Nigerian government, the education sector is faced with challenges which include, increase in out- of- school children, poor infrastructure, poor teachers' welfare, funding gaps, effect of insecurity in the country, among others. For instance, the Universal Basic Education Commission (UBEC) stated that result from the Demographic Health Survey (DHS) conducted by UNICEF in 2015³³ show that the number of out of school children in Nigeria has risen from 10.5 million to 13.2 million, which accounts for more than one in five out-of-school children and 45 percent of out-of-school children in West Africa.

The right to education contributes in promoting human rights, that is living in dignity, which is the basic overlap right, with other human rights. In other words, through its links to other rights, the right to education enhances dignity.

In September 2015, 193 world leaders committed to 17 global goals for sustainable development to end extreme poverty, fight inequality and injustice and protect our planet by 2030. Education being at the heart of the global development agenda was placed and rightly so as Sustainable Development Goal No 4. The international community has therefore pledged to 'ensure inclusive and equitable quality education and promote lifelong learning opportunities for all'

The 4th goal of the SDGs is much more ambitious as it seeks to improve education through greater access and equity for all ages of learners as well as improved and safer learning space and expanded number of qualified teachers. The goal goes further and through policy level commitments, recognizes the importance of education in emergencies and the need to address the educational needs of children in conflict and crisis areas. Goal 4 of the SDGs also seeks to ensure equal access to all levels of education and vocational training for the vulnerable, including persons with disabilities, indigenous people and children in vulnerable situations. In addition, it seeks to protect educational facilities from attack by providing safe learning environment. Collectively the goal seeks to ensure that children in crisis affected areas are on the SDG agenda at global and national levels.

Obtaining a quality education is the foundation to improving people's lives and sustainable development. Major progress has been made towards increasing access to education at all levels and

³³ <https://www.dailytrust.com.ng-out-of-sch-children> <accessed on 22nd December, 2018>

increasing enrolment rates in school particularly for women and girls. Such interventions include the Federal Government's Home Grown School Feeding Programme and others.

Basic literacy skills have improved tremendously yet bolder efforts are needed to make even greater strides for achieving universal education goals, for instance, the world has achieved equality in primary education between girls and boys but few countries have achieved that target at all levels of education.

Statistics obtained from the office of the Special Assistant to the President on SDGs state thus:

1. Enrolment in primary education in developing countries has reached 91% but 57 million children remain out of school
2. More than half of children that have not enrolled in school live in sub-Saharan Africa
3. An estimated 50% of out of school children of primary school age live in conflict-affected areas
4. 103 million youth worldwide lack basic literacy skills and more than 60% of them are women

No doubt promoting the right to education is very important in advancing the socio-economic development of the citizenry in particular and the society in general.

Complaints Received on Right to Education

1. C/2016/1763 - 1765/NCZ

The Commission received a complaint dated 13th of January 2016 from X alleging that the father of her two children removed them from school thereby abusing their right to education.

2. C/2016/1169182/HQ

The Commission received a Complaint dated 13th September, 2016, from Y alleging non-computation and release of his result by the University of Ibadan (UI). Y claimed that he graduated from the University of Ibadan in 1998 and since then, the University refused to compute his result and has not issued him with same thereby preventing him from advancing in life. He further stated that the University is alleging that he failed some courses and as such, he has to re-write the exams on the courses he failed. He however stated that this is false because he passed all his exams and was cleared for his final year project with a copy in the school library.

3. C/2017/7449/HQ:

The Commission received a complaint from Southern Kaduna Youth and Students Forum decrying the closure of higher education institutions in the southern part of Kaduna State. They stated that three institutions have been closed since December 2016 due to the unrest that happened in that area at the time.

MEDIA REPORT ON RIGHT TO EDUCATION

1. On 17/4/2017 ,Daily Trust Newspaper (page 14) reported that the Borno State Government has plan to introduce trauma counselling in its primary and post-primary schools to assist students cope with post insurgency trauma which may impede learning. The Permanent Secretary, Ministry of Education made the announcement at the commemoration of the abduction of the Chibok girls.
2. Daily Trust Newspaper (page 31) of 17th August, 2017 reported that the United Nations Children's Education Fund, UNICEF has said Nigeria may not attain the Education for All target by 2020. It said it was worrisome that about 10.5m children or 20% of global total did not go to school in Nigeria.

INTRODUCTION

The rights of workers in Nigeria are guaranteed and protected by the CFRN 1999, as amended, Labour legislations as well as international and regional human rights Instruments to which Nigeria is a party. The effect of these instruments guarantee the basic tenets of workers' rights and seeks to uphold labour standards that represent the minimum requirements under which workers provide their services. It also provides avenues through which workers can lay claim to protection and ensure that conditions of work are just and humane.

Sections 17, and 42 of the CFRN 1999, as amended guarantee that all citizens shall, without discrimination, have equal opportunity for securing their livelihood under just and humane environment. These provisions are also contained in the ACHPR and (Cap A9) Laws of the Federation of Nigeria 2004.

The Labour laws that confer rights on workers and defines obligations include; The Labour Act, Trade Union Act and the Wages Board and Industrial Councils Act. The combined effect of these legislation seek to guarantee and recognize the right of workers to organize, the right to collective bargaining as well as the right of unions to act on behalf of their members. Furthermore, there is the Factories Act, and Employee's Compensation Act, which seek to protect workers from work-related hazards and diseases as well as making provisions for compensation for injuries or disabilities suffered in the course of employment.

In order to give effect to these laws, the Nigerian government established statutory bodies with defined mandates, namely, the Federal Ministry of Labour and Productivity (FMLP), National Labour Advisory Council (NLAC), Industrial Arbitration Panel (IAP) and the National Industrial Court of Nigeria (NICN).

However, in spite of the legal and regulatory framework for the protection of workers and the fact that Nigeria is a party to over 30 International Labour Organization (ILO) Conventions, violations of trade union rights are widespread in the country. The trend of these violations include, but are not limited to intimidation of workers that are members of trade unions, refusal by employers to recognize trade unions, and dismissal of workers' representatives for trade union activities.

An increase in the casualization of workers has led to difficulties in organizing workers particularly in the oil and construction industries.

Complaints Received on Labour Rights

1. C/2016/104/KD

The Commission received a complaint on the 31st May 2016 from Y on allegation of non-payment of benefit against a Company. According to Y, he started working with the Company on the 3rd October, 2007 as a security man. He further stated that he had an accident on his way to the office, which affected his right hand and he was taken to several hospitals.

He claims that after two (2) weeks he went to the company to inform the manager that since there is no improvement, he wants to go for native treatment. He further alleged that he went to the company

asking for his salary and was told to tender his resignation letter in order to claim his benefit. He alleged that since then he has not received any money from the Company.

2. C/2016/23/KD

The Commission received a complaint on the 1ST February 2016 from Y alleging that his employer terminated his appointment and refused paying him his outstanding salary.

3. C/2016/77/SSZ

The Commission received a complaint from X alleging that she was a staff of a Bakery where she had a domestic fire accident on 26th March, 2016. She further claimed that her employer refused to take responsibility of the medical bills she expended during her stay at the hospital.

4. C/2016/116775/HQ

The Commission received a Complaint from Yon 18th July 2016 against his employer, a Construction Company. He alleged work- place injury and sought for payment of medical bills and compensation.

5. C/2016/1169121/HQ

The Commission received a Complaint from Y dated 31st October, 2016, alleging work-place injury and requesting for payment of compensation from his employer, a construction company.

6. C/2016/102/SSZ

The Commission received a complaint from X where she alleged that upon termination of her employment on 6th June 2016, her employer refused to pay her salary from January to May, 2016. Upon the Commission's intervention, the salary was paid.

7. C/2017/5443-5450/HQ

The Commission received a complaint dated 30th of March 2017 from Y alleging that his late son was a staff of a Health Insurance Organization before his death. He also alleged that after his son's death, the Pension Managers refused to pay his late son's pension to his family thereby leaving deceased family to suffer untold hardship and all efforts to get them to pay the entitlements has been futile.

8. C/2017/12/EK

On 28th March, 2017 Y complained against the Ekiti State Government for forceful retirement and non – payment of pension and other retirement benefits. He stated that he served the Ekiti State Government for a period of twenty five (25) years and rose to the position of Permanent Secretary in the Ministry of Local Government and Community until he was forcefully retired on 27th November, 2014.

He also claimed to have suddenly heard his retirement on the radio and that since then, his pension has not been paid neither has he been paid any other retirement entitlement.

8. C/2017/023/G

On 9th December, 2017 the Commission received a complaint from X alleging non-payment of her late husband's benefit and Pension. She also alleged that her husband worked with Federal Medical Centre, Gombe State prior to his death in 2012. She thereafter followed all necessary procedures to secure his benefit and pension of her late husband which proved abortive.

9. C/2017/607/BSO

The Commission received a complaint on 27th April, 2017 from Y against his employer (school) Y alleged that his salary of 5 month amounting to N75,500= (Seventy-Five Thousand, Five Hundred Naira) was not paid to him.

10. C/2017/5126-5129/HQ:

The Commission received a complaint dated 28th February, 2017 from Y and 3 others against the National Commission of Refugee. They alleged that they were disengaged from service by the National Commission of Refugee on the 22nd July, 2010, and they benefits were not paid.

11. C/2017/8763/HQ:

The Commission received a complaint dated 22nd December, 2017, from Y against a company. He alleged that he worked as a security man for a salary of N15,000.00 per month. That he was receiving full payment until his employer decided to cut his salary without any cogent reasons. He also alleged that his employer is owing him N147,500.00 from June 2015 to March 2016 (10 months).

12. C/2017/8814/HQ:

The Commission received a complaint dated 3rd January 2017 from X alleging non-payment of pension. He claimed that he had a challenge in accessing his pension funds from Premium Pensions Limited which is his Pension Fund Administrator (PFA), and it was discovered that he has been allocated 2 “pin” numbers. He claimed that at the point of registration, one ‘pin’ number was allocated to him but he had no knowledge on how another pin was allocated to him. That his Pension Fund Administrator (PFA) and National Pension Commission have refused to address the issue after his formal complaints.

13. C/2017/8127-8155/HQ:

The Commission received a complaint from a group of 30 ex-Army Officers who were retired by the Nigerian Army on the 10th January 2015 for failure to pass the entrance examination into National Defence Academy.

14. C/2017/180/KD

On 20th October 2017 the Commission received a complaint from X alleging that his employer terminated his appointment without paying him his 3 months entitlement/benefit.

15. C/2017/1/4965-4966/HQ

The Commission received a complaint dated 2nd of February 2017 from a law firm alleging that the appointment of their client was wrongfully terminated by Federal Road Safety Corps without notice.

16. C/2017/8024/HQ

The Commission received a complaint dated 10th of October 2017 from a Law Firm alleging that the employment of their client was wrongfully terminated by Nigerian Maritime Administration Safety Agency (NIMASA). They further alleged that the Senior Staff Committee of the Agency reviewed the case and ordered that he be re-instated back to service and that despite the review and findings, the Agency has refused to re-instate him.

17. NHRC/OSUN/17/070

The Commission received a complaint dated 5th of December 2017 from Y alleging that his employer, refused to pay him his salary as security guard attached to his house.

18. NHRC/OSUN/16/078

The Commission received a complaint dated 12th of October, 2016 from Y alleging that his employer refused to pay his salary and other entitlements.

19. NHRC/OS/017/005

The Commission received a complaint dated 25th July 2017 from Y alleging that he was formerly a staff of a Bank in Lagos State and rose through the ranks to the position of Deputy Manager (imports). He further alleged that in 1996, his appointment was unlawfully terminated by the Bank.

20. NHRC/OSUN/17/042

The Commission received a complaint dated 14th of July 2017 from Y alleging that he was a former employee of a certain company who outsourced him to Bank in Osogbo Branch. He further alleged that the management of the Bank accused him of being involved in Western Union/Money Gram diversion and collaboration in defrauding customers. He also alleged that he was issued a query which he replied, but that his employer who recruited him for the bank placed him on indefinite suspension without waiting for the outcome of the investigation into the matter.

21. NHRC/OSUN/017/002

The Commission received a complaint dated 4th of January 2017 from Y alleging that since his retirement from a Company he has not been paid his retirement benefits and pension.

22. C/2017/7299/HQ

The Commission received a complaint dated 25th of July 2017 from X alleging that she started working with a company in 2007, and was later disengaged on 18th of July 2016. She claimed that despite the deduction of N200 (Two hundred Naira) from her monthly salary, the company has refused to pay her pension and other benefits.

23. C/2017/189/KD

The Commission received a complaint from X on 1st November 2017 alleging that the security outfit he worked for did not pay his salaries. He further alleged that his appointment was terminated and the company still owes his 2 months outstanding salaries.

24. C/2017/96/AMO

The Commission received a complaint from Y on alleged nonpayment of salaries and retirement benefit. He stated that he was employed by a company in the year 2010 and worked for the company for 6(six) years. He further stated that due to ill health he applied for resignation and the company approved his request on the 1st September, 2016. He further alleged that the company failed to pay him his retirement benefits in line with the condition of service of the company

OTHER THEMATIC ISSUES

CHAPTER 14

TERRORISM AND INTER-COMMUNAL VIOLENCE

INTRODUCTION

Terrorism and other forms of violence have real and direct impact on human rights, with devastating consequences for the enjoyment of the right to life, liberty and integrity of victims, health, education, housing, sanitation, agriculture and food security. In addition to these individual costs, terrorism and other violence can destabilize Governments, undermine civil society, jeopardize peace and security, and threaten social and economic development.

The security of the individual is a basic human right and the protection of individuals is, accordingly, a fundamental obligation of Government. States therefore have an obligation to ensure the human rights of their nationals and others by taking positive measures to protect them against the threat of terrorist acts and bringing the perpetrators of such acts to justice.

Accordingly, section 14 (2)(b) of the Constitution of the Federal Republic of Nigeria (CFRN) 1999 provides that-

“... the security and welfare of the people shall be the primary purpose of government.

For the effective discharge of the task of protecting the lives and properties of citizens, law enforcement agencies are empowered to prevent internal insurrection.

Although the Nigeria Police Force (NPF) is the law enforcement institution mentioned by section 214 of the CFRN 1999 for the maintenance of law and order, other law enforcement agencies were mandated to design activities to contain threats to internal security in Nigeria. These are:

- Department of State Service (DSS);
- The Nigeria Police Force (NPF);
- National Intelligence Agency (NIA);

- Nigerian Immigration Service (NIS);
- Nigerian Customs Service (NCS);
- Economic and Financial Crimes Commission (EFCC);
- National Drug Law Enforcement Agency (NDLEA).

The United Nations Security Council (UNSC) pursuant to Resolution **1373** required member-States of the United Nations to make terrorism a serious crime in domestic legislation along with terrorist funding and other ancillary offence. Thus the Terrorism Prevention Act (TPA) 2011 and Terrorism (Prevention) (Amendment) Act 2013 were enacted, essentially, to prevent and deal with the wave of terrorism in Nigeria. In the same vein, section 15 of the Economic and Financial Crimes Commission Act prohibits facilitation of and financing of terrorist acts.

Despite this legal and institutional framework, terrorism and other violence continue challenged the peace, stability, growth and development of Nigeria the form of intermittent outbreak of violence and insurgency in parts of the country, especially the Niger Delta and the Northern parts of the country. For instance, there were the Movement for the Emancipation of Niger Delta (MEND) and the Niger Delta Peoples Volunteer Force which held Nigeria spellbound for a period over three years by their violent acts. The militant groups killed, maimed and kidnapped innocent citizens. They attacked petroleum operations in Nigeria and engaged in other criminal activities such as guerrilla warfare, sabotage, theft and destruction of properties.³⁴

Since 2009, an Islamic sect- Jama'atu Ahlis Sunna Lidda'awati al Jihad³⁵ (JALISWAJ aka "Boko Haram"³⁶), has engaged in series of brash attacks and heinous acts on citizens in Nigeria ever since its founder, Ustaz Mohammed Yusuf was killed. Boko Haram came into limelight when it sparked off an uprising by the refusal of its members in Maiduguri to wear helmets, while riding motor cycles, as required by a Motorbike Helmet Law of Borno State. This generated a conflict between members of the sect and policemen that attempted to enforce the law. The violence that erupted as a result of this conflict left over 1000 people dead, and has spread has States, namely; Adamawa, Bauchi, Potiskum Taraba and Kano.

³⁴ Ajileye, O.A: "**Legal Framework for Prevention of Terrorism in Nigeria**" (Research Gate 2015) being a paper presented at the Law Week programme of the Nigerian Bar Association, Lokoja Branch, on Thursday May 15, 2015.

³⁵ an Arabic name which in English means 'People Committed to the

³⁶ A Hausa name which translates into 'Western education is

Although international spotlight seems to be on terrorism and insurgency, yet inter communal conflicts fuelled by ethnic and religious tensions flicker recurrently in parts of the country activated by a multitude of factors, including ethno-religious disputes, crime, cattle rustling, land disputes and tensions between pastoralists and farmers leading to loss of lives and displacement. In its First Round Report on Conflicts and Violence in Nigeria, the National Bureau of Statistics (NBS) categorized causes of conflict in Nigeria to include terrorism (72%), land or resource access (7%), cultism or criminality (15%), ethnicity, politics or religion (2%), personal disputes, amongst others. The report indicated that households in North East Nigeria are the most exposed to all types of conflict events. In particular, the report stated that from 2010 -2017, 49% of households in the Northeast experienced at least one event of conflict or violence. Households affected by conflict experience an average of 3.4 conflict events between 2010- 2017. More than one in five households had a member displaced (27%), one third (30%) had members of their family killed, their dwelling robbed (22%) or access to school blocked (21%) at least once between 2010- 2017.

While the International Rescue Committee (IMC) states that there are about 2.5million people displaced, the Internal Displacement Monitoring Centre gave the number of displaced persons as at 31st December 2016 at 1,955,000, with about 14200 new cases between January –June 2017. An additional 200,000 Nigerians live as refugees in neighboring countries.

Indeed Nigeria, had, in the past, witnessed similar incidence of communal /religious crises from the Tiv-Jukun conflict in north Central, the Kaduna religious crisis, Ife-Modakeke conflict in Ogun State and the religious crises in Plateau State. In recent times, the post-election violence affected some states in the northern part of the country and in the years under review, there have been incessant killings due to clashes between farmers and pastoralists in some parts of the country leading to communal conflicts and other violence with far reaching consequences on development and the fundamental human rights of Nigerians in all its ramification. Whereas the International Crisis Group (ICG) mentioned that these incidents have occurred in 22 out of the 36 states in Nigeria, the states mostly affected by this phenomenon are Benue, Kaduna, Taraba, Nasarawa and Zamfara States, respectively. The negative impact of these clashes often results to destruction and vandalism of property and loss of lives and consequently increasing the level of poverty in the society. It must be emphasized that high levels of armed violence and insecurity have a destructive impact on a country's development, affecting economic growth and often resulting in long standing grievances that can last for generations.

In the years under review, cattle rustlings have become a major crime in Nigeria, with the northern region being the hardest hit. Rustling activities have resulted in the theft of a huge number of cows, death, displacement, loss, and the destruction of lives and property, thereby disturbing peace and security. Virtually all of the states in the northern region of Nigeria are affected by cattle rustling. States affected by this scourge include In Plateau State,

Kaduna, Katsina, Zamfara, and Niger have been under siege from cattle rustlers who freely unleash terror on hapless herders and cow farmers. The Special Task Force (STF) set up by the Nigerian security forces in response to the security challenges in Jos, Plateau State, confirmed that within a period of six months 160 attacks by gunmen resulted in 2,501 cows being rustled and 260 people losing their lives. In most cases, the rustlers wore military-style camouflaged uniforms and showed considerable experience in herding; in some instances, cattle were “kidnapped,” with the rustlers asking for money afterwards³⁷.

This situation is further exacerbated with the rise in smuggling of Small Arms and Light Weapons (SALW) into the shores of the country. For instance, sometimes in January 2017, a truck conveying 49 boxes which contained 661 pump action rifles was intercepted. As if that was not enough, we were shocked to hear interception by the Nigeria Customs Service (NCS), of 1,100 firearms which were smuggled into this country. Thus the proliferation of (SALW) has remained a threat to peace and the security of lives and, therefore, critical challenge to our law enforcement agencies. These illegal possessions of firearms have led to the mass killing of unarmed individuals.³⁸

In fighting terrorism and other violence, therefore, government must take exceptional measures to ensure public security. But whatever the emergency situation, some fundamental human rights and freedoms can never be suspended or derogated, such as the right to life; the right to freedom from torture and all forms of cruel, inhuman, or degrading treatment; and the right to freedom of thought, conscience, and religion. In addition, human rights treaties such as the International Covenant on Civil and Political Rights establish that any restrictions on other rights must be, among other requirements, exceptional and temporary in nature; limited to the extent strictly required by the exigencies of the situation; non-discriminatory solely on the ground of race, color, sex, language, religion or social origin; and consistent with the state party's other obligations under international law, particularly the rules of international humanitarian law to which Nigeria is party to.

³⁷ Olaniyan, A & Yahaya, A: *“Cows, Bandits & Conflicts: Understanding Cattle Rustling in Northern Nigeria”* (2016 GIGA German Institute of Global & Area Studies and Institute of African Studies) page 94.

³⁸ The ICG, stated that in December 2017, an army commander in Yola, Adamawa state, said herders intending to attack Bachama villages were so well armed that troops had to use rocket-propelled grenades to disperse them.

Complaints Received on Terrorism and Inter-Communal Violence

1. C/2017/8416/HQ

The Commission received a complaint dated 16th of November 2017, from XY alleging that the members of Ugambe Konshisha community and the people of Mbayase Community of Gwer LGA in Benue state live within the same L G A and share the same expanse of land. He further alleged that over the years, there had been communal disputes between both communities over the ownership of land which they both occupy and that for the past 24 years, members of Ugambe Konshisha community had been rendered homeless as a result of the conflict, resulting in them becoming internally displaced persons in their community. He further alleged that their children who are growing up in the village have not had access to education and that they have lost access to their means of livelihood, which is farming. The complainant further alleged that as a result of this crisis, the people of Mbayase Community usually blocks the village access road (Ojo and Agbelagba), attack members of their community and have killed a few of them.

MEDIA REPORTS ON TERRORISM AND INTER-COMMUNAL VIOLENCE

1. This Day Newspaper (page 16) of 16th June, 2017 reported that at least 20 persons have been feared killed following the outbreak of communal war in border communities of Cross rivers and Ebonyi States.
2. Daily Trust Newspaper Page 6 of 6th September, 2017 reported that a group of kidnappers who abducted a director with the Kaduna state Ministry of Education are demanding N40m ransom. The victim was abducted in his residence at midnight in kaduna.
3. On 23rd February, 2016 The Authority Newspaper Page 10 reported that internally displaced persons in the FCT have insisted that they will not return home until security in the recaptured town is guaranteed. It was observed that the IDPs who were largely from Gwoza in Borno and parts of Adamawa states are not in a hurry to return home as they carried on with their everyday activities.
4. On 10/4/2017 Daily Trust Newspaper at page 4 reported that some unidentified gunmen abducted Mr. Gabriel Odu-Orji, the Commissioner for Water Resources, Cross River state. The State PPRO confirmed the incident and stated that policemen have been deployed to all areas in the state to arrest the kidnapped.
5. On 14/9/2017 Daily Trust Newspaper at page 10 reported that the National Human Rights Commission has charged the military to respect their rules of engagement while engaging in their operation in the South-East and South-South areas of the country. The acting Executive Secretary of the Commission stated this while reacting to allegations that Nigerian soldiers on operation python dance attacked the indigenous people of Biafra (IPOB).
6. Daily Trust publication of 18th April 2017 reported on page 20 that suspected gunmen shot and killed two policemen at a Police Outpost near Suleja, Niger State and made away with their guns. The Niger State Police Public Relations Officer confirmed the attack.

7. This Day Newspaper publication of 13th 2017 reported on Page 48 that five persons were feared dead in a fresh attack by suspected Fulani Herdsmen in Turan Kwande LGA of Benue state. The Benue state Police Public Relations Officer confirmed the attack.
8. Daily Trust publication of 17th April 2017 reported on page 5 that some unidentified gunmen killed a journalist, Mr. Famous Giobaro in Bayelsa State. The victim was a staff of the state owned Glory FM 97.1. The Bayelsa Police Public Relations Officer confirmed the incident stating that the Command was yet to get the full details of the incident.
9. This Day publication of 10th April 2017 reported on page 75 that no fewer than eight persons were killed in a three day onslaught that ensued between two rival cult groups in Ilorin, Kwara state. The state commissioner of police confirmed the incident and stated that an investigation was ongoing.
10. On the 4th of July, 2017 Daily Trust Newspaper (page 4) reported that at least, 150 people were killed in the clash between Wanikade and Wanihem communities in Yala LGA of Cross River State.
11. On the 5th of December, 2017 Daily Trust Newspaper (page 6) reported that many persons were feared killed in outbreak of communal violence in villages in Adamawa State. The Police spokesperson stated that hundreds of soldiers and mobile policemen have deployed to restore normalcy in the areas.
12. On the 17th April, 2017, Daily Trust Newspaper (page 14) reported that the Borno State Government plans to introduce trauma counseling in its primary and post-primary schools to assist students cope with post insurgency trauma which may impede learning. The Permanent Secretary, Ministry of Education made the announcement at the commemoration of the abduction of the Chibok girls.
13. On the 9th August, 2017, Daily Trust Newspaper (page 16) reported that a Judicial Commission to review compliance of the armed forces with human rights obligations and rules of engagement especially in local conflict and insurgency situations has been set up by the Federal Government. The Commission is mandated amongst others to investigate alleged acts of violations of international humanitarian and human rights law under the constitution of Nigeria, Geneva Conventions Act and other human rights principles.
14. Daily Trust Newspaper (page 3) of 22nd March, 2017 reported that the Senate called on the Osun State Government to constitute a commission of inquiry to ascertain the immediate and remote cause of the violence in Ile-Ife that resulted in loss of lives.\
15. Daily Trust Newspaper (page 8) of 4th April, 2017 reported that the Federal Government has reiterated its commitment to work with the UNHCR to address the humanitarian crisis in the North-East. The Minister of Foreign Affairs made this known when the UNHCR country representative to Nigeria paid him a courtesy call.

16. On the 8th of June, 2017, This Day Newspaper (page 51) reported that the United Nations High Commissioner for Human Rights, Zeid Al-Hussein has admitted he made an uncomplimentary remark about Nigeria Human Rights Status and consequently tendered an

apology to the Federal Government. The envoy, had recently described Nigeria as being an “uncooperative” member regarding human rights issues and also accused the Nation of blocking multiple UN expert visits to human rights hotspots in Nigeria.

17. On the 19th December, 2017, Daily Trust Newspaper (page 8) reported that, about 1520 people have been displaced by communal crisis in Numan, Adamawa State and are seeking refuge in border IDP camps in Gombe State. The IDPs living in a temporary camp have overstretched the facilities in the school in Adamawa State.
18. Daily Trust Newspaper (page 30) of 5th October, 2017 reported that gunmen suspected to be kidnappers, kidnapped a popular musician and social critic and shot his wife during the operation in Egor LGA of Edo state. The Edo state PPRO confirmed the incident and that investigation is ongoing.
19. Daily Trust Newspaper (page 34) of 25th October, 2017 reported that, gunmen have killed 2 policemen and abducted an expatriate in Kogi State. The gun men had emerged from the bush while the expatriate was inspecting an ongoing road construction. The Kogi State police command has confirmed the incident.
20. On the 22nd November, 2017 Daily Trust Newspaper (page 5) reported that a staff of the Federal Road Safety Corps has been killed and 2 others abducted along Kaduna-Abuja expressway. The kidnappers, is alleged to have started calling family members of the victims to demand ransom.
21. On 19th September, 2017, Daily Trust Newspaper (page 7) reported that a Kaduna based businessman was shot dead by gunmen on the Kaduna-Abuja express way while his wife was kidnapped. The kidnappers demanded for N20m ransom to free the wife.
22. Daily Trust Newspaper (page 4) of 11th December, 2017 reported that kidnappers killed 3 people and kidnapped 10 people along the Kaduna-Sarkin Pawa road in Niger State. It is believed that kidnappers who were dislodged from the Abuja - Kaduna expressway have shifted base to Niger State and wreaking havoc in the area. The Niger state Commissioner of Police has confirmed the incident and stated that the Command is working hard in rescuing the kidnapped.
23. On the 28th of December, 2017, Daily Trust Newspaper (page 27) reported that the prime suspects in the abduction and killing of a Portuguese construction engineer with Dangote Company stated that they killed the expatriate out of anger for failure to get the ransom demanded.
24. Daily Trust Newspaper (page 10) of 28th March, 2017 reported that two business men in Sokoto State were kidnapped by gunmen. According to the report, the victims were taken from their houses in Giyawa Village, Gomyo LGA.

25. On 9/8/2017 Daily Trust Newspaper at page 16 reported that a judicial commission to review compliance of the armed forces with human rights obligations and rules of

engagement especially in local conflict and insurgency situations has been set up by the federal government. The commission is mandated amongst others to investigate alleged acts of violations of international humanitarian and human rights law under the constitution of Nigeria, Geneva conventions Act and other human rights principles.

26. Daily Trust Newspaper (page 4) of 10th April, 2017 reported that some unidentified gunmen abducted Mr. Gabriel Odu-Orji, the Commissioner for Water Resources, Cross River State.
27. On the 26th May, 2017, This Day Newspaper (page 11) reported that gunmen numbering over 15 stormed the Lagos Model College and successfully abducted six male students who were picked randomly.
28. On the 8th of June, 2017, Daily Trust Newspaper (page 4) reported that four family members were abducted at gun point along the Kaduna-Abuja express way.
29. On the 17th September, 2017, Daily Trust Newspaper (page 10) reported that the DPO attached to the Sarkin Pawa police division in Munya LGA of Niger State, his orderly and 4 others have been kidnaped by gunmen.
30. On the 18th October, 2017, Daily Trust Newspaper (page 3) reported that the Inspector General of Police has stated that death sentences for convicted kidnappers would drastically reduce the menace of kidnapping in the country. He endorsed the bill passed by the National Assembly that includes death sentence as punishment for convicted kidnapping suspects.
31. On the 7th November, 2017, Daily Trust Newspaper (page 8) reported that the 71 years old mother of the Chairman of the Labour Party has been kidnapped in Ilorin, Kwara State. She was allegedly kidnapped by 4 persons at her family house.
32. On the 5th of December, 2017, Daily Trust Newspaper (page 27) reported that the Senator representing Ekiti North senatorial district between 2007 and 2011 has been kidnapped. He was kidnapped alongside his driver. The abductors have contacted the family and demand N80m ransom.
33. On the 6th September 2017, Daily Trust Newspaper (page 6) reported that a group of kidnappers who abducted a director with the Kaduna State Ministry of Education are demanding N40m ransom. The victim was abducted in his residence at midnight in kaduna.
34. On the 24th August, 2017, Daily Trust Newspaper (page 7) reported that a former minister, Alhaji Hussaini Akwanga has been kidnapped from his farm in Akwanga Local Government area of Nasarawa state.
35. On the 1st June, 2017, Daily Trust Newspaper (page 1) reported that hundreds of Nigerians are still being abducted for ransom even though many States have made kidnapping a capital offence. The Newspaper reported although the laws have been passed since 2008 in some States, no executions of kidnappers has taken place and kidnapping rages on despite death penalty.

36. On 19th December, 2017 Daily Trust Newspaper at page 8 reported that, about 1520 people have been displaced by communal crisis in Numan, Adamawa state and are seeking refuge in border IDP camps in Gombe State.
37. On 13th November, 2017 Daily Trust Newspaper at page 26 reported that the internally displaced persons living in Waru camp in the Apo area of the FCT have lamented the deplorable environment of the camp and demand to be returned to their state of origin.

CHAPTER 15

CORRUPTION

INTRODUCTION

Transparency International defines corruption as “an abuse of entrusted power for private gain.” Corruption generally refers to dishonest or fraudulent conduct by people vested with authority and usually takes the form of bribery, gratification (e.g. giving/receiving gifts) or may be seen in the way and manner issues are handled and conducted within a system.

Corruption is a vice that permeates the political, socio-economic, religious, institutional, and judicial life of any nation. It poses a serious challenge to Nigeria, and has the potential to impoverish the people and slow the pace of development of a country with attendant negative and grave impacts on the populace. Corruption thrives in a society where punishment for corrupt practices is inadequate or non-existent.

Good governance on the other hand is the practice of ensuring greater satisfaction of people or a society through entrenching transparency, accountability, respect for human rights and the rule of law. The quality of life enjoyed by the citizenry is a function of the level of corruption prevalent in the system. Absent of low level of corruption therefore will lead to the entrenchment of transparency and accountability in the provision of public services, and sustainable improvement in public service delivery.

For Nigeria to attain its aspiration of becoming one of the most developed countries in the world, the fight against corruption must be pursued and fought non-selectively across political party affiliations or boundaries and at all levels of government.

Nexus between corruption and human rights

While human rights grant individuals entitlement to live with dignity and freedom, corruption on the other hand impedes the full realization of human rights.

Corruption deprives the state of available resources or capacity to meet its obligations to respect, protect, and fulfill the human rights of its citizens.

It drains public resources thereby maintaining widespread poverty, exclusion and inequality, hunger, illiteracy, poor medical care, increased infant and maternal mortality, poor amenities, and insecurity. Corruption also often results in slow economic growth and underdevelopment, as well as poor infrastructures and services.

Background on fight against corruption in Nigeria

The fight against corruption in Nigeria began during the 1970s. However, corruption escalated during the 1980s and 1990s – prompting then President Olusegun Obasanjo, in his inaugural speech in 1999, to state inter alia:

“The rules and regulations for doing official business were deliberately ignored, set aside or bypassed to facilitate corrupt practices, instead of progress and development which we are entitled to, except those who govern us. We experienced in the last decade and half, and particularly in the last but one regime, persistent deterioration in the weakening of all institutions.”

Unfortunately, the level of corruption in Nigeria appears to have increased in size and proportion between 2016 and 2017. Progress made in the fight against corruption would appear not to have been sustained, or the approach by successive government may not have yielded the desired result. This has resulted in the country falling deeper in the Transparency International Corruption Perception Index.

In the most recent Transparency rating, Nigeria recorded negative growth in the fight against corruption. Nigeria moved 12 places backward from its previous 136th position to 148th. Barring any error in the latest Transparency rating, it means that corruption has deepened in Nigeria within the period under consideration.

Legal Framework

To ensure that the fight against corruption is won, anti-corruption legislation must be put in place. Nigeria is a party to several regional and international conventions and agreements that pertain to corruption. These include the UN Convention Against Corruption (UNCAC), the African Union Convention on Preventing and Combating Corruption, and the ECOWAS Protocol. Although Nigeria has signed and ratified the UNCAC and UNTOC treaties, it has yet to domesticate these instruments.

The UNCAC applies to the prevention, investigation, and prosecution of corruption and to the freezing, seizure, confiscation, and return of the proceeds of offences established in accordance with this convention. Article 5 (Preventive anti-corruption policies and practices) states that its legal system shall develop and implement or maintain effective, coordinated anti-corruption policies that promote the participation of society and reflect the principles of the rule of law, proper management of public affairs and public property, integrity, transparency and accountability.

The African Union Convention on Preventing and Combating Corruption has mandatory requirements for declaration of assets by designated public officials and restrictions on immunity for public officials. Article 5 (2) calls for state parties to strengthen national control measures to ensure that the setting up and operation of foreign companies in the territory of the state party shall be subject to the respect of the national legislation in force. Article 19 calls on State parties to collaborate with the countries of origin of multi-nationals to criminalize and punish the practice of secret commissions and other forms of corrupt practices during international trade transactions. It also encourages all countries to take legislative measures to prevent corrupt public officials from enjoying illegal acquired monies.

The ECOWAS Protocol on the fight against corruption requires that each state party create effective mechanisms for preventing, punishing and eradicating corruption, as well as boost the cooperation between states parties with a view to improving the efficiency of measure for combating corruption, and promoting the harmonization and coordination of national laws and policies for combating corruption.

Nigerian Legal Context

Many of the provisions of these international treaties have also been drafted into domestic laws, such as the Independent Corrupt Practices and Other Related Offences Commission (ICPC) Act, Economic and Financial Crimes Commission (EFCC) Act, Public Procurement Act, and Criminal laws (e.g. Criminal Code and Penal Code).

Nigeria has also established anti-graft agencies to combat corruption, such as:

- Office of the Auditor-General at the federal and state levels
- Economic and Financial Crimes Commission (EFCC)
- Independent Corrupt Practices and Other Related Offences Commission (ICPC)
- Nigerian Extractive Industries Transparency Initiative (NEITI)
- Code of Conduct Bureau (CCB) and Code of Conduct Tribunal (CCT)
- Fiscal Responsibility Commission
- Bureaus of Public Procurement (BPPs) at the federal and state levels.

Progress towards eliminating corruption in Nigeria

Apart from the investigation and prosecution of suspected corrupt persons in the country, the anti-graft agencies are noted to have pursued the repatriation of looted funds in foreign bank accounts back to the country and into the coffers of the Federal Government.

The federal government's introduction of the Treasury Single Account (TSA) policy, Bank Verification Number (BVN) are also some of the innovations and policies that are aimed at curbing or eliminating corruption in Nigeria.

Complaints Received on Corruption

1. C/8168-8169/HQ

On the 24th October, 2017 the Commission received a complaint from X alleging that in May 2017 her building materials were stolen and the suspect was arrested and confessed to committing the crime and agreed to pay what he had stolen. She also alleged that the suspect was released after paying the money to the Police but that the Police did not remit the money to her.

2. C/2017/7784/HQ:

The Commission received a complaint on the 31st August 2017, from Y alleging that he paid money to file cases on civil and criminal matter in court but he did not appear in court for any of the cases.

MEDIA REPORT ON CORRUPTION

1. On 16/8/2017 Punch Newspaper at page 4 reported that a 58 year old farmer was allegedly compelled to part with N100, 000 after he was wrongly arrested and detained by operatives of SARS Lagos state. The Lagos state Police Public Relations Officer confirmed the incident, he said investigation is ongoing.
2. On 28th August, 2017 Punch Newspaper page 4 reported that two lawyers were assaulted by policemen from the Ogun state police command. The lawyers were beaten for alleged disrespect to the Ijebu Ode Police Area Commander. The policemen were alleged to have queried the lawyers for not prostrating for the commander after they were introduced to the commander by a client.
3. On 6th September, 2017 Daily Trust Newspaper at page 10 reported that the attorney general of Kaduna state stated that the tradition of torturing suspects to obtain confessional statement by security agents without their lawyers is now illegal in the state.

CHAPTER 16

ACCESS TO JUSTICE AND INDEPENDENCE OF THE JUDICIARY

INTRODUCTION:

Access to justice is a basic principle of the rule of law. It encompasses not just the right of people to access courts and secure legal representation but also the ability to seek and obtain a remedy through formal or informal institutions of justice for grievances in line with human rights standards.

In the absence of access to justice, people are unable to have their voice heard, exercise their rights, challenge discrimination or hold decision-makers accountable.³⁹ Also, there is no access to justice where the justice system is financially inaccessible or where citizens (especially marginalized and vulnerable groups) do not have information or knowledge of their rights; fear the justice system; see it as alien or do not access it.⁴⁰

Paragraphs 14 and 15 of the UN Declaration of the High-level Meeting on the Rule of Law, the UN Guiding Principles on Access to Legal Aid in Criminal Justice Systems as well as the Sustainable Development Goals (SDGs) emphasizes the right of equal access to justice for all including members of vulnerable groups; and enjoined all UN member States to take all necessary steps to provide fair, transparent, effective, non-discriminatory and accountable services that promote access to justice for all.

It follows that strengthening the formal justice sector is critical to promoting access to justice. However, the formal justice sector of any society cannot on its own guarantee access to justice for all, if the population is largely uneducated/unaware of their basic rights or unable to access justice institutions due to physical, financial or other barriers. Therefore, a State facing such challenges must as a matter of priority streamline both the formal and informal mechanisms for dispute resolution so as to ensure that its citizenry have a viable and potent choice within their locality for seeking remedy for grievances.

Access to Justice in Nigeria

In keeping to its international obligations with respect to access to justice, the Nigerian Government has put in place mechanisms aimed at reforming the civil and criminal justice system⁴¹ and building capacity of government institutions with the overall objective of

³⁹<https://www.un.org/ruleoflaw/thematic-areas/access-to-justice-and-rule-of-law-institutions/access-to-justice/>

⁴⁰ United States Institute of Peace, Necessary Condition: Access to Justice available at <<https://www.usip.org/guiding-principles-stabilization-and-reconstruction-the-web-version/rule-law/access-justice>>

⁴¹Notable among the reforms are the enactment of the Administration of Criminal Justice Act, 2015 (ACJA) and the issuance of new Civil Procedure Rules applicable in the High Courts across the Federation to ease administration of justice.

improving access to justice for all. However, these efforts have been bogged down by a lot of barriers and gaps. One key problem in this area is the fact that the vast majority of the population estimated at over 180 Million remain virtually unaware of their fundamental human rights and institutions that have been put in place by the government to address grievances.

The lack of information and awareness of even their most basic rights makes a large number of the population of Nigeria; particularly the poor, ordinary people and vulnerable groups easy targets for the denial, abuse, deprivation and violation of their rights by officials and individuals or groups. It also makes them victims of corruption, extortion, exploitation including harassment and brutality from security personnel as well as domestic and sexual violence.

Inequality, discrimination, corruption, poverty, exclusion, delays in justice redress mechanism or lack of access to remedy are other obstacles affecting access to justice in Nigeria. This in summation increases the vulnerability of the poor and ordinary members of the society to violations of human rights.

The Legal Aid Council of Nigeria (LACON) is the primary institution tasked with ensuring indigent Nigerians have access to justice. However, the LACON is underfunded and understaffed and this hampers its ability of effectively and efficiently discharge its statutory mandate.

The National Human Rights Commission is another Government Institution that plays a critical role in expanding access to justice by sensitization and creation of awareness on basic human rights. Being statutorily saddled with the responsibility of protecting, monitoring and promoting human rights in Nigeria, the Commission has a huge and pivotal role to play in collaboration with civil society organizations and development partners to compliment the efforts of Government by raising awareness on human rights, ensuring equal access to justice for all and providing effective mechanism for remedy. But like the LACON, the Commission is also underfunded and this hampers its operational capabilities.

INDEPENDENCE OF THE JUDICIARY

Closely related to access to justice is the independence of the judiciary. The right to a competent, independent, and impartial tribunal is articulated in the Universal Declaration of Human Rights (Article 10) and the international Covenant on Civil and Political Rights (Article 14), as well as in regional treaties and conventions including the African Charter on Human and Peoples Rights (Article 7).

The UN Basic Principles on the Independence of the Judiciary set out the elements of the independence of the judiciary which must be guaranteed by the State and enshrined in the Constitution or in the law of the country. The judiciary must decide matters impartially on the basis of facts and the application of law, without any restrictions, improper influence,

inducement, pressure, threats, or interference. The courts themselves shall decide whether they have jurisdiction to hear a matter. There must be no unwarranted interference with the judicial process, including the assignment of judges, by the other branches of government (legislative and executive)

Judicial independence has many components, including:

Impartiality: Judges make decisions based upon a dispassionate application of law to the facts rather than bias in favour of one party.

Complaints on Access to Justice and Independence of the Judiciary

1. C/2016/50/SSZ

The Commission received a complaint from X who alleged that she reported a case of threat to life at the police station but that the investigating police officer was conniving with the parties that made the threat to frustrate the matter hence exposing her to further risk.

2. C/2016/36/SSZ

The Commission received a complaint from X who alleged that Y forcefully had carnal knowledge of her after stabbing her on her laps. The matter was subsequently reported to the police who demanded twenty thousand naira before an arrest can be made.

3. C/2016/58/SSZ

The Commission received a complaint from X who alleged that she witnessed an event that led to the killing of a police officer by another police officer based on which she volunteered to provide information to the police on the grounds that her safety will be guaranteed.

The Commander of the affected Mobile Police Unit sent an escort team to bring her to their base with a promise to resettle her in another place for security reasons as she cannot go back to her current place of residence for fear of an attack for revealing the incident. She alleged that after giving the information, she was asked to leave without any provision for her safety as promised. She therefore reported the matter to the Commission.

4. C/2016/76/SSZ

The Commission received a complaint from Y who alleged that his son XY was arrested alongside two others by officers from Rumuolumeni Police division on allegation of murder. They claimed that upon arrest, they were denied access to their lawyer and one of the victims was shot in the leg and had his house demolished by the police officers under the supervision of the Governor of Rivers State.

5. C/2016/149/SSZ

The Commission received a complaint from Y who alleged that they obtained a court judgment against the Rivers State Universal Basic Education Board but the alleged violator refused to obey the court judgment. The complainant was referred to sheriff department of the court as the right authority to enforce the judgment of the court.

6. C/2016/1838/NCZ

The Commission received a complaint dated 11th of March, 2016 from Y alleging that on the 14th of January 2016 at about 12.00 am, the alleged violator and 2 others forcefully entered into his house, shot and stabbed him on the head and spine, then cut off his left hand and his right thumb. Y further alleged that nothing has been done by the Police with respect to prosecuting the suspects despite arresting them.

7. C/2017/206/SSZ

The Commission received a complaint from X alleging that she was shot in the face and she filed a complaint on the incident at Oyibo Police Station, Lagos State. She also alleged that the matter was later transferred to the SCID and assigned to two police officers. She further alleged that some suspects were arrested and arraigned before a Magistrate Court. However on the 3rd of November, 2017, when the matter came up, the Magistrate complained that the contents of the case file were missing.

8. C/2017/6224/HQ:

The Commission received a complaint from Y against The Nigerian Army. He alleged that he joined the Army in 1975 and that during the course of operations; he was arrested and charged for extortion for which he was court marshaled and dismissed from the Nigerian Army in 1991. That the Army Council however reviewed the verdict and found him not guilty on three counts and guilty on one and thereby sentenced him to three years loss of seniority. He stated that the Army Authority through the then Military Secretary refused to implement the sentence and every appeal to have this erroneous verdict reversed has since been proved abortive.

9. C/2017/184/HQ

On 23rd of March, 2017 the Commission received a complaint from Y alleging that while he was driving his car along Gudu District, Abuja on the 17th of August 2016, he was hit by the alleged violator which caused him serious and life threatening bodily injuries. He further alleged that despite reporting the matter to the Police, the police had failed to take any concrete steps to investigate the matter.

10. C/ 2017/ 8721/HQ

The Commission received a complaint from Y alleging that he is a Police Officer and was arrested, detained and prosecuted on allegations of theft. He further alleged that in the aftermath of prosecution, he was found not guilty, and was discharged and acquitted. He further alleged that despite his discharge and acquittal, the Nigerian Police Force refused to obey the court order to re-instate him back to his official position.

11. ANS/SEZ/2017/4

The Commission received a complaint from Y during audit of Detention Facilities at the Awka Prison on 5th September, 2016. He reported about illegal detention and delay in hearing of his case. He also alleged that he had been remanded in prisons for 5 years and has been in awaiting trial for long and nothing has been done.

MEDIA REPORT ON ACCESS TO JUSTICE AND INDEPENDENCE OF THE JUDICIARY

1. On 19th December, 2017 Daily Trust Newspaper (Page 38) reported that 14 persons, amongst them 4 women have been granted bail by the Chief Justice (CJ) of Anambra state. The inmates were granted bail base on serious health issues, longest serving inmates and juveniles amongst them. The CJ noted this was done so as to decongest the prisons and at the same time to attend to those who have been in prison for a longtime without trial.
2. On 27/3/2017 Daily Trust Newspaper page 6 reported that over 70% of Nigerian prisons inmates are awaiting trial. This report was made known by the Prisoners Rehabilitation and Welfare Actions (PRWA).
3. Punch Newspaper Page 3 of 18th August, 2017 reported that the Lagos state Chief Judge released 43 underage inmates from the Ikoyi prison. He said the exercise is in continuation of the prison decongestion programme.
4. On 10th October, 2017, Daily Trust Newspaper Page 30 reported that, due to over stretched prison facilities caused by awaiting trial inmates in the prisons, the chief judge of FCT has declared that some judges and magistrates in the division would be sentencing convicts to community service which will reduce prison congestion. He stated this on a prison tour with a visit to the NPS farm in Gwagwalada.
5. On 10/10/2017 Daily trust Newspaper Page 30 reported that, due to over stretched prison facilities caused by awaiting trial inmates in the prisons, the chief judge of FCT has declared that some judges and magistrates in the division would be sentencing convicts to

community service which will reduce prison congestion. He stated this on a prison tour with a visit to the NPS farm in Gwagwalada.

6. On 25th May, 2017 Daily Trust Newspaper at Pg. 3 reported that the Federal Government is considering state pardon for inmates through prerogative of mercy with a view to decongesting the prisons. The Minister of Interior made this known after the Federal Executive meeting held on 24th May, 2017. He listed other options being considered was conversion of death sentence to life imprisonment, for those who have spent over 10 years on the death row.
7. On 5 February, 2016 The Authority Newspaper (p. 21) reported that there are challenges of effective policing, crime fighting in Nasarawa State. It was also reported that as a growing state with a population of 1.8m people across its 13 local government and the 18 development areas, Nasarawa State suffers from shortage of man power and equipment such as communication gadgets and essential funding which hampers crime fighting and access to justice.
8. On the 14th July, 2017, Daily Trust Newspaper (page 5) reported that the Federal Government has inaugurated an inter-ministerial committee to assess the human rights situation in the country and prepare Nigeria's third cycle Universal Periodic Review initiative to be forwarded to the United Human Rights Council.
9. On the 24th August, 2017, Daily Trust Newspaper (page 16) reported that a Judicial Commission to review compliance of the armed forces with human rights obligations and rules of engagement especially in local conflict and insurgency situations has been set up by the Federal Government. The commission is mandated amongst others to investigate alleged acts of violations of international humanitarian and human rights law under the constitution of Nigeria, Geneva conventions Act and other human rights principles.
10. On the 16th August, 2017, Daily Trust Newspaper (page 10) reported that the Senate has promised to speed up passage of bills aimed at mitigating the spate of hate speeches and jungle justice in the country. It is to help to curtail, protect and prohibit Nigerians across the country from meting out extra judicial justice to perceived offenders without recourse to statutory legal channels.
11. On the 25th of May, 2017, Daily Trust Newspaper (page 3). It was reported that the Federal Government is considering state pardon for inmates through prerogative of mercy with a view to decongesting the prisons. The Minister of Interior made this known after the Federal Executive meeting held on 24th May, 2017. He listed other options being considered was conversion of death sentence to life imprisonment, for those who have spent over 10 years on the death row.
12. On the 6th of June, 2017 Daily Trust Newspaper (page 4) reported that over 50 teenagers from various States in the North are being held in different prisons in Lagos state. The President of the Islamic Aid and Charity Foundation, Hajiya Barakah Dahiru, stated that about 50 teenagers from the North were "rotting away" in the Badagry prison alone

for street fighting, destitution, wandering and minor thefts. Hajiya also stated that almost all the affected inmates were remanded “simply because they didn’t have anybody who would take them on bail.

13. Punch Newspaper (page 3) of 18th August, 2017 reported that the Lagos State Chief Judge released 43 underage inmates from the Ikoyi prison. He said the exercise is in continuation of the prison decongestion programme.
14. Daily Trust Newspaper (page 32) of 7th November, 2017 reported that the Attorney General of the Federation has described the state of Nigeria prisons as unfortunate and alarming. He said this at the inauguration of the Stakeholders Committee on prison decongestion in Nigeria. The Attorney General of the Federation said the current state of the country’s prisons violates the fundamental human rights of inmates and contradicts the International Convention on Civil and Political Rights.
15. 19th December, 2017 Daily Trust Newspaper (page 38) of 19th December, 2017 reported that 14 persons amongst them 4 women have been granted bail by the Chief Justice of Anambra state. The inmates were granted on bail based on serious health issues, longest serving inmates and juveniles amongst them. The Chief Judge noted this was done so as to decongest the prisons and at the same time to attend to those who have been in prison for a long time without trial.
16. Daily Trust Newspaper of 27th March, 2017 (page 6) reported that over 70% of Nigerian prisons inmates are awaiting trial. This report was made known by the Prisoners Rehabilitation and Welfare Actions (PRAWA). According to Dr. Uju Agomoh, the high rate of awaiting trial inmates can be attributed to delay in trials, abuse of arrest powers by the police, inadequate prison structures among other issues conditions by the police and inadequate prison structures among other issues.
17. On the 10th September 2017, Daily Trust Newspaper (page 30) reported that, due to over stretched prison facilities caused by awaiting trial inmates in the prisons, the Chief Judge of FCT has declared that some Judges and Magistrates in the division would be sentencing convicts to community service which will reduce prison congestion. He stated this on a prison tour with a visit to the NPS farm in Gwagwalada.
18. On the 18th August, 2017, Punch Newspaper (page 3) reported that the Lagos state Chief Judge released 43 underage inmates from the Ikoyi prison. He said the exercise is in continuation of the prison decongestion programme.
19. On the 25th May, 2017, Daily Trust Newspaper (page 3) reported that the Federal Government said it is considering state pardon for inmates through prerogative of mercy with a view to decongesting the prisons. The Minister of Interior made this known after the Federal Executive Meeting. He listed other options being considered as conversion of death sentence to life imprisonment, for those who have spent over 10 years in prison, and those who have been there as lifers that have served 10 years and above can have some relief.

20. On the 18th of April, 2017 the Daily Trust Newspaper (page 3) reported that a member of the House of Representatives, Ibrahim Garba (APC-KANO) has called for special and stiffer laws against rape in the country. He said if a person is found to have committed rape, that person should not be allowed to go on bail, the person should be remanded in prison and tried.
21. Daily Trust Newspaper (page 12) of 13th November, 2017 reported that a Federal Commissioner representing South-East zone in the Public Complaints Commission has called on Governors in the East to consult their State Attorney-General's so as to see to the release of Igbo youths who are languishing in different prisons across the country over street trading.
22. On the 24th May, 2017, Authority Newspaper (Page 7) reported that about 50 inmates gained freedom when Governor Ganduje visited the Karmawa Central prison as part of events to mark the State Golden Jubilee. The beneficiaries of the pardon were selected based on ill health, old age, nature of offences and those who have shown signs of reformation during the period of detention

CHAPTER 17

SEXUAL AND GENDER BASED VIOLENCE

INTRODUCTION

Sexual and Gender Based violence (SGBV) refers to any act that is perpetrated against a person's will and based on gender norms. This includes acts that inflict physical, mental, sexual harm or suffering, the threat of such acts, coercion and other deprivations of liberty. Gender Based violence is the general terms used to capture violence that occurs as a result of the normative role and expectations associated with each gender, along with unequal power relationships between the two genders within the context of a specific society. The United Nations Office of the High commissioner for Human Rights, Committee on the Elimination of Discrimination against Women (CEDAW) defines SGBV as violence that is directed against a woman because she is a woman or that affects women disproportionately. It inflict harm on women, girls, men and boys.

SGBV is a violation of human rights. It denies the human dignity of the individual and hurt human development. Gender violence is also known as gender based violence or sexual violence.

In Nigeria, the rate at which women and children are subjected to sexual exploitation, rape, assault and other forms of violence is growing. While Nigeria has acceded to the United Nations Convention on the Elimination of all forms of discrimination against women (CEDAW) and the African Charter on Humna and People's Right on the women in Africa- both which guarantees the freedom from sexual violence, domestic violence and other forms of gender based violence. The violence Against Person's Prohibition Act seeks to also eliminate all forms of violence in public and private life. This law partially domesticated CEDAW and only applies in FCT and also in the three states namely; Anambra, Ebonyi and Oyo.

Section 357 of the Nigeria Criminal Code Act (applicable in the Southern states) defines rape as "unlawful carnal knowledge of a woman or girl, without her consent". Lack of consent can be found where it was obtained through threat, intimidation, or fraud and the person can be charge with life imprisonment. For a married woman, this can only occur where a person not her husband is "personating him". Section 216 allows that a boy under 14 can be assaulted in a way that is non-consensual, while 218 provides that any "unlawful carnal knowledge of a girl under the age of 13 is guilty of felony and may be imprisoned for life, while a person who has "unlawful canal knowledge" of a girl between 13-16 is guilty of misdemeanor and is liable for 2 years imprisonment, rape under the age of 16 is termed "defilement". The Nigerian Penal Code Act (applicable in the Northern States) is very familiar to the Nigerian Criminal Code, though it expressly states that a husband cannot rape his wife "if she has attained puberty". However,

despite what the law says, most accused persons are never brought to justice. There are only a few domestic laws that expressly address intimate partner violence e. g Lagos State Protection Against Domestic Violence Law, 2007) though both the Criminal Code and penal code criminalize assault and battery.

In most cases, sexual and gender based violence/ offences are treated as domestic issues and as such treated with laxity by law enforcement agencies. This is further compounded by already acute fear of stigmatization, cultural barriers and lack of institutional support for survivors and it is no surprise that sexual violence is rarely reported.

Complaint received by the Commission

The National Human Rights Commission received many complaints relating to sexual and gender based violence during this reporting period- predominantly related to domestic violence or sexual violence. Majority of those subjected to sexual violence were children. These cases were increasingly difficult to address where government authorities do not enforce the law or investigate complainants often drop or stop responding to the investigation by the Commission, and respondents often disappear. The nature of these cases has also meant that the Commission has often decided to mediate and seek Terms of Settlement rather than pursue greater police involvement into the criminal nature of some of the violence.

1. C/2016/48/KD

On the 1st march 2016, X lodged a complaint with the Commission on allegation of domestic violence and abandonment against her husband. According to X, she had left her husband's house for over one year as a result of beating by the husband and lack of proper care and since then, she was denied access to her child. She further alleged that on one occasion, he used cutlass to threaten her life.

2. C/2016/1858/NCZ

The Commission received a complaint dated 4th of April 2016, from X alleging that her Husband is always beating her up and embarrassing her at any slight provocation. She claimed that he does this even in the presence of their children who are very young.

3. C/2016/89/KD

On 22nd of April 2016, a complaint was lodged by X (a minor), alleging that seven men raped her. She alleged that the incident happened while she was on her way home after visiting a friend. She further alleged that the men, threatened her with a cutlass, covered her face with a pillow and raped her in turns.

4. C/2016/98/KD

The Commission received a complaint on the 10th May, 2016 from X alleging domestic violence and abandonment against her husband. According to her, he had been violent towards her and did not live up to his parental responsibilities. .

5. C/2016/43/KD

The Commission received a complaint on the 25th February, 2016 from X alleging domestic violence against her husband. She claimed they were married and have two children. She further alleged that he habitually beats and insulted her for no reason.

6. C/2016/45/KD

The Commission received a complaint on 26th February, 2016 from X alleging that her husband maltreats her. She further alleged that he beats her even when she was pregnant and deprived her of the necessary care as his wife. X was allegedly sent back to her parents without disclosing reasons for Y's actions.

7. C/2016/201/AMO

The Commission received a complaint from X on allegation that Y, her husband, was in the habit of assaulting and harassing her in public at the slightest provocation for not washing his trousers and her poor cooking skills. She further stated that he threatened to kill her.

8. C/2016/338-341/AMO

The Commission received a complaint from X against her husband for assaults at the slightest provocation and threat to her life where she had to leave the house.

9. C/2016/493/AMO

The Commission received a complaint from X against an alleged violator. She alleged that after her husband divorced her, he refused to allow her pack her belongings from the house.

10. C/2016/2017/NCZ

The Commission received a complaint dated 8th of August 2016 from X alleging that after her husband's death, she moved in with her in-laws and instead of taking care of her, they resorted to beating and maltreating her.

11. C/2016/1877/NCZ

The Commission received a complaint dated 28th of April 2016, from X alleging that her husband beats her and inflicted injuries on her.

12. C/2016/2047/NCZ

The Commission received a complaint dated 31st of August, 2016 from X where she claimed that she got married to the alleged violator in 2007 and that the marriage is blessed with two children. She alleged that she was forced to leave her husband's house in December 2015 because of domestic violence and neglect of parental responsibility by her husband.

13. C/2016/1869/NCZ

The Commission received a complaint dated 15th of April, 2016 from X alleging that her husband is in the habit of beating her thereby tearing her cloths in the process. This, in most cases, resulted in serious injuries. She also alleged that he does not take care of the family's responsibilities.

14. C/2016/1813/NCZ

The Commission received a complaint dated 26th of February, 2016 from X alleging that her husband always beat her up at the slightest provocation, even when she was heavily pregnant and cannot defend herself and immediately after child birth.

15. C/2016/1840/NCZ

The Commission received a complaint dated 15th of March, 2016 from X, who, according to her, was married to the alleged violator in May 2011. She alleged that since then, the marriage has been bedevilled by domestic violence. She claimed to have suffered verbal, emotional, physical and psychological abuse from the alleged violator and that all efforts made to resolve it did not work.

16. C/2016/1756/NCZ

The Commission received a complaint dated 8th of January, 2016 from X alleging that on 7th of January 2016, she had a misunderstanding with her husband, and as a result he beat her up and injured her.

17. C/2016/2099/NCZ

The Commission received a complaint dated 26th of September, 2016 from X alleging that her husband beats her at the slightest provocation and that he does not provide for the upkeep of the children.

18. C/2016/538-539/AMO

The Commission received a complaint from X alleging that she got into a relationship with the alleged violator in 2011 and the relationship produced a child out of wedlock. X further alleged that she quit the relationship thereafter and moved out of the alleged violator's house with the child and that following her decision to quit the relationship, the alleged violator seized every opportunity to threaten and embarrass her every time he runs into her, even in the public.

19. C/2016/2206/NCZ

The Commission received a complaint dated 30th of November, 2016 from X alleging that her husband started making demands on her to pay the children school fees and to take over the responsibilities of the family. The complainant wants the Commission to intervene as her husband has denied her entrance to the house and beats her at every slightest provocation.

20. C/2016/27/AKS

The Commission received a complaint on 22nd February/2016 from X, alleging that her late husband married three wives, and that each of the three wives gave birth to a child. X also claimed that their late husband built a house, which comprises twenty-four living rooms and four stores, and that the children from the other two women, herself and her child live in one part of the building, while about thirteen rooms and the four stores are rented. She claimed that her stepson, who is in charge of the rent, refused to share the proceeds from tenants with any of them.

21. C/2016/1973/NCZ

The Commission received a complaint dated 20th of July, 2016 from X alleging that her husband forcefully asked her to leave his house and threatened to kill her if she does not obey his directives.

22. C/2017/115/AKS

The Commission received a complaint on 31st October 2016 from XY, on behalf of X. XY alleged that since the death of X's husband, she faced enormous threats from the late husband's family where they alleged harmful widowhood practices meted out on X as well as attempts to forcefully evict her out of the late husband's property. .

23. C/2016/99/AKS

The Commission received a Complaint on 19th September 2016 from X alleging that (her late husband's brother who also is a retired police officer, dispossessed her of her late husband's property where he drove her and the children out of her late husband's estate.

24. C/2016/106/AKS

The Commission received a Complaint on 17th October 2016 from X against Y and other family members of her deceased husband alleging harmful widowhood practices against them and threat to dispossess her of the late husband's property and entitlements. X also alleged that after the burial of her late husband in September 2016, she was asked by the husband's family to shave her hair, take bath at the village square and return all the properties failure of which, they would pour illicit gin on the ground and invoke her death .

25. C/2016/105/AKS

The Commission received a complaint on 13th October 2016 from X alleging that she and her brother are the only surviving children of their dead parents, and that her brother deprived her from inheriting her late parents' properties because she is a woman. She further claimed that her brother sold some family land without giving her any share of the proceeds.

26. C/2016/172/SSZ

The Commission received a complaint from X alleging that the alleged violator (her husband) beats and threatened her life since their marriage in 2014. X also stated that he beats her whenever he returns home drunk and whenever they argue. She further complained that she is going through trauma as a result of the incessant harassment and sought the Commission's intervention.

27. C/2016/2054/NCZ

The Commission received a complaint on 2nd of September, 2016 from X alleging domestic violence and denial of right to property against the alleged violator (her husband). X alleged that she had been having problems with him for a while bordering on verbal abuse, quarrelling and fighting.

28. C/2017/6128-6130/HQ

The commission received a complaint on the 26th May, 2017 from X alleging that her husband was in the habit of beating her.

29. C/2017/7163- 7164/HQ

The Commission received a complaint on 21th July, 2017 from X against her partner and father of her 10 month Old baby boy. She also alleged that he beats her, and wants to take her belongings and baby away from her.

30. NHRC/OSUN/17/014

The Commission received a complaint dated 3rd of March, 2017 from X alleging that the family of her deceased husband was using the Police to threaten her life because of the deceased estate.

31. C/2016/371-372/AMO

The Commission received a complaint from X alleging that her husband of many years is in the habit of subjecting her to domestic violence.

32. C/2016/309-312/AMO

The Commission received a complaint from X, a widow and mother of 3 children where she alleged that members of her late husband's family have been threatening and accusing her of being responsible for the death of her husband and his other family members who also died.

33. C/2016/342-347/AMO

The Commission received a complaint from X, a housewife and mother of 5 children alleging that her in-laws subjected her and her children to physical and emotional abuse. She also alleged that her husband does not defend or protect her and her children from these abuse.

34. C/2016/451-457/AMO

The Commission received a complaint from X alleging domestic violence and threat to life against her husband. X alleged in her complaint that her husband is always in the habit of assaulting her at the slightest provocation. X also alleged that he sometimes chases her around with his gun.

35. C/2016/526-527/AMO

The Commission received a complaint from X, a mother of 2 children where she alleged that her husband, regularly subjects her to domestic violence and that she fears for her life.

36. C/2016/17/AKS

On 8th February, 2016, X complained to the Commission alleging that as a result of her husband's death in 2015 her late husband's uncle repeatedly threatened to throw her and her children out of her late husband's house claiming that she killed her husband. X claimed that he carried out this threat with a knife.

37. C/2016/48/SSZ

The Commission received a complaint from X alleging that the alleged violator threatened and assaulted her. X further claimed that he took the children from her custody and sent her away from their matrimonial home and went ahead to harbour another woman.

38. C/2016/47-52/AMO

The Commission received a complaint from X, a housewife and mother of 2 children where she alleged that her husband regularly subjects her to severe domestic violence. She further alleged that he had once poured petrol on her and almost set her ablaze. She indicated that she does not feel safe in the marriage and is therefore contemplating divorce.

39. C/2016/202/SEZ

The Commission received a complaint from X on 26th April 2016, alleging domestic violence against her husband. X among other allegations stated that her husband denied her the use of her phones and other electronic devices, drove her out of their matrimonial home, denied her access to their children and created public impression that she is mentally unstable for which she was taken to a psychiatric hospital.

40. C/2016/1169148-1169149/HQ

The Commission received a complaint from X on 20th November, 2016 alleging domestic violence and threat to life against her husband.

41. C/2016/119/SSZ

The Commission received a complaint from X alleging that her husband continuously beats her and threatens her life. She alleged that the most recent incident took place on 21st August, 2016 for which she was admitted in the hospital.

42. C/2016/65/AKS

The Commission received a complaint on 30th June, 2016 from X, alleging that she and her husband got married 5 months ago. X further claimed that her husband suspects her of infidelity for which he beats her at times in the public often threatens to kill her.

43. C/2017/219/AKS

On 28th August, 2017 the Commission received a complaint from X alleging that the alleged violator assaults, beats and threatens her life and that of her family members. She also claimed the abuse against her was sequel to her refusal to marry the alleged violator after she discovered that he was already married with children.

44. C/2016/72/AKS

On 9th of August, 2016, the Commission received a complaint from X alleging that after the death of her husband, her late husband's brothers evicted her from her husband's two bedroom apartment. She also claimed that her late husband's brothers forcefully collected the only landed property that was left for her and her children.

45. C/2016/18/AKS

On 15th August, 2016, the Commission received a complaint from X alleging that her uncle forcefully sold the only remaining land left for her and her 4 siblings by their late parents. She also alleged that the only room shared to them was unilaterally rented out by him, and he does not give them part of the proceeds.

46. C/2017/298/AKS

On 27th December 2017 the Commission received a complaint from X alleging that since the death of her husband, her husband's brother, Y has been abusing and threatening to throw her and her four (4) children out of her late husband's share of the family house.

47. C/2017/296/AKS

The Commission received a complaint on 13th September 2017 from X alleging that her late husband's eldest child seized the parcel of land given to her by her late husband and that he has frustrated her efforts at selling part of the said land to pay her children school fees and provide feeding.

48. C/2017/240/AKS

On 20th September, 2017 the Commission received a complaint from X alleging that her husband with whom she had been married to for five years and had three kids for is in the habit of always assaulting and beating her at the slightest provocation, even during pregnancy.

49. C/2016/47/AKS

The Commission received a complaint on 3rd of March, 2016 from X alleging that her husband beats and maltreats her even in public places. She further claimed that her husband had neglected his parental responsibilities and that he brings other women into their bedroom.

50. C/2016/493/AMO

The Commission received a complaint from X alleging that her ex-husband had refused to allow her pack her personal belongings since after their divorce in 2016.

51. C/2016/1975/NCZ

The Commission received a complaint on 20th July, 2016 from X alleging denial of inheritance against her elder brother. She alleged that since November 2011, they had been having unending family problems regarding the sharing of family property. After they shared the properties amongst themselves, her elder brother refused to give her any portion, and he alone has been collecting the rent on those properties till date.

52. C/2016/82/AKS

On 15-08-2016, the Commission received a complaint from X alleging that her husband is in the habit of beating and threatening her at the slightest provocation.

53. C/2016/2193/NCZ

The Commission received a complaint dated 22nd of January 2016 from X alleging that she lost her husband on the 28th of June 2011. She also alleged that she was informed by her in-laws that they were planning to sell the house she currently lived in.

54. C/2017/5480/HQ

The Commission received a complaint from X alleging that due to her refusal to agree to the alleged violator's sexual advances, he threatened to kill her and also publicly subject her to all forms of physical torture. She further alleged that he had at one time broken her leg and threw her things out of her apartment thereby causing her to lose some valuables

55. C/2017/7557-7559/HQ

The commission received a complaint on the 31st August 2017, from an NGO alleging ill treatment and domestic violence by a husband against his wife.

56. C/2017/7774/HQ

The Commission received a complaint on 11th September, 2017 from an NGO regarding the abuse of the rights of a widow by her kinsmen after she won a court case against them concerning land matters.

57. C/2017/241/AKS

On 21st September, 2017 the Commission received a complaint from X alleging that she was in a relationship with the alleged violator and that she was pregnant with his child. She also alleged that the alleged violator's mother had been threatening, abusing and maltreating her since she discovered she was pregnant for her son and ordered her out of their family house with the pregnancy.

58. C/2017/108/KD

On 5th June, 2017 the Commission received a complaint from X alleging domestic violence against her husband. She also claimed that her husband is violent in nature and recently pushed down their daughter resulting in her sustaining a fracture to her hand. She further alleged that her husband sold off her cars including a bus without her consent.

59. C/2017/293/AKS

On 11th December, 2017 the Commission received a complaint from X alleging that her husband frequently beats her and threw her and their one year old baby out of the house.

60. C/2017/8179-8181/HQ

The Commission received a complaint from X alleging that on the 24th October 2017, her husband physically assaulted her and she sustained some injuries.

61. C/2017/6050- 6056/HQ

The Commission received a complaint on the 30th May, 2017 from X alleging that her partner of 13 years and the father of her children physically abused her and neglected his responsibility of providing for the welfare and upkeep of the children.

62. C/2017/8634-8635/HQ

The Commission received a complaint from X stating that she was in a relationship with the alleged violator whom she has two children with. She alleged that due to his abuse and battery, she decided to end the relationship. Consequently, he came to her house, beat her up, chased her with a machete and forcefully took the children away from her to his village in Plateau State. She further alleged that shortly after the children were taken to the village, the younger child died and no explanation was given to her as to what led to the death of the child

63. C/2017/5097/HQ

The Commission received a complaint from X alleging that her late husband's brothers denied her the right to bury her husband who died on the 12th February, 2017. She further alleged that the late husband's brothers demanded money from her even though he left behind a daughter.

64. C/2017/8179-8181/HQ

The Commission received a complaint from X who alleged that she and the alleged violator have two children together. X claimed that he battered her leading her to sustain injuries.

65. C/2017/7186-7188/HQ

The Commission received a complaint from X who alleged that since she got married to the alleged violator, he had always been violent towards her even during her pregnancies and nursing periods.

66. C/2016/142/NSO

The Commission received a complaint from X against her husband who she alleged was maltreating and beating her always.

67. C/2016/172/NSO

The Commission received a complaint from X against her husband alleging that she was beaten by him while on a visit to Jos where he lives. She further alleged that he refused her to return to Lafia Nasarawa State with the children to resume school. .

68. C/2017/260/AKS

On 17th October, 2017 the Commission received a complaint from X alleging that her husband constantly subjects her to domestic violence by frequently beating and assaulting her.

69. C/2017/G/030

The Commission received a complainant from X on 16th February 2017 against her husband whom she claimed developed the habit of threatening and beating her alongside their children. She further alleged that he always told her that he is not the father of their children and threatened to send them out of the house.

70. C/2017/51/KD

On 16th March, 2017 the Commission received a complaint from X alleging that her husband subjected her to domestic violence including throwing her and their children out of their matrimonial home.

71. C/2017/035/KD

On 13th February, 2017 the Commission received a complaint from XY alleging that the alleged violator beat up his wife until she lost consciousness.

72. C/2017/80/KD

On 26th April, 2017 the Commission received a complaint from XY alleging that his sister was gang raped by the alleged violator and three others. He further stated that the perpetrators took nude photos of the victim and also made away with her phone.

MEDIA ON SEXUAL AND GENDER BASED VIOLENCE

1. On 6th September 2016 Daily Trust Newspaper at Page 19 reported that a man, simply identified as Ahmadu, has been arrested for allegedly abducting and impregnating a 20-year-old woman in Abaji, Abuja. A police source, who preferred anonymity, told reporters that the suspect was arrested on Saturday at Ungwar Abattoir area of the town.
2. On 28th December, 2017 Daily Trust Newspaper page. 27 reported that the police in Katsina State arrested two men over their individual roles in the alleged rape of a mentally ill woman and a five year old girl. The 25 year old mentally ill woman was raped and impregnated. The Katsina State police command has confirmed the incidence and suspects have been apprehended.
3. Daily Trust Newspaper of 23rd March, 2017 on page 31 reported that the Police in Jigawa State arrested a 20 year old Musa Alhaji Mohammed of Tawage village in Gwaran LGA for allegedly raping a housewife. He was said to have abducted the housewife from her matrimonial home into a bush where he raped her. Twelve other men were also arrested for raping minors. The State Commissioner of Police confirmed the incident.
4. On 10th April, 2017 Daily Trust Newspaper at page 12 reported that a six year old boy was sexually assaulted by a 25 year old man in the Ali Monguno Teachers village IDP camp in Maiduguri. According to the report, the child reported the incident to his caregiver, who in turn then reported to the police and the alleged violator was arrested.
5. On 6/6/2017 Daily Trust Newspaper page 4 reported that over 50 teenagers from various states in the North are being held in different prisons in Lagos state. The President of the Islamic Aid and Charity Foundation, Hajiya Barakah Dahiru, stated that about 50 teenagers from the North were “rotting away” in the Badagry prison alone for street fighting, destitution, wandering and minor thefts. Hajiya also stated that almost all the affected inmates were remanded “simply because they didn’t have anybody who would take them on bail.

6. On 25th May, 2017 Daily Trust Newspaper at page 3 reported that the Federal Government said it was considering state pardon for inmates through prerogative of mercy with a view to decongesting the prisons. The Minister of Interior made this known after the federal executive meeting.
7. On the 13th June 2017, Daily Trust Newspaper on page 34 reported that an 18 year old hearing and speech impaired girl had been allegedly raped by a 20 year old man in Ajura, Owode LGA of Ogun state. The Ogun State Police PRO who confirmed the incident, stated that the victim was lured into the bush where she was raped. The Police spokesperson said that she had been given medical attention.
8. On 28th December, 2017 Daily Trust Newspaper at pg. 27 reported that the police in Katsina state have arrested two men over their individual roles in the alleged rape of a mentally ill woman and a five year old girl. The 25 year old mentally ill woman was raped and impregnated. The Katsina state police command has confirmed the incidence and suspects have been apprehended.

CHAPTER 28

RIGHTS OF THE CHILD

INTRODUCTION:

The survival of the society requires that children be protected and adequately cared for in order that they too, in turn, in adulthood will inculcate this cultural heritage into their children. Accordingly, every human society, has customs and policies which are meant to promote the welfare of children. Ordinarily, stakeholders involved with children need to know these customs and policies in order to monitor deviations.

Who is a Child?

Article 1 of the UN Convention on the Rights of the Child (CRC), defines a child as every human being below the age of 18, unless under the law applicable to his State, the child has attained the age of maturity earlier. In this context, a child refers not only to children living with their parents or in institutions, but includes all minors, those living with disabilities, maids or wards living with other people. A critical review of the characteristics of any person under the age of 18 years indicates that children belong to a special class of people who, by virtue of their immaturity are vulnerable and therefore cannot make rational decisions. This is the main reason why they should be protected against harmful or exploitative acts and omissions by others.

The CRC was domesticated and passed into law in Nigeria in 2003 adopting age 18 and below as the age of the child.

Legal Framework

The Convention on the Rights of the Child (CRC) has four core principles:

- Non-discrimination;

- Devotion to the best interest of the child,
- The right to life,
- Survival and development and respect for the views of the child.

The Rights of a Child is protected by the following treaties which have been ratified by Nigeria:

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- Convention on ‘The Rights of the Child (CRC) 1989
- African Charter on the Rights and Welfare of the Child (1990)
- The 1999 Constitution of the Federal Republic of Nigeria as amended
- The Child’s Rights Act (CRA) (2003) and Child Rights Law of various States

The CRC has two additional protocols adopted in 2000 that addresses specific concerns and are appended to the main treaty as follows:

- The optional Protocol on the involvement of children in Armed Conflict (OP-AC) is an attempt to increase protection of children during armed conflict. The protocol places states under an obligation to take all measures they can to prevent those under the age of 18 in their armed forces from taking a direct part in hostilities;
- The optional protocol on the sale of children, child prostitution and child pornography (OP-SC) builds on the rights of children to protection from sexual exploitation conferred by the CRC by providing that states must comply with detailed requirements to end these particularly heinous violations of children’s rights. It requires states to criminalize and punish all activities related to these abuses and to provide a range of support services for child victims. The protocol also highlights the importance of increased public awareness and the value of international co-operation in combating these offences. International laws set out standards and frameworks for countries to aspire to and implement.

In addition, the most comprehensive International instrument on child rights is the CRC. In Nigeria these rights are contained in the FRN 1999 as amended especially Chapter IV which deals with fundamental human rights. However, the CRA 2003 was enacted to bring all laws relating to children into a single legislation. There is also Child’ Rights Law (CRL) of various states which reflect the adaptation of the CRA 2003 by various States in Nigeria. These laws exist to cater for the rights and welfare of every Nigerian Child. The CRA thus is the most authoritative provision in Nigeria on the issue relating to child rights as it consolidates all previous legal instruments that pertains to child rights.

Moving further, many States in the exercise of their legislative powers in respect of items contained in the residual list (one of which include issues bothering on a child) have also adopted and re-enacted the provision of the Act into laws in their various States.

Complaints Received on Rights of the Child

1. C/2016/2034/NCZ

The commission received a complaint on the 23rd August 2016 from X who stated that the alleged violator got her pregnant and she thereafter gave birth to a baby girl. X further alleged that the alleged violator neglected her and the baby.

2. C/2016/153/AMO

On the 16th of February, 2016 the Commission received a complaint from XY against the alleged violator for alleged maltreatment of an 11 year old girl who was in her care.

3. C/2016/130/KD

The Commission received a complaint on the 8th July, 2016 from X on alleging abandonment against her lecturer in the University. She alleged further that he impregnated her, promised to marry her but reneged from his promise and abandoned her and the pregnancy.

3. C/2016/1848/NCZ

The commission received a complaint on the 29th March 2016 from X alleging that her ex-husband does not cater for their children and has abandoned his responsibilities towards them children.

4. C/2016/238/KD

The Commission received a complaint dated 15th November, 2016 from X alleging that since she the alleged violator, he refused to contribute towards the welfare and development of their children.

5. C/2017/224/AKS

On 7th September 2017 the Commission received a complaint from X alleging that she has been abandoned by her father, and that he has refused to further her education contrary to the promise he made to their late mother to take care of her and her 11 year old younger sister.

6. C/2016/207/KD

The Commission received a complaint on the 31st October 2016 from X alleging that her late husband's family threatened to take all the children from her custody.

7. C/2016/155/KD

The Commission received a complaint on 8th August 2016 from X alleging that she was impregnated by the alleged violator which led to the birth of a baby girl. She further alleged that he denied paternity of the child and refused to cater for the child's wellbeing and development.

8. C/2016/148/KD

The Commission received a complaint on the 3rd of August 2016 from X alleging that the alleged violator has not been taking proper care of their five (5) children. .

9. C/2016/95/KD

The Commission received a complaint on the 9th May, 2016 from X alleging that the alleged violator who was her former husband abandoned their children and does not cater for their wellbeing.

10. C/2016/67/KD

On 29th March, 2016 the Commission received a complaint from X against her husband alleging abandonment of his responsibilities towards her and their three children.

9. C/2016/1753/NCZ

The Commission received a complaint dated 6th of January, 2016 from X alleging that the father of her son abandoned his responsibilities towards the welfare and development of the child. She also alleged that the action of the child's father has adversely affected the education of the child.

10. C/2016/1920/NCZ

The Commission received a complaint dated 16th of June, 2016 from X alleging that she was married to the alleged violator and that they had two children. She also alleged that he prevented her from having access to the children thereby separating her from the children.

11. C/2016/1781/NCZ

The Commission received a complaint dated 29th January, 2016 from X alleging that she got married to the alleged violator and the union was blessed with a baby girl. She also alleged that due to differences between them, she was forced to leave him and she was being denied access to her child.

12. C/2016/1824/NCZ

The Commission received a complaint dated 9th March, 2016 from X stating that she co-habited with the alleged violator for over 21 years and had six (6) children for him. She also alleged that the alleged violator abandoned his responsibility of providing for the basic needs of the children.

13. C/2016/1892/NCZ

The Commission received a complaint dated 23rd of May, 2016 from X stating that she got married to the alleged violator in 2001 and had three (3) children for him. She alleged that she was forced to leave her matrimonial home due to persistent quarrels with him. She further alleged that since she moved out of the alleged violator's house, he has denied her access to the children.

14. C/2016/1901/NCZ

The Commission received a complaint dated 7th of June, 2016 from X stating that the alleged violator accused her six year old son of being a wizard. She further alleged that Y put a chain into fire and used it to flog her son thereby inflicting severe injuries on him.

15. C/2016/1873/NCZ

The Commission received a complaint dated 22nd of April, 2016 from XY alleging that his daughter, X got married to the alleged violator who does not take care of her and their two (2) month old baby. He further alleged that on 19th of April, 2016, the alleged violator took away the two month old baby to an unknown destination and has since then denied the mother of the child access to the child.

16. C/2016/2070/NCZ

The Commission received a complaint dated 14th of September, 2016 from X alleging that her husband of four years has not been providing for the upkeep of the family.

17. C/2016/2106/NCZ

The Commission received a complaint dated 6th of October, 2016 from Y stating that he is 17 years old. He alleged that the alleged violator brought him to Jos, Plateau state under the pretence that he was going to enroll him into school. He further alleged that rather than sending him to school, the alleged violator demanded that he works at his Bakery for a salary of N3,000 (three thousand naira) per month. Y further alleged that as at August 2016 when he stopped working, he was being owed the sum of N13,000.00 (Thirteen Thousand Naira) by the alleged violator.

18. C/2016/2180/NCZ

The Commission received a complaint dated 3rd of January, 2016 from X alleging that she divorced her husband in April 2016. X also alleged that since the divorce, her ex-husband has prevented her from having access to their children thereby separating her from them.

19. C/2016/2194/NCZ

The Commission received a complaint dated 23rd of November, 2016 from X alleging that she cohabited with the alleged violator with whom she had two (2) children in the process. She further alleged that he had abandoned his parental responsibilities towards the welfare, upkeep and development of the children and that this had adversely affected their wellbeing.

20. C/2016/1786/NCZ

The Commission received a complaint dated 2nd of February, 2016 from X alleging that she had a baby girl with the alleged violator and he took away the baby from her without her consent thereby denying her access to the child.

21. C/2016/1778/NCZ

The Commission received a complaint dated 25th of January, 2016 from X alleging that she cohabited with Y for some time and in the process she was gave birth to a child who was (2 years) old at the time of filing the complaint. She further alleged that Y abandoned her while she was pregnant and refused to assume his parental responsibilities of providing for the welfare, education and development of the child.

22. C/2016/2218/NCZ

The Commission received a complaint dated 16th of December, 2016 from X alleging that the alleged violator who also happened to be the Father of her ten (10) year old son was maltreating her son and had abandoned his parental responsibilities towards the upkeep and development of the child.

23. C/2016/1933-1934/NCZ

The Commission received a complaint dated 24th of June, 2016 from X alleging that the alleged violator, the Father of her two (2) children abandoned his parental responsibilities of proving basic needs of the children and that he had also refused to pay their school fees.

24. C/2016/2192/NCZ

The Commission received a complaint dated 21st of November, 2016 from X alleging that that her husband died on 10th September 2015 and left her with two sons who are 10 years and 7years

respectively. She further alleged that her late husband's brother took one of the boys to Potiskum in Yobe State without her consent and denied her access to the child.

25. C/2016/1890/NCZ

The Commission received a complaint dated 23rd of May, 2016 from X alleging that she lived with the alleged violator for about 11 years and they had two (2) children aged 4 and 2 years respectively. She further alleged that he beat her up, threw her out of their home and that he had stopped providing for up-keep of their two daughters.

26. C/2016/144/NSO

The Commission received a complaint from X against the alleged violator on the issue of denial of parental responsibility. She alleged that despite court settlement where it was decided he should provide N6,000 for upkeep of her child, he had refused take up to his responsibility as father to their child

27. C/2016/145/NSO

The Commission received a complaint from Miss X against Mr. Y for alleged threat to life and denial of responsibility for her pregnancy.

28. C/2016/154/NSO

The Commission on 10th May, 2016 received a complaint from X against the alleged violator over the alleged denial of parental responsibility. She alleged that they had both been legally married and had 2 children together she also claimed that he had refused to cater for the children as they as were no longer living together.

29. C/2016/170/NSO

The Commission received a complaint from X on alleged maltreatment and neglect of parental responsibility against Y. She alleged that Y beats her and doesn't provide for her and her 2 children.

30. C/2016/173/NSO

The Commission received a complaint from X against Y on the allegation of threat to life and abandonment of parental responsibility. She claimed that Y beats her on any little provocation. Also that he threatens her life and doesn't provide for the family. She asked for the Commission's intervention.

31. C/2016/181/NSO

The Commission received a complaint from X against an Air force Officer. She alleged that the Officer collected her father's pension and land papers and has refused to pay their school fees. He asked the Commission to intervene so that the alleged violator can release their money.

32. C/2016/186/NSO

The Commission received a complaint from XY stating that the alleged violator adopted his younger sister at the age of 10 without allowing her to finish WAEC and also forced her to change her religion to Islam which she said was against the victim's wish.

33. C/2016/190/NSO

The commission received a complaint dated 3rd June, 2016, from X against the alleged violator on the allegation of denial of parental responsibility. She alleged that he had refused to cater for their child's welfare.

34. C/2016/203/NSO

The commission received a complaint dated 21st June, 2016, from X against the alleged violator on allegations of battery, inhuman treatment and denial of parental responsibility. She claimed that they had three children together, yet he beats her without provocation. She alleged further that he threw her things out of the house urging the commission to aid her to pack her items remaining in the house as the police she reported to have done nothing about it.

35. C/2017/117/AKS

The Commission received a Complaint on 31st October, 2016 from X from Akwa Ibom State, against the alleged violator who also hails from the same State, She further alleged that he had impregnated her in 2012 and she had given birth to a male child who, as at the time of reporting this complaint, was three (3) years old. She claimed they had been living together since 2012, but on the 31st October, 2016, he battered her and drove her out of their home whilst also taking the baby away from her. She further alleged that he claimed that he is entitled to custody of the child.

36. C/2016/37/KD

On 17th February 2016 X lodged a complaint with the Commission alleging abandonment against her husband. According to her, she married him about ten years ago. Thereafter, they started having issues with accommodation and he pleaded with her to stay with her sister before he finds accommodation for them. Since then he has refused to take up his responsibilities in the education of the children, food and shelter.

37. C/2017/34/KD

On 13th February, 2017 the Commission received a complaint from the management of Army Children's School, New Cantonment, Nigeria Defence Academy (NDA) where they alleged that the father of a 9 year old pupil used pressing iron to burn his daughter's skin on the allegation that the child belongs to a cult and had killed two of his relatives in the village.

38. C/2017/91/AKS

The Commission received a Complaint from X on 6th September, 2016 against her husband whom she accused of refusing her access into any of the three houses which they jointly owned since they got married in 1989. She alleged further that he had vandalized the room she built for herself, battered her, threw her properties out of the room and also refused to cater for the welfare of their four year old son.

39. C/2017/120/AKS

The Commission received a complaint dated 11th November, 2016 from X against the alleged violator whom she claimed was the father of her son. She complained about his refusal to take up his parental responsibility.

40. C/2016/110/AKS

The Commission received a complaint from X dated 20th October, 2016 against the alleged violator for alleged neglect of his parental responsibilities towards their two children. She claimed further that her mother-in-law harasses her and threatened to throw her out of their home

41. C/2016/103/AKS

The Commission received a Complaint on 12th October, 2016 from X against the alleged violator for alleged neglect of parental responsibilities towards his family. She claimed that she had been cohabiting with him in Lagos for many years, and that they had three children. She also alleged that while she was pregnant for the third child in 2014, he eloped to Akwa Ibom State, abandoning their children with her.

42. C/2016/226/SSZ

The Commission received a complaint from X alleging that she was in a relationship with the alleged violator with whom she had cohabited since 2004. X also alleged that she gave birth to three children during this period and that the man continuously beats her which prompted her to leave the house. Furthermore, X claimed that he neglects his parental responsibilities and refuses her access to the children.

43. C/2016/94/AKS

The Commission received a Complaint on 9th September, 2016 from X against the alleged violator for alleged neglect of responsibilities towards her and their 7 year old child whom she gave birth to for him at the age of 17 years.

44. C/2016/102/AKS

The Commission received a complaint on 11th October, 2016 from X against the alleged violator alleging abandonment and parental neglect. She claimed that they had three children together as a result of her relationship with him after having living together for many years. She alleged further that in March 2016, he threw her and their children out of their home and has since abandoned them.

45. C/2016/128/AKS

The Commission received a Complaint on 21st December, 2016 from X against the alleged violator her husband alleging abandonment and neglect. She alleged that sometimes in September 2016, he moved his belongings and left home for an unknown destination, thereby leaving her with the burden to fend for herself and their children.

46. C/2017/149/AKS

The Commission received a complaint on 21st December, 2016 from X, against the alleged violator whom she had lived with for several years and with whom she had four children. She alleged that on 17th December, 2015, He moved his belongings and left home whereupon he abandoned her and their children. She further alleged that she found out that he had married another woman whom he now lived.

47. C/2016/109/AKS

The Commission received a Complaint from X against her husband for alleged neglect responsibilities towards the welfare and development of his family She explained that Y whom she got married to in May, 2010, packed out of the house at the time she was pregnant and, thus, abandoned her and a child.

X stated that she is unable to cope with the upkeep of the children especially their feeding, education and general welfare.

48. C/2016/35/SSZ

The Commission received a complaint from X alleging that she was married to the alleged violator since 2008 and they have three children aged 5 years, 3 years, and 9 months old

respectively. X further claimed that her husband has been beating her since 2008 even during pregnancy. This has kept her in perpetual fear. It was also claimed that he neglected his parental responsibilities and relocated to his home town with their two sons, leaving her and their little baby behind without any means of sustenance.

49. C/2016/122/AKS

The Commission received a Complaint on 14th November, 2016 from X against the alleged violator whom she alleged impregnated and abandoned her and their child. She alleged further that she was surprised to discover, upon return from her parent's house (where she had gone to receive care after she gave birth) that had married another woman and refused her access into the house they jointly own.

50. C/2016/48/AKS

The Commission received a complaint on 5th May, 2016 from X (a minor) against her father on alleged abandonment of responsibilities towards her and her mother. X alleged that although her father takes care of her half-brothers, he had refused to pay her school fees, and abandoned her to be taken care of by her mother who was struggling to survive.

51. C/2016/444-445/AMO

The Commission received a complaint from X alleging that her husband of over 10 years had moved out of their matrimonial home and abandoned her and their 3 children for years without parental care for the children.

52. C/2016/185/SSZ

The Commission received a complaint from X alleging that she was legally married to the alleged violator in 2002, and that they had four (4) children. X further claimed that in 2008, the alleged violator brought a strange woman into their matrimonial home as a mistress, made life unbearable for her, and turned her into a punching bag. She further stated that he refused to provide for their children and eventually threw her out of their home, denied her access to the children and destroyed her properties.

53. C/2016/136/SSZ

The Commission received a complaint from X alleging that she has been legally married to the alleged violator for the last seven (7) years and they have two children. X further stated that he

beat and destroyed her properties worth millions of Naira at the slightest provocation. She further claimed that he restricted her movement because he felt insecure and chased her younger sister with a cutlass.

54. C/2016/431-436/AMO

The Commission received a complaint from X alleging that her husband to whom she had been married to since 2004 and had 5 children had driven her away from their home with 3 of the children, while keeping custody of the other 2 children with him. The complainant further alleged that he has since then refused to take fatherly responsibilities for the 3 children with her.

55. C/2016/496-498/AMO

The Commission received a complaint from X wherein she stated she had cohabited with Y (her partner and father of the children) Y and the relationship had produced 2 children and that she was pregnant with the third child. She further alleged that Y does not discharge his parental duties and responsibilities towards them, including failure to pay the children school fees.

56. C/2016/336 - 337/AMO

The Commission received a complaint from X alleging that Y whom she got pregnant and had a baby girl for, has since the birth of the child, refused to discharge his parental obligations because he failed to provide for the child's needs and upkeep.

57. C/2016/141-143/AMO

The Commission received a complaint from X alleging that her ex-husband, refused to discharge his parental obligation towards their children in accordance with the terms set out by the court upon the dissolution of their marriage.

58. C/2016/336-337/AMO

The Commission received a complaint from X wherein she alleged that Y (with whom she had been in a relationship with and has 2 children) does not discharge his parental responsibilities towards the children. X further alleged that she was led by frustration to dump one of the children with Y because she could not cope with providing and taking care of both children alone. Following the Commission's intervention through mediation, both parties were reconciled and the alleged violator undertook to set up a business for the complainant to ease the burden of taking care of the children.

59. C/2016/135 - 137/AMO

The Commission received a complaint from X wherein she alleged that Y (her husband and father of her 2 children) does not discharge his fatherly responsibilities of providing for the needs

of the children, including failure to pay their school fees. She further alleged that she once caught Y sexually violating her 13 year old younger sister.

60. C/2016438/AMO

The Commission received a complaint from Y wherein he complained that one XY impregnated his daughter but thereafter denied responsibility for the pregnancy and had also failed to discharge his fatherly responsibilities towards the child since her birth. The alleged violator admitted to the allegations and went further to undertake to discharge his responsibilities towards the child.

61. C/2016/303/AMO

The Commission received a complaint from X alleging that her husband Y and his brother, XY beat and maltreat her. She alleged that her husband's brother instigates most of the beatings she receives from her husband.

62. C/2016/552-554/AMO

The Commission received a complaint from X alleging child abandonment against her husband, Y whom she claimed drove her and their children out of their home.

63. C/2016/546/AMO

The Commission received a complaint from X wherein she alleged that she was in a relationship with Y which produced an 8 month old baby and that Y does not discharge his parental responsibilities of providing for the child.

64. C/2016/569754/HQ(C/2015/296/BSO)

The Commission received a complaint dated 30thOctober, 2015 from X alleging that her relationship with the alleged violator produced a child of 8 years. X further alleged that he did not provide for the upkeep of the child and was threatening to take custody of the child despite the child being too young to be separated from her mother

65. C/2016/2115/NCZ

The Commission received a complaint from X wherein she alleged that she was married to Y in 2011 and the marriage was blessed with 2 children, however, the marriage was dissolved in 2015 owing to irreconcilable difference. X further alleged that upon the dissolution of their marriage, Y forcefully took away one of the children and had since then, denied access to the child and had also failed to provide for the upkeep and school fees of the child under her custody.

66. C/2016/49/AKS

The Commission received a complaint on 9TH May, 2016 from X, who alleged that she bore a 2 year old child for the alleged violator with whom she was in a relationship with. She further alleged that he had neglected his parental responsibilities.

67. C/2016/14/AKS

The Commission received a complaint on 29th Januar,2016 from X alleging that her husband threw her and their three children out of their marital home, without recourse to the welfare of the children. She also alleged that her husband married a second wife without her consent, neither did he consent to divorce her.

68. C/2016/06/AKS

On 11th January, 2016, the Commission received a complaint from X alleging that the alleged violator who was also the father of her 5 year old child had neglected his parental responsibility of caring and providing for the said child.

69. C/2016/80/AKS/C/2016/1166716/HQ (Suo Motto)

The Commission monitored ‘*Suo moto*’ a complaint on alleged rape of X by a Police Inspector attached to Mkpato Enin Division, Akwa Ibom State. When X was contacted by the Commission, she claimed that she had indeed been raped by one police inspector attached to Mkpato Enin Police Division of the Akwa Ibom State Command.

70. C/2016/75/AKS

The Commission received a complaint on 1st August, 2016 from X alleging that she got married to the alleged violator sometime in April 1998. They have been married for over fifteen years without a child. X further alleged that on January 2nd 2016, Y forcefully evicted her from their marital home without any reason. . She claimed that her husband frustrated all efforts for reconciliation.

71. C/2016/32/AKS

On 4th April, 2016, the Commission received a complaint from X where she stated that she got married to the alleged violator traditionally in the year 2000 and they had been living in Aba, Abia State. X further alleged that Y left her with a year and three months baby they had together with four other children, and eloped with another woman to Akwa Ibom State.

72. C/2016/61/AKS

On 29th June, 2016, the Commission received a complaint from X alleging that her husband had abandoned her since 12th April, 2014, leaving her all alone with 7 children to cater for.

73. C/2015/139/SSZ

The Commission received a complaint from X alleging that she was in a relationship with Y that resulted in the birth of a child. She stated that Y denied her access to the said child.

74. C/2015/147/SSZ

The Commission received a complaint from Y alleging that he was in a relationship with the alleged violator as a result of which, she got pregnant. Y alleged that the alleged violator concealed the pregnancy from him until two years after the birth of the child, by which time, he was already married to another woman. Y alleged that the child's welfare was neglected by X and he needed to take custody of the said child.

75. C/2016/08/AKS

The Commission received a complaint on 19th January, 2016 from X alleging that her husband after separation, abandoned her and their children leaving her to care for the children's upkeep

76. C/2016/02/AKS

On 6th January, 2016, the Commission received a complaint from X alleging that she was in a relationship with the alleged violator which eventually led to pregnancy. She alleged that she and the unborn baby had been neglected by him.

77. C/2016/57/AKS

The Commission received a complaint on 20th June, 2016 from X alleging that she got married to the alleged violator who was a driver with a Micro Finance Bank and they had seven children. She further alleged that since she gave birth in 2014, he had neglected his responsibilities towards her and the children, leaving her to bear the burden of taking care of the children alone.

78. C/2016/58/AKS

On 20th June, 2016, the Commission received a complaint from X stating that she got married to the alleged violator and they had five children together. She further stated that on the 28th

February, 2016, her daughter in-law put to bed in Uyo and she informed her husband that she would be going to her place to assist her, to which he consented.

X further alleged that on the 2nd of June, 2016, her husband broke into her room while she was out, moved her properties to another room and refused to cater for the needs of the children.

79. C/2016/26/AKS

On 22nd February, 2016, the Commission received a complaint from X who alleged that since she and her ex-husband separated about three years ago, he had abandoned his fatherly responsibilities.

80. C/2016/88/AKS

The Commission received a complaint on 26th July, 2016 from X alleging that her ex-husband, with whom she had three children, a boy and two girls got separated in 2013. X further alleged that since the separated, he had abandoned the three children and she had been the sole custodian of the children while also taking care of them.

81. C/2016/36/AKS

On 5th April 2016, the Commission received a complaint from X stating that she was in a relationship with the alleged violator with whom she had a one year old child for. She alleged further that she had an automobile accident after delivering their baby, which resulted in her leg being deformed. She claimed that he was no more interested in her due to her deformity and as a result, he moved out of the house they shared together were living to unknown destination without her knowledge.

82. C/2016/13/AKS

On 28th January, 2016, the Commission received a complaint from X alleging that she got married to the alleged violator over fifteen years ago. She also alleged that they had marital misunderstanding a few years ago and even though she pleaded with him, he later moved out his belongings and left their home in the year 2013. X alleged further that since her husband left the house, he abandoned his parental responsibilities.

83. C/2016/20/AKS

On the 11th February, 2016, the Commission received a complaint from XY alleging that his sister was in a relationship with the alleged violator and the relationship resulted in his sister getting pregnant. XY further alleged that ever since his sister got pregnant, the alleged violator had refused to take responsibilities towards taking care of her and the unborn child.

84. C/2016/69/AKS

The Commission was in receipt of a complaint dated 4th July, 2016 in which X alleged that she was in a relationship with the alleged violator who works as a prisons officer attached to the Uyo Command of the Nigeria Prison Service (NPS). She also alleged that although they were not married, their relationship had produced seven (7) children. She alleged further that he had abandoned his responsibilities towards their children thereby leaving her with the burden of taking care of the children regarding their upkeep.

85. C/2016/55/AKS

The Commission received a complaint on 15th June, 2016 from X who alleged that she got married to the alleged sometimes in August 2014 and they had a male child together, whom, at the time of this report was about a year and six months old. X further alleged that armed robbers attacked their residence twice in the year 2015, as a result of which he vacated the residence and rented a new apartment thereby abandoning her and their baby.

86. C/2015/104/AKS

On 9th November, 2015, the Commission received a complaint from X who alleged that she was in a relationship with the alleged violator with whom she had 3 children. They however mutually decided to go their separate ways in 2012. She further alleged that he neglected to take up his parental responsibilities.

87. C/2016/59/AKS

On 22nd June, 2016, the Commission received a complaint from X where she alleging that she was married to the alleged violator and they had six children together. She alleged that on 22nd June 2016 at about 4.30 am, he forcefully evicted her and their children from their home where after, she had been left to cater for herself and the children.

88. C/2016/03/AKS

The Commission received a complaint on 6th January, 2016 from X where she alleging that was in a relationship with the alleged violator which resulted in the birth of a child. She also alleged that he refused to provide for the child and batters her whenever she asks him to provide for their child.

89. C/2016/37/AKS

On 8th April, 2016 the Commission received a complaint from X claiming that she was married to the alleged violator and three years after their divorce, he had refused to provide her and their child.

90. C/2016/71/AKS

On the 4th June, 2016 the Commission received a complaint from X alleging that she got married to the alleged violator in 2011 and she had a five-year old son with him, but they separated due to his insistence on her involvement in some “diabolical” acts which she declined., X also alleged that because of her refusal he asked her to move out of his house and for the past four years, he had failed to provide parental care for their child.

91. C/2016/67/AK

The Commission received a complaint on 4th June, 2016 from X alleging that she had been in a relationship with the alleged violator and during that period, she got pregnant for him and since then she has been the sole provider for the child because he had refused to take full responsibility of their child.

92. C/2016/77/AKS

The Commission received a complaint on 8th August, 2016 from X alleging that she and the alleged violator were married with three children. She also alleged that he had abandoned her and the children and moved to the village.

93. C/2016/38/AKS

The Commission received a complaint on 9th April, 2016 from X alleging that she was in a relationship with the alleged for four years with whom she had a child. X also alleged that he had neglected and abandoned his parental responsibilities to their child and presently, she was pregnant with their second child. She further said that he was also married to another woman.

94. C/2016/60/AKS

The Commission received a complaint on 26th June, 2016 from X alleging that she had a daughter for the alleged violator and that he neglected his responsibilities of catering for the wellbeing and development of their child.

95. C/2016/168/SSZ

The Commission received a complaint from X alleging that she was in a relationship with the alleged violator and became pregnant for him. She stated that the alleged violator persuaded her to terminate the pregnancy which she considered inappropriate as it constitutes an infringement of the baby’s right to life and detrimental to her health.

96. C/2016/122/SSZ

The Commission received a complaint from X alleging that she got married to Y in 2008, but they disagreed on issues such as his drunkenness and excessive smoking. She further claimed that she made several appeals to Y to stop those acts but it resulted to her been sent away from her matrimonial home, and separation from her children.

97. C/2016/2034/NCZ

The Commission received a complaint on the 23rd August, 2016 from X alleging that the alleged violator got her pregnant and that she gave birth to a baby girl. X also stated that the alleged violator does not provide for the baby and that he had left the responsibility to her and her parents.

98. C/2016/1902/NCZ

The Commission received a complaint on 1st March, 2016 from X alleging child abandonment and domestic violence against the alleged violator, her husband.

X alleged that has been married to him for about 6 years and they had 2 children. She alleged that he had been beating her and that he did not provide neither food nor fees for the children.

99. C/2016/1819-1821/NCZ

The Commission received a complaint on 22nd September, 2016 from XY alleging child abandonment against the alleged violator. XY alleged that he got her daughter who was only 17 years old pregnant. She also alleged that she has lots of responsibilities and would want the Commission to intervene so that he can take up the responsibility of catering for her daughter and the unborn child.

100. C/2016/2085/NCZ

The Commission received a complaint on 26th August 2016 from X alleging child abandonment against the alleged violator. X stated that she moved in with him and given birth to children for him. After a while, he got fed up with the relationship and asked her to move out of their home. X further alleged that since she moved to her mother's house, he had not sent any money to her for the upkeep of the children.

101. C/2016/1989/NCZ

The Commission received a complaint on 29th May, 2016 from X alleging denial of access to her child against her husband the alleged violator. X alleged that she had been married to him for about 3 years and they had a son together. She further alleged that she moved to her parents' house because she was having issues with him and he collected their 1 year 7 months old son from her and had denied her access to him.

102. C/022/2016/ADSO

On the 8th June, 2016 X alleged that Y (her husband), abandoned her and their 4 month old child without any form of maintenance.

103. C/2016/1169093-11690944/HQ

The Commission received a complaint from Y alleging that on the 15th of August, 2016, a teacher in her daughter's school while flogging another child mistakenly flogged his daughter on the eye. That the daughter's left eye was damaged and that he has spent a huge sum of money in the course of treatment.

104. C/2016/436/HQ

The commission received a complaint from XY (a Law firm) on behalf of X alleging that the husband of X beats her at the slightest provocation. XY further alleged that X's husband abandoned his parental responsibility towards their children. XY further alleged that the children are presently out of school.

105. C/2016/1167376/HQ

The Commission received a complaint on 10th October, 2016 from X alleging that her husband batters her at any opportunity. X further alleged that he had also abandoned his parental responsibility towards the children who were presently out of school.

106. C/2016/1167159/HQ

The Commission received a complaint on 27th September, 2016 from XY on behalf of their client alleging domestic violence against her husband. XY further alleged that the husband had abandoned his responsibility towards the children who were presently out of school.

107. C/2016/510/HQ

The Commission received a complaint on 8th February, 2016 from X alleging that her husband beats her at will. X also has alleged that he had abandoned his parental responsibility towards their children who are presently out of school.

108. C/2016/714- 718/HQ

The Commission received a complaint from X alleging that she had a relationship with the alleged violator and they had a child together. She further alleged that he stopped providing for their child and left the whole responsibility for her alone.

109. C/2015/309967-309969/HQ

The Commission received a complaint from X on 11th January 2016 alleging that she had a relationship with the alleged violator and they had had two children. She alleged that he had left town to another location and stopped providing for the children needs and upkeep.

110. C/2017/139/G

The Commission received a complaint on the 2nd August, 2017 from X alleging that her husband has been maltreating her by molesting and insulting her as well as abandoning his parental responsibilities.

111. C/2017/165/G

The Commission received a complaint on 29th September, 2017 from X alleging that she got married to the alleged violator fifteen years ago. She also alleged that he had abandoned his parental responsibilities of providing and catering for their children.

112. C/2017/236/AKS

On 15th September, 2017 the Commission received a complaint from X alleging that her husband abandoned her and their two children for ten years and then he suddenly showed up and attempted to abduct the children.

113. C/2017/189/G

The Commission received a complaint from X on 26th October 2017 alleging that her ex-husband abandoned her with six children. She further claimed that he abandoned his parental responsibilities.

114. C/2017/174/G

The Commission received a complaint from X on 9th October, 2017 alleging that her husband abandoned his parental responsibilities and he is in the habit of insulting, beating and even threatening that he would disown her as a wife since he did not pay her dowry.

115. C/2017/170/G

The Commission received a complaint on 4th October, 2017 from X alleging that the alleged violator who works at Federal University, Kashere, Gombe State, failed to meet up to his responsibility as a father to her children and is fond of insulting and threatening her and her father.

116. C/2017/104/G

The Commission received a complaint from X on 15th March, 2017 alleging that her husband went to Abuja and abandoned her and their 8 children in Gombe State. She also claimed that he came back to Gombe and took her first daughter to live with his second wife where she was made to hawk in Abuja.

117. C/2017/128/G

The Commission received a complaint dated 20th of July, 2017, from X alleging that she was co-habiting with the alleged violator which resulted in the birth of two children. She also alleged that he neglected his parental responsibilities of catering for the welfare, development and upkeep of the children.

118. C/2017/214/G

On 22nd November, 2017 the Commission received a complaint from X who alleged that her husband abandoned his parental responsibilities by neglecting the children and not taking care of their basic needs as well as physically abusing her.

119. C/2017/112/G

The Commission received a complaint from X on 9th May, 2017 alleging that her father wanted to give her out in marriage to his best friend against her wish. She further claimed that her fiancé was imprisoned for 8 days due to her refusal to marry the father's friend.

120. C/2017/130/G

On 17th July, 2017, the Commission received a complaint from XY alleging that the victim was forcefully married to a senior Police Officer against her wish.

121. C/2017/093/G

The Commission received a complaint from X on 17th April, 2017 stating that the alleged violator abandoned his parental responsibilities towards their children.

122. C/2017/6623 – 6626/HQ:

The Commission received a complaint from X on the 25th of May, 2017 against her husband alleging that she had been physically abused by him. She also alleged that he beat her up on the night of 15th May, 2017 following which she was admitted at the hospital for four days. She further alleged that upon her discharge from the hospital. He told her to either pack out of the house or face another round of beatings.

123. C/2017/6032/HQ:

The Commission received a complaint on the 5th of April, 2017 from X alleging that her husband had been beating her since they got married in April, 2015 and had also abandoned her and moved out of their home because he said he was no longer interested in the marriage.

124. C/2017/5439/HQ:

The Commission received a complaint from X on 29th March, 2017 alleging that her husband subjected her to physical abuse.

125. C/2017/5479/HQ:

The Commission received a complaint from X alleging that her husband whom she got married to in 2001 subjected her to domestic violence as a result of which she suffered several injuries. She also alleged that he slapped her on her right eye when she requested for the payment of the loan he took from her.

126. C/2017/5105-5109/HQ:

The Commission received a complaint from X alleging her husband subjected her to physical, verbal, mental and emotional abuses in the marriage for 16 years. She also alleged that her life has been threatened severally by him.

127. C/2017/121/AKS

On 11th November, 2017, the Commission received a complaint from, X alleging that her husband threw her out of the house and denied her access to their two children.

128. C/2017/152/AK

On 16th March, 2017, the Commission received a complaint from X stated that the alleged violator abandoned his responsibility towards her and their child.

129. C/2017/179/AKS

On 18th May, 2017, the Commission received a complaint from X against the husband for alleged abandonment of his responsibilities towards her and the children after she took ill.

130. C/2017/181/AKS

On 19th May, 2017, the Commission received a complaint from X alleging that her husband, drove her out of the house together with their children and further threatened to kill her and hide her dead body.

131. C/2017/173/AKS

On 26th April 2017, the Commission received a complaint from X against her husband for alleged denial of access to their children.

132. C/2017/134/AKS

On 1st February, 2017 the Commission received a complaint from X against her husband alleging domestic violence and abandoning her and their two children.

133. C/2017/138/AKS

On 7th February, 2017, the Commission received a complaint from X against her husband alleging abandonment of his responsibilities towards her and their two children. She also alleged that on January 2017, the respondent evicted her and their children from their home thereby rendering them homeless and helpless.

134. C/2017/170/AKS

On 20th April, 2017 the Commission received a complaint from X against her husband who, she claimed, sent her and their three children out of the house. She stated further that the husband thereafter followed her and took away their two year old daughter.

135. C/2017/177/AKS

On 8th May, 2017 the Commission received a complaint from X against the alleged violator with whom she had lived with for 20 years albeit unmarried. She further alleged neglect of their two children and domestic violence on grounds that she doesn't provide food for him.

136. C/2017/137/AKS

On 19th May, 2017 the Commission received a complaint from X against the alleged violator for domestic violence and neglect of responsibilities towards their child. She alleged that he constantly beat and threatened to kill her.

137. C/2017/215/AKS

On 28th February, 2017 the Commission received a complaint from X against her husband who, though legally married since 2006, they had had misgivings in the relationship which bordered

on physical and verbal abuse. She further alleged that her personal effects were thrown out of their home and left in the rain. She further alleged that since he did not support her education or any means to earn income, it had been difficult for her to take care of the children's education as well as other needs.

138. C/2017/188/KD

The Commission received a complaint on 31st November, 2017 from X against her husband on alleged domestic violence. According to her, they had been married and have four children but continuously suffered beatings, abuses and maltreatment from him, which lead to a few miscarriages. She further alleged that he refused her access to her children since they separated

139. C/2016/1209646- 1209649/HQ

The Commission received a complaint on 14th December, 2016 from Y against the alleged violator for denial of access and abduction of his children. She, on the other hand, crossed petitioned him for alleged harassment and, thus, requested for custody and upkeep for the children.

140. C/2017/7798/HQ

The Commission received a complaint on 19th September, 2017 from an NGO. They wrote to the commission requesting for support and intervention in a matter concerning a baby who was abandoned by her parents and rescued by a good samaritan at Aso, in Mararaba, Nasarawa State. When the child's father was arrested he explained that his wife abandoned the child with him leaving him with no option than to also neglect the baby. The NGO has since been asked to take over custody of the baby to support her development, survival and protection.

141. C/2017/7795- 7797/HQ

The Commission received a complaint on 19th September 2017 from an NGO that their client, had been abused physically and emotionally by her husband who allegedly sent her and their children out of the house. She had to run for her life as a result of the constant beatings and neglect where she stayed on a neighbors' porch till she and her children were eventually rescued by a pastor. The NGO] intervened by providing low cost apartment as well as food and clothing for them.

142. C/2017/7014- 7018/HQ

The Commission received a complaint on 30th June, 2017 from X on behalf of her 5 children where she stated that her husband of 20 years, had been assaulting her and refused to take care of them. She alleged that he had since abandoned both their home and his work as a mechanic.

143. C/2017/311-313/HQ

The Commission received a complaint from X where she stated that she is married to the alleged violator and they have two children together. She claimed that they had been living apart for 6 months and he had refused to provide for the children. She claimed that all efforts by her to make him assume paternal responsibilities towards his children have been unsuccessful.

144. C/2017/5090-5094/HQ

The Commission received a complaint on the 7th March, 2017, from X where she stated that she married her husband on 3rd July, 1999 and they have four 4 children. She stated that the marriage had been filled with violence, even towards the children. She alleged further that he took away the children and prevented her from communicating with them.

145. C/2017/5792-5794/HQ

The Commission received a complaint on the 4th May, 2017 from X who stated that her husband was abusive due to his addiction to Marijuana and was thus, constrained to leave their apartment because he failed to renew the rent and that since she left in January 2017, he has neglected to take responsibility for the welfare and upkeep of the children. He had also threatened to take children away from her.

146. C/2016/ 1169129/HQ

The Commission received a complaint on the 1st November, 2016 from Y who made allegations concerning the abduction of his 15year old son from his residence by the child's mother who had been separated from him since 2004. He had also reported the matter at the police station and that such act had deprived the boy of his right to education.

147. C/2017/7812-7813/HQ

The Commission received a complaint on the 12th September, 2017 from a law firm on behalf of their client against a German national and staff of Julius Berger Plc, in which, it was alleged their client had a baby for the German national. The firm further alleged assault and maltreatment meted out on their client and refusal of the alleged violator to provide for the upkeep of the child. Although he initially denied paternity of the child, DNA test was conducted and it was established that he is the biological father of the child.

148. C/2017/8535-8536/HQ

The Commission received a complaint on 4th December, 2017 from X alleging that after her marriage to her husband several people started harassing him for money he owed them as result of which she alleged further that after he was released from prison custody, he took away her properties and abandoned their family.

149. C/2017/7714/HQ.

The Commission received a complaint from the complainant X on the 6th September, 2017 stating that she got married to the alleged violator in 2005 and they have 2 children together aged 11 and 6. She alleged that her husband returned her to her father in March 2014 stating that he was no longer interested in the marriage and took the children away and gave them to his brother in the village since March 2014.

150. C/2017/140/G

On 2nd August, 2017 the Commission received a complaint from X who alleged that her husband was fond of sexually molesting their ten year old daughter. She further alleged that their daughter informed her that he had sexual intercourse with her and warned her not to disclose this to anybody.

151. C/2017/143/G

The Commission received a complaint on 7th August, 2017 from X alleging that her ex-husband abandoned their son for more than 7 months and had not been taking care of his basic needs.

152. C/2016/133

On 1st December, 2017 the Commission received a complaint from X alleging that her husband abandoned and refused to take care of the twin babies she delivered.

153. C/2017/131/G

The Commission received a complaint on the 16th October, 2017 from X alleging that her ex-husband divorced abandoning her with their son and a pregnancy. She further alleged that after she delivered their baby at her father's house he had refused to take up parental responsibilities of the children.

154. C/2017/151/AKS

On 20TH March, 2017 the Commission received a complaint from X alleging that he had abandoned her and their child.

155. C/2017/6975/HQ

On 28th August, 2017 the Commission received a report on Social Media on alleged rape of X (a minor). She was raped by one Inspector attached to the Police division, Akwa Ibom State. The incident occurred on 18th July 2016 when she was accosted by a police patrol team, and at gun point, the Inspector raped her in the nearby bush.

156. C/2017/184/AKS

On 19th April, 2017 the Commission received a complaint from X against the alleged violator for neglect of their 5 year old son.

157. C /2017/249/AKS

On 3rd October, 2017 the Commission received a complaint from X against the alleged violator for neglect and abandonment of responsibility towards her and their baby.

158. C /2017/221/AKS

On 31st August, 2017 the Commission received a complaint from X against the alleged violator stating that he had abandoned her and their child and later took the child away from her without her consent.

159. C /2017/182/AKS

On 19th May, 2017 the Commission received a complaint from X who stated said she has two children (the first child is 2 years old while the second child is two months old) for the alleged violator . She alleged that he threw her belongings out of the home while she was nursing their first child and as at that time, she was already carrying another pregnancy. She further said that he had refused to provide for his children and equally denied giving the second child a name.

160. C/2017/183/AKS

On 24th May, 2017 the Commission received a complaint from X against the alleged violator who sent her and their child out of their home without any good reason and the child could not continue in the school because he was not taking up his parental responsibility.

161. C/2017/223/AKS

On 5th September, 2017 the Commission received a complaint from XY alleging that her late sister's husband had abandoned and abdicated his responsibilities towards his three children.

162. C/2017/294/AKS

The Commission on 19th December, 2017 received a complaint from X wherein she alleged that her husband drove her out of their house and has denied her access to their children.

163. C/2017/282/AKS

On 10th November, 2017 the Commission received a complaint from XY wherein he alleged that his late sister's husband had abandoned the six children he fathered with his late sister and had refused to discharge his parental responsibilities towards the children.

164. C/2017/265/AKS

On 19th October, 2017 the Commission received a complaint from X alleging that her husband had refused to provide food for her and two of their children and had also equally stopped paying the school fees of their children.

165. C/2017/291/AKS

On 7th December 2017 the Commission received a complaint from X wherein she alleged that her refusal to abort a pregnancy, the third of which has made the alleged violator to reject her and the unborn child and has also refused to cater for her and take responsibility for the pregnancy.

166. C/2017/289/AKS

On 4th December, 2017 the Commission received a complaint from X wherein she alleged that her husband moved out of their matrimonial home, abandoning her and their two children because she confronted him over his illicit affairs with her younger sister.

167. C/2017/264/AKS

On 19th October, 2017 the Commission received a complaint from X wherein she alleged that her relationship with the alleged violator which produced a child and that he had since the birth of the child, abdicated his responsibilities towards the child including severing communication with her and the baby.

168. C/2017/243/AKS

On 22nd September, 2017 the Commission received a complaint from X wherein she alleged that her husband accused her of extra-marital affairs and thereafter sent her and their children packing

to her parent's house. She further alleged that he has since then refused to discharge his parental responsibilities towards her and their children.

169. C/2017/251/AKS

On 3rd October, 2017 the Commission received a complaint from Y alleging that the alleged violator with whom he had cohabited with for 10 years and fathered a 7 year old child with, suddenly moved out of the house with their son and has since then denied him access to the child even as the child was out of school because of the development.

170. C/2017/233/AKS

On 14th September, 2017 the Commission received a complaint from X wherein she alleged that her husband, had neglected and abandoned her and their two children since 2015 when he was transferred to police headquarters, Anthony Division, Lagos State.

171. C/2017/233/AKS

On 14th September, 2017 the Commission received a complaint from X alleging that she has a two year old daughter for the alleged violator out of wedlock and he had abandoned her and the baby.

172. C/2017/268/AKS

On 25th October, 2017 the Commission received a complaint from Y (15 year old) alleging that he lacks parental care, including being out of school following the absence of his mother who he learnt had left her matrimonial home when he was an infant.

173. C/2017/AKS

On 4th December 2017 the Commission received a complaint from X, a widow and mother of two children alleging that her late husband's sister has taken over their house and parcels of land that her late husband had left behind as inheritance for his children, especially their male child.

174. C/2017/252/AK

On 3rd October, 2017 the Commission received a complaint from Y alleging that his father in-law had denied him access to his son and all his efforts to have access and custody of the child from his father in-law had failed.

175. C/2017/267/AKS

On 23rd October, 2017 the Commission received a complaint from X alleging that the alleged violator whom she had an 8 year old son with, abandoned her when she informed him of the pregnancy and never took up parental responsibility, during the pregnancy and delivery of the child but now wants to take away the child from her.

176. C/2017/261/AKS

On 17th October, 2017 the Commission received a complaint from X alleging that the alleged violator, with whom she has a 7 year old girl with, abducted the child and since then, denied her access to her child even as he also failed to pay her dowry. She alleged further that he had frustrated attempts by other suitors who showed interest in marrying her.

177. C/2017/274/AKS

On 6th November, 2017 the Commission received a complaint from Y alleging that his former wife came around his place of residence and absconded with one out of the two kids from their marriage and he has not seen the child neither has he been allowed access to the child since the incident. He further alleged that the child has been out of school because of the development.

178. C/2017/285/AKS

On 20th November, 2017 the Commission received a complaint from X (a widow), wherein she alleged that her late husband's relative, upon her husband's death came to their house and took away her husband's car and union bank share certificate with the intent to sell them.

179. C/2017/226/AKS

On 11th October, 2017 the Commission received a complaint from X alleging that her ex-husband who, over the years, had abandoned his parental responsibilities towards their two children, and suddenly showed up demanding the custody of the children.

180. C/2017/222/AKS

On 5th September, 2017 the Commission received a complaint from X alleging that her husband sent her and their children packing from her their home and stopped providing for upkeep of the children

181. C/2017/238/AKS

On 18th September, 2017 the Commission received a complaint from X wherein she alleged that she got pregnant while in a relationship with the alleged violator. She further alleged that her refusal to terminate the pregnancy as requested by him made him abandon his responsibilities towards the child's welfare and up-bringing even as his family members insulted her at every opportunity.

182. C/2017/232/AKS

On 14th September, 2017 the Commission received a complaint from X alleging that she had been in a relationship with the alleged violator since 2003 during which she got pregnant for him. She also alleged that he initially acceptable responsibility for the pregnancy but later denied responsibility.

183. C/2017/287/AKS

On 27th November, 2017 the Commission received a complaint from X wherein she alleged that her former husband refused her access to their children who were under his custody.

184. C/002/2017/ADSO

On 13th January, 2017 the Commission received a complaint from X alleging that her former husband since the dissolution of their marriage. He has since neglected their children and has refused to discharge his parental responsibilities towards their children needs and welfare including payment of their school fees.

185. C/015/2017/ADSO

On 1st June, 2017 the Commission received a complaint from X alleging that her former husband) had neglected his parental responsibilities towards their 4 year old son who according to her suffers from sickle cell anemia.

186. C/2017/016/ADSO

On 28th June, 2017 the Commission received a complaint from X alleging that her ex-husband refused to enroll their five children in school since he took over their custody. She also alleged that their step-mother engaged the children in street hawking and that their health needs are not attended to.

187. C/2017/020/ADSO

On 7th August, 2017 the Commission received a complaint from XY against the alleged violator wherein she alleged that he sexually abused her 17 year old daughter. She further alleged that he abducted her daughter, accommodated her somewhere in town, and influenced her to take intoxicants after which he took advantage of her. Furthermore, the police had refused to act on her complaint over the matter.

188. C/2017/021/ADS

On 15th August, 2017 the Commission received a complaint from X against her ex-husband wherein she alleged neglect of parental care and responsibilities by him towards their two children and their unborn third child, thereby leaving her alone to cater for the children.

189. C/2017/022/ADSO

On 25th August, 2017 the Commission received a complaint from X alleging that the father of her child had since the birth of the child abandoned and neglected his parental responsibilities towards the child in spite of the child suffering from sickle cell anemia.

190. C/2017/18/KD

On 27TH January, 2017 the Commission received a complaint from X alleging that her step-father had been sexually molesting her since she was 12 years old. She further alleged that her mother beat her up when she reported the matter to her, accusing her of trying to ruin her marriage.

191. C/2017/79/KD

On 26TH April, 2017 the Commission received a complaint from XY wherein he claimed that the alleged violator raped his 5 year old daughter. He further alleged that the police had not taken any action two weeks after he reported the matter at the police station.

192. C/2017/133/KD

On 17th July, 2017 the Commission received a complaint from XY on behalf of her 14 year old daughter wherein she alleged that her daughter was kidnapped, her religion forcefully converted to Islam and married by her alleged kidnapper,

193. C/2017/68/KD

On 3rd March, 2017 the Commission received a complaint from X alleging abandonment against her husband. According to her, he no longer cared for her and their four children and stayed away for very long days without checking up on her and the children.

194. C/2017/11/KD

On 16th January, 2017 the Commission received a complaint from X wherein she alleged that her husband had abandoned her and their children.

195. C/2017/66/KD

On 31st March, 2017 the Commission received a complaint from Y alleging that his ex-wife had denied him access to their children since she moved out of their matrimonial home with the kids after irreconcilable differences between them.

196. C/2017/130/KD

On 3rd July, 2017 the Commission received a complaint from X wherein she alleged that her husband of over 10 years abandoned her and their children without care and support. She further alleged that he relocated outside of their place of residence without informing them.

197. C/2017/173/KD

On 28th September, 2017 the Commission received a complaint from X wherein she alleged that the father of her baby threatened to take custody of their child from her.

198. C/2017/71/KD

On 11th April, 2017 the Commission received a complaint from X wherein she alleged that her husband does not discharge his responsibilities towards her and their child.

199. C/2017/156/KD

On 21st August, 2017 the Commission received a complaint from X wherein she alleged that her ex-husband neglected his responsibilities towards their 3 children and he allowed his current wife to maltreat the children. She further alleged that his wife had beaten one of the children to a point that she was left with a dislocated hand and wounds on her legs and ribs. She requested for the Commissions intervention for her to have custody of the children.

200. NHRC/OSUN/017/044

The Commission received a complaint dated 25th of July, 2017 from X alleging that since she separated from her husband in 2016, he has refused to cater and provide the needs of their four children.

201. NHRC/OSUN/017/054

The Commission received a complaint dated 6th of October, 2017, from X alleging that her husband abandoned his parental responsibility of catering and providing for their five children. She further alleged that the neglect of his responsibilities has affected the wellbeing and education of the children.

202. NHRC/OSUN/17/036

The Commission received a complaint dated 8th of June, 2017 from XY alleging that a girl child of Usteem Nursery & Primary School was beaten by her guardian and left her with bruises and marks all over her body.

203. NHRC/OSUN/17/029

The Commission received a complaint dated 17th of May, 2017 from X alleging that the Father of her 4 year old male child abandoned his parental responsibility of catering and providing for the child.

204. NHRC/OSUN/17/038

The Commission received a complaint dated 20th of June, 2017 from Y alleging that the mother of his child denied him access to the child.

205. NHRC/OSUN/17/039

The Commission received a complaint dated 3rd of July, 2017 from Y alleging that (his wife took away their two children to an unknown destination without his consent or knowledge thereby denying him access to the children.

206. NHRC/OSUN/17/035

The Commission received a complaint dated 14th of September, 2017 from Y alleging that his wife took away their eleven month old baby to an unknown destination without his consent or knowledge and has denied him access to the child.

207. NHRC/OSUN/17/011

The Commission received a complaint dated 1st of December, 2017 from X alleging that her husband abandoned his parental responsibilities of catering and providing for their three children. She further alleged that the actions of her husband had adversely affected the education and wellbeing of the children.

208. NHRC/OSUN/17/057

The Commission received a complaint dated 16th October, 2017 from X alleging that her husband moved out of their house and has denied her access to their children.

209. NHRC/OSUN/17/033

The Commission received a complaint dated 23rd May, 2017, from X alleging that she gave birth to a child who is currently 13 years old. She further alleged that right from when she was pregnant to the time of the child's birth, she did not inform the Father of the child about the existence of the pregnancy or the birth of the child. She further alleged that the reason for not disclosing the existence of the child was because of his violent nature. She also claimed that since she introduced the child to him, he has been insisting and threatening to take custody of the child without her consent.

210. C/2017/173

The Commission received a complaint from X on 2nd October, 2017 alleging forceful separation of her child by her ex-husband. She also alleged that he took away the child who was in her custody and has denied her access to the child.

211. ANS/SEZ/2017/34

The Commission received a complaint from X on 6th June, 2017 against her husband. She also alleged that he no longer cared about their four children but left the parental responsibility for her alone and this has leads to their constant quarrels and that he threatened to kill her if she doesn't leave his house.

212. C/2017/89/KD

The Commission received a complaint from XY on 11th May, 2017 alleging that an Imam sexually abused a child under his custody in a mosque. He also claimed that the alleged violator had been having canal knowledge of some other children under his tutelage. .

213. C/2017/74/KD

The Commission received a complaint from Y on 18th April, 2017 alleging that (his wife maltreats their children. He also alleged that she does not care for the children and denies them food and has also threatened to kill them. He further alleged that both of them are military personnel serving in Warri, Delta State.

214. C/2017/69/KD

The Commission received a complaint from X on 4th April, 2017 on alleged lack of parental care by her ex-husband. She also alleged that her ex-husband does not carry out his fatherly responsibility towards their children such as feeding, clothing and school fees. She further alleged that Y's second wife was maltreating the children.

215. C/2017/97/KD

The Commission received a complaint from XY on 18th April, 2017 alleging that a 60 year old man defiled a primary school pupil on the 17th may, 2017 on her way to school. He also claimed that the alleged violator lured the child into his room and had canal knowledge of the child.

216. C/2017/115/KD

The Commission received a complaint from X on 9th June, 2017 alleging lack of parental care against her husband. She also alleged that he had not been providing food, health care services and other form of care for the children for the past six years.

217. C/2017/99/KD

The Commission received a complaint from X on 22nd May 2017 alleging that her husband had abandoned his parental responsibilities towards their four children. That after the death of his mother, he inherited all her property, disappeared from the house and she does not know about his whereabouts.

218. C/2017/183/KD

The Commission received a complaint from X against her husband on 23rd October, 2017 on alleged lack of parental care. She stated that they have been married for 8 years and have 3 children. She further stated that her husband abandoned her and the children when they went to the village for the 2015 elections and till date, the children are presently out of school and she finds it difficult to feed them.

219. C/2017/185/KD

The Commission received a complaint from X on 24th October, 2017 against her husband on alleged abandonment of parental responsibility. She alleged that since he was transferred to Kaduna by the Nigeria Police Force, he stopped providing for her and their child for a period of 4 years.

220. C/2017/176/KD

The Commission received a complaint from X on 9th October 2017, alleging that her husband abandoned his parental responsibility. She stated that she was married to him and they have seven children. She further stated that since 2013, when she separated from him, he abandoned his responsibilities to their 7 children.

221. C/2017/73/KD

The Commission received a complaint from X dated 18th April, 2017 on allegation of lack of care and child abandonment against her ex-husband. She also alleged that he does not take care of their three children. . She further stated that she has been the one taking care of the children.

222. C/2017/89/KD

The Commission received a complaint from X on 10th May, 2017 against her ex-husband alleging that he abandoned his parental responsibility towards their children. She also alleged that he divorced her sometime in 2015 and left her to fend for their two children without any form of support.

223. ANS/SEZ/2017/24

The Commission received a complaint from X on 3rd May 2017, against her husband. She alleged that his bad behaviour could lead to her children's moral destruction. According to her, she left her matrimonial home as a result of the same character which ranges from attacking her physically, feeding her 4 year old son alcohol to stupor as well as making ungodly speeches that are not healthy for the growth of children in their presence. She further alleged that Y takes their 4year old son along from one bar to another drinking and teaching him how to pull the trigger. She also alleged that the children are not enrolled in school.

224. ANS/SEZ/2017/15

The Commission received a complaint from Nigerian Prison Service (NPS), Anambra State Command on the 23rd of February, 2017 alleging that officers from the NPF SARS, Awkuzu brought two children to the prison The NPS further alleged that they rejected the children, yet SARS brought them back threatening to shoot the boys if they reveal their real ages.

225. ANS/SEZ/2017/78

The Commission received a complaint from X on the 18th December, 2017 alleging that her husband abandoned his parental responsibility towards their children. X also stated that their

marriage is blessed with two children and she has been the only person providing the children needs.

226. C/2017/128-131/AMO

The Commission received a complaint from X alleging that she got married to her husband in 2010 and they have three (3) children. She also stated that the alleged violator beats her frequently causing her bodily harm and that he chased her and the children out of the house.

227. C/2017/295/AMO

The Commission received a complaint from X alleging that she got married to the alleged violator and had an 8 month old son for him. She also alleged that her husband has failed to provide for the welfare of the family and pleaded with the commission to compel him take up his fatherly responsibility.

228. C/2017/234-236/AMO

The Commission received a complaint from X where she stated that she married her husband in 2010 and they had 2 children. She further alleged that her husband stopped providing for the upkeep of the family a year ago and also beats her at slightest provocation.

229. C/2017/7239 – 7240/HQ.

The Commission received a complaint on 19th of July, 2017 from X against the father of her child. She stated that the alleged violator stopped providing monthly upkeep for their son for four months and that he was also not responding to her call for his assistance.

230. C/2017/6659 – 6664/HQ:

The Commission received a complaint from X on the 31st May, 2017 against the father of her five daughters. She alleged that he has not been providing upkeep for the daughters. She also mentioned that whenever she called him for assistance, he would tell her to give him the children so that he will take them to the village.

231. C/2017/6614 – 6616 /HQ:

The Commission received a complaint on 25th May 2017 from X against her husband stating that they have been married since December, 1994 and the union produced two daughters. She also

said that he threatened to kill her after a misunderstanding and ordered her to move out of their home.

232. C/2017/6604 - 6607/HQ:

The Commission received a complaint on the 24th of May, 2017 from X against her husband. She alleged that they had been married since 2005 and the union produced three boys. She stated that since they got married, the alleged violator brings women to their home and each time she complains, he beats her up. When he heard her making calls to her family members, he came to the kitchen and stabbed her with a knife. She further alleged that in March 2016, they had a fight which led to him throwing her things out of their house and brought in another woman.

233. C/2017/6234 - 6235/HQ:

The Commission received a complaint on the 18th of May, 2017 from X against her ex-husband. She stated that before they got married in 2013, she told him that her genotype was 'AS', while he told her that his was 'AA'. After the birth of their daughter in 2014, when she turned two years old and was constantly falling ill, it was discovered that she was 'SS'. It was at this point, she decided to leave the marriage in April, 2017 and that the bride price was also returned. She further alleged that her ex-husband had refused to live up to his fatherly responsibilities, by providing the necessary resources for the wellbeing of their daughter.

234. C/2017/5115 - 5116/HQ:

The Commission received a complaint on the 10th of March 2017 from X against the father of her child. She alleged that the alleged violator refused to provide any financial support for the wellbeing and development of their child.

235. C/2017/8685/HQ:

The Commission received a complaint from X against her husband who she got married to in the year 2002. Soon after she noticed that the husband was having affair with her niece and when she confronted him about that, he threatened her life, beat her severally and denied the children some parental care.

236. C/2017/8500 - 8503/HQ:

The Commission received a complaint from X on the 16th of November, 2017 against her husband on allegation bothering on the issue of violation of rights of the child to survival and development.

She stated that since they got married in 2012, the alleged violator has not been providing for the family and that she complained several times to his family but there was no response from them. She further said that her older sister took up the responsibility of always coming to her aid and also setup a business which she gave her to manage in order to assist her pay her children's school fees, house rent and feeding. But since the death of her sister, things became difficult.

237. C/2017/8298 – 8300/HQ.

The Commission received a complainant from X on the 7th November 2017 against her husband who is a police officer. She alleged that they got married in 2008 and the union produced two children. She further alleged that her husband has not been taking care of them and that he is in the habit of beating her on many occasions. She also said that on 8th of December, 2016 she had a misunderstanding with him and afterwards went to the market and on getting back from the market she found all her belongings outside the house and he took her children away to his first wife.

238. C/2017/8282- 8283/HQ:

The Commission received a complaint on 6th November, 2017 from X against the father of her daughter. She alleged that on April 13th 2017, she gave birth to her daughter and the alleged violator has not been taking care of the daughter.

239. C/2017/7681 - 7682/HQ

On the 24th of August, 2017, the Commission received a complaint from X against the father of her child. She stated that she had been in a relationship with him since 2011 which resulted to the birth of a son in 2014. She also said that while she was pregnant, the alleged violator asked her to go to the village and live with his mother until the child is born. After she left for the village the alleged violator abandoned her and didn't provide for them even after she gave birth.

240. C/2017/67-70/AMO

On 3rd April, 2017, the Commission received a complaint from X on abandonment of parental responsibility by the alleged violator with whom she had three children. She further stated that he neglected his responsibility towards the children and that it has been difficult for her to take care of the children on her own.

241. C/2017/56/AMO

On 9th March, 2017, the Commission received a complaint from X on abandonment of parental responsibility by the alleged violator, who she is married to and has a son. She further alleged that he was no more interested in the marriage.

242. C/2017/6/EK

The Commission received a Complaint on 14th February, 2017 from X against her husband. She complained that he abandoned her and their three children (11yrs, 8yrs, and 5yrs respectively) since April 2016, thereby subjecting them to excruciating hardship. She further claimed that he had persistently neglected payment of the children's school fees making their education unstable.

243. C/2017/8/EK

The Commission received a Complaint on 27th March, 2017 from X against her husband who allegedly abandoned her and their Five Children thereby denying them parental care.

244. C/2017/5/EK

The Commission received a Complaint on 3rd February, 2017 from X against the alleged violator whom she had been dating for the past 6 years. She alleged among others, that he had persuaded her to abort about ten pregnancies for him during this period. She further complained that she was pregnant again, and the alleged violator denied responsibility of the pregnancy, asking her to get money and abort it. She further alleged that he had resulted to beating her always.

245. C/2017/015/EK

On 12th April, 2017 Y, lodged a Complaint, alleging that his wife took away their two children (both girls aged 7 and 3 respectively) and denies him access to them. He stated that he got married to her in 2009. He also alleged that she had since then taken the custody of the children and denied him access to the children.

246. C/2017/017/EK

On 22nd May, 2017 X lodged a Complaint to the Commission against the alleged violator, alleging that she has been cohabiting with him since 2012 and the relationship is blessed with a child (2 years old). She further alleged that he beats her up repeatedly and that she has sustained various degrees of injuries during the beatings, and that he neglects also his parental responsibilities. She further reported that she decided to leave the house to save her life and that of her kid.

247. C/2017/022/EK

On 17th July 2017 X alleged that she and the alleged violator had been cohabiting for the past three years and that they have two children. She claimed that on 14th July 2017, her partner told her to leave the house with the children after a quarrel without providing alternative shelter and without any arrangement for feeding or schooling of the children.

248. C/2017/23/EK

On 24th July 2017, X lodged a complaint against the alleged violator with whom she had cohabited for about 11 years and with whom she has two female children aged 11 years) and 6 years. She claimed that they are now separated due to misunderstanding between the two of them; and that since the separation in January, he has failed to shoulder the parental responsibilities of his children in term of feeding, clothing and education.

249. C/002/2017/ADSO

The Commission received a complaint from Mrs. X on 13th of January, 2017, alleging that she was married to the alleged violator and that the marriage lasted for twenty (20) years before they divorced ; and that they had three children aged 18 , 8 and 6 years old respectively. She complained of neglect of parental responsibility against her ex-husband alleging that since their separation on 7th October, 2013 , he had not given her any support in caring for their children, and that he does not pay his children's school fees, neither does he cater for their shelter, feeding or other necessities , and that all her effort to make him take responsibility of his children's welfare as a father had proved abortive.

250. C/2017/029/EK

On 18th September 2017, X lodged a complaint with the Commission against the alleged violator whom she claimed to have cohabited with since 2012, and that they have a child. She further alleged that he has been violating her for a long time now by beating her frequently. She claimed that she had been bearing this battery for long until on 6th August 2017 when he beat her and inflicted injuries on her body and this made her to move out of their house to her sister's place, for safety. She complained that since then, he had been neglecting her as well as abandoned his fatherly responsibilities towards their child.

251. C/2017/30/EK

On 25th September 2017, X lodged a complaint in the Commission against the alleged violator whom she claimed to have cohabited with for about 17 years and that they have 2 children aged 15 and 12 years. She claimed that she had to get married to another man following several episodes of maltreatment and negligence of responsibility to her and the children and that he refused her access to the children.

252. C/2017/033/EK

On 8th November, 2017, X alleged wife battering and neglect of parental responsibilities against her partner who she claimed to have been cohabiting with for the past 10 years, begetting a male child who is 5 years. She cited several instances of battering on her and stated that he does not contribute to the upkeep of the family, especially welfare of the child.

253. C/OO8/2017/ADSO

On 2nd May, 2017, X alleged parental neglect and abandonment against her husband. She claimed that her husband had abandoned her with their 5 children. She further alleged that after they fled as a result of the insurgency sometime in 2014, her husband left for Lagos leaving her with the children and that since he left, he had not sent her any money at all and when he got back in December 2016 for Christmas, he called her to say that he is no more interested in the marriage and he took the 5 children with him. But due to his lack of stable accommodation, the children had to come back to her and when she asked him for money, he said only 2 out of the 5 children are his that the rest should look for their father.

254. C/O15/2018/ADSO

On 1st June 2017, X alleged parental neglect against, her ex-husband. She alleged that she was married to him but that they are separated, and that they had a son who is 4 years old. She claimed however that since their separation in August, 2014 the child had been under her custody without any form of support from his father notwithstanding that the child also suffers from sickle cell anemia.

255. C/2017/016/ADSO

On 28th June 2017, X alleged that she was married to the alleged violator but divorced him in October 2015 and that they had five (5) children.

She claimed that upon divorce, she had custody of the children and had enrolled them in school until in March 2016 when their father came and took them away from her. She further alleged that since their father took them away, he has not enrolled them in school – neither western,

Islamic nor vocational training. She alleged that all the children do is to hawk for their step mother, and that the woman does not even feed them nor provide proper clothing for them. The children are seen walking about bare-footed and when they are sick he does not take them to the hospital. She reported that presently one of the children is having hernia and need to be operated upon.

256. C/2017/021/ADSO

On 17th August, 2017 X alleged that she was married to the alleged violator for 6 years and that they had 2 children before they separated while she was pregnant for another child. She alleged that her ex-husband did not show concern about her pregnancy neither did he care for the other two children.

257. C/2017/555/BSO

On 9th March, 2017, X alleged abandonment against her husband. She alleged that they were married with five children but are presently not living as a couple. She claimed that he sent her out of the house and denied her access to their children.

258. C/2017/625/BSO

The Commission received a complaint from X on 24th May, 2017 against her husband. She alleged that her husband took their children to live with his parents in Makurdi in the middle of their school term, thereby disrupting their education.

259. C/2017/G/118

The Commission received a complaint from X on 13th March, 2017 alleging that her husband divorced her without her knowledge and that he sent her away with their children. She further alleged that he does not attend to the health care needs of the children.

260. C/2016/80/KD

The commission received a complaint of Child Abuse on the 12th of April, 2016 from XY against a couple with whom the victim was staying. According to XY, the child goes late to school around 10 am every day and sleeps at late hours. XY further alleged that one of the alleged violators (wife) asked the victim to hit her head on the wall. On another occasion, the other alleged violator (husband) stabbed the victim with a kitchen knife.

MEDIA REPORT ON RIGHTS OF CHILD

1. On 5th February, 2016 Nigerian Tribune Newspaper on page 6 reported that two teenage girls aged 15 and 16 had been gang raped at different locations in Yenegoa, Bayelsa state. Women lawyers under aegis of FIDA condemned the act and noted that the perpetrators must face the full weight of the law.
2. On 5th February, 2016 Daily Trust Newspaper on page 35 reported that a pastor has been arrested by the police for allegedly raping a 17 year old girl in Kubwa, Abuja. The suspect who had been married for over two years without any issue, had convinced the mother of the teenage girl that he would sponsor her in school while she lived with him in Abuja. Instead of fulfilling his promise, he turned to sexually molest her since the time he took her home.
3. On 04th August 2016 Daily Trust Newspaper on Page 8 reported that a 60 year old village head, Abubakar Yau was arrested by the police in Jigawa state for defiling an 8 year old girl.
4. On 24th February, 2016 Nigerian Tribune Newspaper on page 42 reported that the Kano state Hisbah Board had arrested a village head in Dambatta L.G.A for allegedly raping a 13 year old girl. The village head was suspected to have infected her with HIV virus. The suspect was arrested following complaint from parents of the girl. The case had since been forwarded to the Emir of Kano who ordered for his immediate suspension from office and would be charged to court.
5. On 5th of September, 2016 The Authority Newspaper on Page 7 reported that no fewer than six persons, a pastor, (names withheld) and five others including three women were arrested in Nkpor and Ogidi communities both in Idemili North LGA of Anambra State by the police from Asaba in Delta State for allegedly abducting 30 children.
6. On 05th September, 2016 Daily Trust Newspaper on Page 6 reported that seven men were arrested and detained by the police in Katsina State over alleged rape of a 10 year old girl

in Dutsinma town. The state CID confirmed the incident.

7. On 29th August, 2016 Daily Trust Newspaper Page 24 a reverend father of a catholic church in Abuja had been arrested by the police for allegedly raping a 10-year-old girl entrusted in his custody.
8. On 1st September, 2016 Daily Trust Newspaper Page. 29 reported that a pastor who fled with his wife after raping a 13-year-old boy in his church in Ifite Awka in Awka South L.GA of Anambra State had been arrested by the police in the state.
9. On 22nd May, 2017, Vanguard Newspaper reported that a year old baby girl was snatched from her 30 year old mother and gang raped in Danja LGA of Katsina state. The mother was tricked by the alleged violators to board their motorcycle, when she did, they snatched the baby, took her to the bush where she was raped. The Katsina State Police PRO confirmed the incident and stated that one of the alleged violators has been arrested and a man hunt is on for the other two. The baby was taken to the General hospital, Funtua, treated and discharged.
10. On 26th May, 2017 This Day Newspaper at Page 9, reported that the Chief of Field Office, UNICEF Nigeria, Bauchi, Abdulai Kaikai stated that 50 percent of children in Nigeria experience physical violence. He said ‘ according to the findings of the 2014 Nigeria violence against children survey conducted by the National Population Commission with the support of the UNICEF, six out of every 10 children experience some form of violence’. He added, one in four girls and one in ten boys experience sexual violence as well as one in six girls and one in five boys experience emotional violence by a parent, caregiver or adult relative. He called on all stakeholders in the country to take action to end violence against children in the country.
11. On 1st June, 2017 This Day Newspaper pg. 37, reported that the UNICEF has called on all states in Nigeria to adopt the Child Rights Act and heed to President Muhammadu Buhari’s call to end all forms of Violence Against Children (VAC). This statement was made to mark this year’s Children Day tagged “Child Protection and the Sustainable

Development Goals”. According to UNICEF, millions of Nigerian children still suffer some form of physical, sexual or emotional violence despite SDGs goals to end the practice by 2030.

12. On 12th April, 2017 Daily Trust pg. 6 that a 14 year old mother in Akure who was made pregnant by her father has called on civil society organizations and humanitarian organizations to help seek justice over serial defilement by some men including her biological father.
13. On 23th March, 2017 Daily Trust Newspaper at Pg. 32 reported that a 14 year of Junior Secondary School Kachia in Kaduna state was blinded in her right eye while being flogged by a teacher for coming to school late. She was allegedly hit in the eye by the teacher before she lost her sight. The muslim students society of Nigeria has taken up the matter and promised to see it to a logical conclusion.
14. On 14th June, 2017 Daily Trust Newspaper on Page 10 reported that the father of a 9 year old boy has cried out for help after two men allegedly lured his son with N100 and raped him several times in Gwange ward of Maiduguri in Borno state. The two suspects have been handed over to the police and investigation is ongoing.
15. On 19th June, 2017, Daily Trust Newspaper on page 3 reported that the National Human Rights Commission has called for the de-radicalization of children manipulated to serve as suicide bombers for the Boko Haram insurgents. The Acting Executive Secretary stated this in Abuja as Nigeria observes the 2017 Day of the African Child. She went on to state that availing such children , who are victims of the insurgency the necessary support before reintegrating them back to the society would go a long way in assisting them to imbibe the core values of humanity.
16. On 21st June, 2017 Vanguard Newspaper on page. 7 reported that a 13 year old was chained by his father for stealing N2000. The Ogun state police Commissioner of Police made the revelation after neighbours found the teenager on the bare floor naked with his hands and legs chained and bloodstains all over him. The Police Commissioner

stated that the father would be charged to court.

17. On 12th April, 2017 The Daily Trust Newspaper on page 6, reported that a 14 year old child in Akure who was made pregnant by her father has called on Civil Society Organizations and Humanitarian Organizations to help seek justice over serial defilement by some men including her biological father.
18. On 31st July, 2017 This Day Newspaper on page 5, reported that the Lagos Police command has commenced investigation into the death of a teenager who was raped to death by some neighborhood thugs at the Abule area of the State. The 14 years old student died after she was gagged and raped in parent's residence while her entire family was sleeping.
19. On 10th April, 2017, Daily Trust Newspaper on page 12, reported that a six years old boy was sexually assaulted by a 25 years old man in the Ali Monguno Teachers village IDP camp in Maiduguri. According to the report, the child reported the incident to his caregiver, who in turn then reported to the police and the alleged violator was arrested.
20. On 14th June, 2017, Daily Trust Newspaper on page 10 reported that the father of a 9 years old boy has cried out for help after two men allegedly lured his son with N100 and raped him several times in Gwange ward of Maiduguri in Borno state. The two suspects have been handed over to the police and investigation is ongoing.
21. On 21st August, 2017 Punch Newspaper on page 4 reported that the police in Ogun state have arrested a couple for allegedly torturing an 11 year old girl. The couple allegedly flogged the victim with ropes, starved her of food and locked her up in a toilet for two days for wanting to play with other children in the neighborhood.
22. On 10th October, 2017, Daily Trust Newspaper on page 22 reported that a 10 year old girl was physically and sexually abused by her 35 year old teacher in Maiduguri. The suspect has been arrested and taken to the state police CID.
23. On 12th October, 2017, Daily Trust Newspaper on page 38 reported that a dispatch

court clerk with the FCT High Court has been remanded in prison custody in Gombe for allegedly raping a 9 years old girl.

24. On 22nd December, 2017, Daily Trust Newspaper on page 18 reported that a housewife has been arrested by the police in Chuku village in Kuje, FCT for allegedly bathing her 18 months old step son with boiling water. The incident happened while the mother of the child was away to the market. The accused stated that she was annoyed with the little boy for eating food she had cooked without asking for her permission. The Kuje DPO confirmed the incident, the woman has been detained and investigation ongoing.
25. On the 12th June, 2017, Daily Trust Newspaper on page 6 reported that a 55-year-old retired deputy superintendent of police has been arrested in Calabar for allegedly defiling a 9-year-old girl. The Cross-River State Commissioner of police confirmed the incident.
26. On 6th October, 2017 Daily Trust Newspaper at page 3 reported that Nigeria loses 59,000 children under the age of 5 yearly from preventable water and sanitation related diseases. It was also reported that 68% of public health facilities do not have access to basic functioning hand hygiene station. This was made known by the Minister of Water resources.
27. On 6th June, 2017 Daily Trust Newspaper page 4 reported that over 50 teenagers from various states in the North are being held in different prisons in Lagos state. The President of the Islamic Aid and Charity Foundation, Hajiya Barakah Dahiru, stated that about 50 teenagers from the North were “rotting away” in the Badagry prison alone for street fighting, destitution, wandering and minor thefts. Hajiya also stated that almost all the affected inmates were remanded simply because they didn’t have anybody who would take them on bail.
28. On 22nd May, 2017 Vanguard Newspaper at page 7 reported that a year old baby girl was snatched from her 30 year old mother and gang raped in Danja LGA of Katsina state. The mother was tricked by the alleged violators to board their motorcycle, when she did, they

snatched the baby, took her to the bush where she was raped. The Katsina state PPRO confirmed the incident and stated that one of the alleged violators has been arrested and a man hunt is on the other two. The baby was taken to the General hospital, Funtua, treated and discharged.

29. On 23rd May, 2017 Punch Newspaper at pg. 4 reported that a thirteen year old boy, a pupil of Command Secondary School, Suleja was administered of drug by a nurse at the school's sick bay. The boy who is reportedly suffering from burnt skin, blisters, red eyes and bleeding lips was been treated.
30. On 21st August, 2017 Punch Newspaper at page 4 reported that the police in Ogun state have arrested a couple for allegedly torturing an 11 year old girl. The couple allegedly flogged the victim with ropes, starved her of food and locked her up in a toilet for two days for wanting to play with other children in the neighborhood.
31. On 12th October, 2017 Daily Trust Newspaper at page 38 reported that a dispatch court clerk with the FCT High Court has been remanded in prison custody in Gombe State for allegedly raping a 9 year old girl.

CHAPTER 19

ENVIRONMENT AND THE NIGER DELTA

INTRODUCTION

The right to a safe, clean, healthy, and sustainable environment is central to the full enjoyment of numerous other human rights, including the rights to life, health food, water and sanitation. This is nowhere more evident than in the Niger Delta, a region that has, for decades, been plagued by oil spills that have devastated the environment with negative impacts on the lives of inhabitants of the area.

The Niger Delta in Nigeria has been the attention of environmentalists, human rights activists and fair trade advocates around the world. The trial and execution of environmental rights activists, Ken Saro-Wiwa and eight other members of the Ogoni ethnic minority drew world-wide attention, So too did the non-violent protests of the Ogoni people.

The activities of large multi-national oil corporations such as Mobil, Chevron, Shell, Elf, Agip, among other, have raised concerns and criticisms. Shell, for example, has even been criticized for trying to divide communities by paying off some members to disrupt non-violent protests.

The Nigerian government and the oil companies have responded by harshly cracking down on protestors.

According to Human Rights Watch, multinational oil companies are complicit in abuses committed by the Nigerian military and police.

An investigation and report by Essential Action and Global Exchange found that:

1. Oil corporations in the Niger Delta seriously threaten the livelihood of neighboring local communities. Due to the many forms of oil-generated environmental pollution evident throughout the region, farming and fishing have become impossible or extremely difficult in oil-affected areas, and even drinking water has become scarce. Malnourishment and disease appear common.
2. The presence of multinational oil companies has had additional adverse effects on the local economy and society, including loss of property, price inflation, prostitution, and irresponsible fathering by expatriate oil workers.
3. Organized protest and activism by affected communities regularly meet with military repression, sometimes ending in the loss of life. In some cases military forces have been summoned and assisted by oil companies.

4. Reporting on the situation is extremely difficult, due to the existence of physical and legal constraints to free passage and free circulation of information. Similar constraints discourage grassroots activism.

Faced with the results of polluting and destructive actions, more people started to see that a clean and healthy environment is essential to the realization of human rights, such as the right to life, health and developments. Each human being depends on the environment as the resource base for all life. And where it started with mere linking acknowledged human rights to cases of environmental disruption, like the Bhopal and Chernobyl disasters, it has become more acknowledged over the years that human rights and the environment are so inherently interlinked and that a clean and health Environment is a Human right.

LEGAL FRAMEWORK

Section 20, of the CFRN, 1999 as amended, provides '*the state shall protect and improve the environment and safeguard the water, air and land, forest and wildlife of Nigeria*'. This position of the Constitution is complimented by other laws and regulations such as Federal Environmental Protection Act, 1972, repealed by the Nigerian Environmental and Safety Regulatory and Enforcement Act, 2007 (NESREA), the Environmental Impact Assessment Act, 2007 (EIA), 1972, National Oil Spills Detection and Regulatory Agency (N)SDRA) Act. In the International and Regional sphere, the ICESCR and ACHPR also provide for clean and healthy environment.

Complaints Received on Environment and Niger Delta

1. C/2016/30/KD,

On the 10th February, 2016Y lodged a complaint with the Commission alleging environmental destruction of Government Secondary School, Samara Kataf by NNPC contractor handling the construction of its mega filling station along Kafanchan-Kaduna Road, Samaru Kataf.

2. ANS/SEZ/2017/21

The Commission received a complaint 19th April, 2017 from Ibolo Obosi community, Anambra State alleging that Construction Company channeled all the floods from a nearby town, through a huge gutter into the burrow pit in Ibolo community surrounded by living homes, schools, churches, markets and hospitals. They further alleged that the pit is always water logged, thereby causing serious man made erosion that is threatening the life of the entire community.

3. NHRC/OSUN/17/62

The Commission received a complaint dated 26th of October 2017, from XY in Osun State alleging that the alleged violator wanted to install a Satellite Communication Mast in their community. That the area in which the Mast was to be installed will endanger the lives of people living in the community. XY also alleged that the alleged violator vowed to install the Mast in that particular area despite all entreaties by members of the community.

4. C/2017/7860/HQ

The Commission received a complaint dated 14th of September, 2017 from a Law Firm alleging that its client and other members of Idoho Q.I.T community in Akwa Ibom State were exposed to continuous pipeline oil spillage due to its extractive activities of an oil company within their community.

MEDIA REPORT ON ENVIRONMENT AND NIGER DELTA

1. On the 6th of October, 2017, Daily Trust Newspaper (page 3) reported that Nigeria loses 59,000 children under the age of 5 yearly from preventable water and sanitation related diseases. It was also reported that 68% of public health facilities do not have access to basic functioning hand hygiene station. This was made known by the Minister of Water resources.
2. Daily Trust Newspaper (page 26) of 13th November, 2017 reported that the internally displaced persons living in Waru camp in the Apo area of the FCT have lamented the deplorable environment of the camp and demanded to be returned to their State of Origin.

CHAPTER 20

HUMAN TRAFFICKING

INTRODUCTION

Trafficking in Persons is the recruitment, transportation, transfer, harbouring or receipt of persons, by means of threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation⁴². Thus trafficking in persons consists of the following elements:

- a. The Act: this takes the form of recruitment, transportation, transfer, harbouring or receipt of persons;
- b. The Means: Trafficking in persons is achieved by means of threat or use of force, coercion, abduction, fraud, deception, abuse of power or vulnerability, or giving payments or benefits to a person in control of the victim;
- c. The Purpose: in this regards, the end result in this crime is for the purpose of exploitation, which includes exploiting the prostitution of others, sexual exploitation, forced labour, slavery or similar practices and the removal of organs.

According to the Labour Exploitation Accountability Hub⁴³, Nigeria occupies a central position in West Africa as a country of origin, transit and destination for victims of human trafficking for labour exploitation and forced labour. Thus, men, women and children from Nigeria are

⁴² Article 3 paragraph (a) of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons.

⁴³ A database of legal mechanisms for individual and corporate accountability for human trafficking, forced labour and slavery around the world.

trafficked to Western Europe, the Middle East, and West and Central African countries. In the same vein, victims from neighbouring countries of Benin, Burkina Faso, Cameroon, Mali and Niger are also exploited in Nigeria in a wide range of industries, including domestic work, mining, stone quarrying, manufacturing, and work in farms and plantations⁴⁴.

In its 2017 Data Analysis Report⁴⁵, NAPTIP stated that out of the 867 reported cases of human trafficking its received in the year under review, a good number came from foreign travel which promotes prostitution, employment of children as domestic workers and inflicting grievous harm and procurement of persons for sexual exploitation with 217,161 and 120 cases respectively. Other purposes include procurement or recruitment of persons for use in armed conflicts, procurement or recruitment of persons for organ harvesting and trafficking in slaves.

According to a report⁴⁶ released by the United Nations Office on Drugs and Crimes (UNODC), children make up almost a third of all human trafficking victims worldwide. It further stated that women and girls comprise 71 per cent of human trafficking victims.

It is instructive to mention that human trafficking is a serious violation of the rights of victims to life, the right to dignity of the human person, right to personal liberty and right to movement. These rights are protected in a number of regional and international human rights instruments which include, the ECOWAS Declaration & Plan of Action Against Trafficking in Persons, African Charter on Human and Peoples' Rights (ACHPR), International Covenant on Civil and Political Rights (ICCPR), Convention on Elimination of All forms of Discrimination Against Women (CEDAW), Convention on the Rights of the Child (CRC), ILO Convention on Forced Labour, ILO Convention on Minimum Age and ILO Convention on Worst Forms of Child Labour.

The CFRN 1999 also provides constitutional protection against slavery and forced labour or compulsory labour, sexual exploitation and deprivation of personal liberty of Nigerians. Trafficking in persons violates the provisions of sections 17, 33, 34 and 35 of the CFRN 1999. For instance Section 17 provides that:

⁴⁴ <https://accountabilityhub.org/country/nigeria>

⁴⁵ https://www.naptip.gov.ng/?page_id=361

⁴⁶ <https://reliefweb.int/report/world/global-report-trafficking-persons-2016>.

(1)The state social order is founded on ideals of freedom, equity and justice.

(2)In furtherance of the social order – the sanctity of the human person shall be recognized and human dignity shall be maintained and enhanced.

(3)The state shall direct its policy towards ensuring that –

(f) Children, young persons and the aged are protected against any exploitation whatsoever and against moral and material neglect.

In the same vein, section 34 thereof provides:

‘Every individual is entitled to respect for the dignity of his person and accordingly:

(a)No person shall be subjected to torture or to inhumane treatment or to degrading treatments.

(b)No person shall be held in slavery; and

(c)No person shall be required to perform forced or compulsory labour’.

The Federal Government of Nigeria established the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) by the Trafficking in Persons (Prohibition) Enforcement and Administration Act 2003 (as amended), to among other things, co-ordinate and enforce all other laws on trafficking in persons and related offences. Other agencies that play vital role in this regard include the Nigeria Police Force, Nigeria Immigration Services, States and Federal Ministries of Women Affairs and Social Development and Federal Ministry of Labour.

This move is also in line with the country’s international obligation under the Trafficking in Persons Protocol to prevent, suppress and punish trafficking in persons, especially women and children, supplementing the United Nations Transnational Organized Crime Convention (UNTOC).

It is important to state, at this juncture, that Nigeria became a signatory to the Transnational Organized Crime Convention and its Trafficking in Persons Protocol (Parlemo Protocol) on 13th December, 2000. Article 5 of the Trafficking Protocol enjoins States Parties to criminalize practices and conduct that subject human beings to all forms of exploitation which includes in the minimum sexual and labour exploitation.

Complaints Received on Human Trafficking

1. C/2016/1209844/HQ

The Commission received a complaint from X alleging that on 23rd August 2016, while he was at the farm, his last child was taken away by a man who claimed to be his wife's relation. That the matter was immediately reported to the Police but nothing tangible came out from the investigation. Mr. X also alleged that he now went on his own search and traced the abductors to Ihiala after which he reported one of the suspects to Anambra State Vigilante Service who arrested and handed over the suspect to the Special Anti-Robbery Squad (SARS) of the Nigerian Police.

Mr. X further alleged that the suspect confessed to the crime and mentioned the names of his collaborators. His confession allegedly revealed that the victim was sold to one Doctor in Onitsha and when contacted, the Police was informed that the Doctor is being held in their custody for another offence and not for the abduction of his daughter.

2. ANS/SEZ/2017/51

The Commission received a complaint from X (a 15 years old girl) on 25th August 2017, against her neighbor from the same village. She alleged that she was taken away from her family on 24th August 2017 by the alleged violator who convinced her father of getting her a N17,000 monthly paid job at Awka, Anambra State so as to help in training her siblings because their mother died early, leaving them to their sick and poor father. She stated that the alleged violator who promised to be sending part of the salary to her father, arranged for an unknown man who raped her.

CHAPTER 21

ELECTION AND POLITICAL PARTICIPATION

INTRODUCTION

Competitive and periodic elections are essential to democracy and constitute a vital indicator of well-entrenched empowerment for the people. Elections, therefore, provide an apparatus of orderly political succession in a democracy, and very significantly too, serve to confer legitimacy on those who govern.

It is important to note, however, that the history of elections in Nigeria is replete with the process often marred by pre-and post-electoral crises generally arising from lack of confidence in the electoral process, distrust in the Independent Electoral Commission (INEC), and ultimately, outcome of the election. The symptoms of these crises include the threatened, or actual boycott of elections by opposition parties, violence, hate speeches and intimidation of political opponents, and quite often, a refusal to accept officially declared results by aggrieved parties.

To function effectively as a midwife of democratic succession and command the confidence of the electorate, elections must not only be free and fair, they must also be seen to be so. It is against this background that INEC, Law Enforcement Agencies, the Judiciary as well as other stakeholders must take necessary steps to ensure that provisions of the Electoral Act as amended are adhered to.

Activities centered on internal democracy among respective political parties, rallies, gatherings, party conventions, campaigns, conduct of law enforcement officials before and during elections and other related matters must be done in a way to ensure active participation of citizens in the electoral process.

Furthermore, Article 21 (3) of the Universal Declaration of Human Rights (UDHR) 1948 states that ‘the will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.’ The UDHR further provides that:

- Everyone has the right to freedom of peaceful assembly and association;
- No one may be compelled to belong to an association;

- Everyone has the right to take part in the government of his country, directly or through freely chosen representatives;
- The will of the people shall be basis of the authority of government: this will shall be expressed in period and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

This position has been reaffirmed by section 14 (1) of the Constitution of the Federal Republic of Nigeria (CFRN) 1999 as amended which states that Nigeria shall be a State based on the principles of democracy and social justice. It is anchored on the ethics of freedom, respect for human rights and the significance of holding genuine elections. Furthermore, section 14 (2) (a) of the CFRN recognizes prominence of the will of the people in a democracy where it provides that ‘sovereignty belongs to the people from whom government through this constitution derives all its powers and authority’. The same section guarantees the participation by the people in governance.

This, therefore, suggest that the idea of participation by citizens in the government of their country, the issue of accountability of the government are essential to a well-entrenched democratic governance.

There are established principles of political rights and freedoms relating to elections contained in regional and international human rights instruments such as the African Charter on Human and Peoples Rights (ACHPR) and the International Covenant on Civil and Political Rights (ICCPR), among others. The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) for example, provide that all appropriate measures shall be taken to ensure that women are on equal terms with men without any discrimination.

To this extent, election monitoring and observation need to further evolve as standard mechanisms for assisting in the conduct of free and fair elections, increasing voters’ confidence in the electoral process, enhancing the acceptability of election outcome and the legitimacy of the government constituted through such elections.

MEDIA REPORTS ON ELECTION AND POLITICAL PARTICIPATION

1. On the 25th May, 2017, This Day Newspaper (page 11) reported that a serving NYSC member who was part of the electoral team for the Katsina State bye-elections held recently has alleged that she and her team were forced by armed men to release ballot papers to them after they threatened to rape her.
2. On the 13th December 2017, Daily Trust Newspaper (page 8) reported that the NHRC has called on the Federal Government to implement the ‘End Electoral Impunity’ which it released recently. The Acting Executive Secretary said the report was aimed at addressing electoral impunity in Nigeria with the aim of mobilizing public consciousness against electoral impunity amongst other objectives.
3. On the 25th August, 2017, Punch Newspaper (page2) reported that the Federal Government has directed the National Broadcasting Commission to sanction any radio, or television station that broadcasts hate speech. It said this was part of efforts aimed at

stemming the growing tide of hate speeches in the country.

4. The Authority reported that on the 29th August 2016 New Nigeria Conversation, A media group, has commended the National Human Rights Commission, (NHRC) on its recently launched anti-impunity report, saying it will address electoral crimes that violate voter's rights. It also called on the Federal Government, especially Office of the Attorney-General of the Federation to take appropriate action on recommendations of the report by commencing prosecution of suspected electoral offenders. The organizations Public Relations Officer, Mohammed Ibrahim also condemned attacks on the commission's Executive Secretary.

CONCLUSION

The 2016/ 2017 State of Human Rights Report have demonstrated a pattern or trend in the protection, promotion, enforcement and accountability for human rights in Nigeria. The report attempted to interrogate issue-areas that border on right to Life, Dignity of the human Person, Personal Liberty, Freedom of Expression and the Media, Freedom of Thought, Conscience and Religion, Fair Hearing, Family and Private Life, Peaceful Assembly, Freedom from Discrimination Right to Acquire and Own Property. Others include Right to Health, Education, Adequate Housing and Shelter, Education and Labour rights. Some thematic issues are also captured in the Report; these are:

- Terrorism & other communal Violence
- Corruption
- Access to Justice & Independence of Judiciary
- Sexual and Gender Based Violence
- Rights of the Child

It is noteworthy to mention that complaints considered in the years under review disclose high rate of infringement on rights of the child to survival, protection, development and participation. Cases of cohabitation and begetting children in the course of the cohabitation; and abandoning them are disproportionately high in comparison with complaints received in other areas.

The complaints also show the prevalence of Sexual and Gender Based Violence as well as Harmful Traditional Practices against widows. In many of the complaints reviewed, there are attempts by relatives to chase widows out of their late husband's house. There are also the denial of women's right to inheritance. This trend has serious social and human rights consequences necessitating urgent intervention from Community leaders, Faith Based Organizations, Ministry of Women and Social Development, National Orientation Agency and related institutions. Parents must at all times own up to their responsibilities towards their children. Also women must be accorded inheritance rights and not be discriminated against on the basis of gender.

Overall, there is need to improve the level of human rights observance in Nigeria.

RECOMMENDATIONS

CHAPTER 1 – RIGHT TO LIFE

- a. Law Enforcement Agents should be adequately trained on the use of firearms and proportionate response to aggression in accordance with national, regional and international standards.
- b. Allegations of extra-judicial killing against law enforcement agents or violation of right to life by citizens should be promptly and effectively investigated by law enforcement agencies without fear or favour and persons found culpable, should be prosecuted in accordance with the law.
- c. Law enforcement agents should be given adequate training on management of civilian population in relation to crowd control, demonstrations and other forms of civil protest as to prevent unnecessary casualties.
- d. The Federal, State and Local Governments should put in place adequate security mechanisms for preventing and curbing incidents of kidnapping which often times lead to death of kidnapped victims
- e. The Federal, State and Local Governments should adopt early warning signs mechanisms as a way of preventing loss of lives as a result of inter-communal clashes as well as farmers-herders crisis.

- f. Holistic protection and security mechanisms should be put in place in motor parks, churches, mosques, schools and other areas that may be prone to Boko Haram suicide attacks.

CHAPTER 2 – RIGHT TO DIGNITY OF THE HUMAN PERSON

- a. The Federal Government should take appropriate steps to ensure operationalization and implementation of the Anti-Torture Act, 2017 which criminalizes all acts of torture
- b. Law Enforcement Agencies should ensure compliance with the provisions of the Administration of Criminal Justice Act, 2015 which mandates electronic recording of statements of suspects on video compact disk or by other audio visual means.
- c. Law Enforcement Agents accused of acts of torture or other cruel, inhuman or degrading treatment should be promptly investigated and prosecuted.
- d. Governments of Nigeria at all level should make adequate provisions for the establishment of forensic laboratories across police and other law enforcement formations and ensure adequate training for personnel to man the laboratories. This will aid investigation activities and minimize the need to resort to torture.
- e. The National Human Rights Commission in collaboration with other relevant stakeholders will continue to train and retrain law enforcement agents on mainstreaming human rights norms and tenets into their operations.

CHAPTER 3 – RIGHT TO PERSONAL LIBERTY

- a. The legal protection to right to personal liberty should be upheld and enforced, to ensure that those responsible for interfering with right to liberty are brought to justice according to law and internationally acceptable standards.
- b. The Federal, State and Local Governments should put in place adequate security mechanisms for preventing and curbing incidents of kidnapping which often times lead to violation of the right to personal liberty of kidnapped victims.
- c. Adequate and effective internal review mechanism should be adopted by law enforcement agencies to ensure that persons arrested for allegedly committing offences are promptly investigated and charged to court rather than detained in violation with constitutional provisions.

- d. The Administration of Criminal Justice Act which enjoins Magistrates to make monthly visits to places of detention should be religiously complied with and effectively monitored. This is reduce incidence of prolonged pre-trial detention period

CHAPTER 4 – RIGHT TO FREEDOM OF EXPRESSION AND THE PRESS

- a. There should be continuous awareness and sensitization of the general public on the dangers of hate and dangerous speeches to national security and national unity.
- b. The security agencies should at all times exercise their powers of law enforcement within the ambit of the rule of law so as not to trample on the right to freedom of expression and the press.
- c. The legal protection to freedom of expression and press should be upheld and enforced, to ensure that those responsible for interfering with freedom of the press are brought to justice according to law and internationally acceptable standards.

CHAPTER 5 – FREEDOM OF THOUGHT, CONSCIENCE AND RELIGION

- a. There should be continuous awareness and sensitization of the general public on the need to respect the choice of religion of other citizens and that no one should be discriminated on account of religion.

CHAPTER 6 - RIGHT TO FAIR HEARING

- a. Employers of labour should ensure that staff facing disciplinary measures are afforded the right to fair hearing before any action may be taken against them by the company.
- b. Security agencies should ensure that all parties are given equal opportunity to state their cases in the course of investigation.
- c. The legal protection to right to fair hearing should be upheld and enforced, to ensure that those responsible for interfering with the right to fair hearing are brought to justice according to law and internationally acceptable standards.

CHAPTER 7 – RIGHT TO FREEDOM FROM DISCRIMINATION

- a. Governments of Nigeria at all level should ensure that appointment of persons into office is done equitably as to reflect federal character principles as provided in the constitution of Nigeria.

- b. Governments of Nigeria at all level should ensure adequate mechanisms are in place to sensitize citizens on the effect of harmful traditional practices which discriminates against women.
- c. The legal protection to freedom from discrimination should be upheld and enforced, to ensure that those responsible for interfering with the right to freedom from discrimination are brought to justice according to law and internationally acceptable standards.
- d. The empowerment programmes of the Federal Government should be designed in a way as to accommodate Persons Living with Disabilities.

CHAPTER 8 – RIGHT TO PRIVATE AND FAMILY LIFE

- a. The legal protection to right to private and family life should be upheld and enforced, to ensure that those responsible for interfering with the right to private and family life are brought to justice according to law and internationally acceptable standards.

CHAPTER 9 – RIGHT TO PEACEFUL ASSEMBLY AND ASSOCIATION

- a. Law enforcement agencies should not arbitrarily interfere or impede on the right to peaceful assembly and association on the guise of national security without good and compelling reason.

CHAPTER 10 – RIGHT TO OWN AND ACQUIRE PROPERTY

- a. Governments at all level should desist from carrying out arbitrary demolition of properties of citizens and ensure prompt and adequate payment of compensation where the right of citizens to own and acquire properties have been violated.

PART 2

ECONOMIC, SOCIAL & CULTURAL RIGHTS

CHAPTER 11 – RIGHT TO HEALTH

- a. There should be continuous advocacy for the speedy passage of all health related bills that can increase access to quality and affordable health care for all.
- b. Persons living in IDP camps should be provided with basic primary health care services.

- c. Challenges and bottle necks hampering the access to anti-retro-viral drugs by HIV Patients should be addressed.
- d. There should be increased funding of the health sector and introduction of health insurance programmes particularly for the informal sector.

CHAPTER 12 – RIGHT TO EDUCATION

- a. Governments of Nigeria at all level should ensure full and effective implementation of the Universal Basic Education Act, 2004 and other laws which mandate access to free basic education.
- b. Governments of Nigeria at all level should increase funding to the education sector to ensure that appropriate facilities for learning are in place.
- c. Governments of Nigeria at all level should ensure that there adequate incentives to increase the enrollment of children in schools. In this light the School Feeding Programme of Government is commendable.

CHAPTER 13 – LABOUR RIGHTS

- a. The Federal Government of Nigeria should strengthen institutions with the mandate to protect workers' right for optimal performance.

PART 3

OTHER THEMATIC AREAS

CHAPTER 14 – TERRORISM AND INTER-COMMUNAL VIOLENCE

- a. The Federal and State Governments should fulfil their constitutional obligations of protecting and providing security of lives and properties.
- b. The Federal and State Governments should provide funding and support to the security agencies as well as equip them with the requisite tools and machinery to effectively carry out their duties.
- c. Security agencies should create synergy between them, traditional institutions and the civilian populace so as to build trust for free flow of information on the activities of insurgents and other criminal gangs.

- d. Efforts should be made to reduce the poverty level of the country and engage large number of unemployed youths in productive ventures.
- e. Management of information during investigation and counter-insurgency operations should be enhanced. It is imperative that partnership between the security agencies and other critical stakeholders such as the media is established.

CHAPTER 15 - CORRUPTION

- a. Law enforcement agencies should ensure that security agents who engage in acts of corruption are investigated and prosecuted.

CHAPTER 16 – ACCESS TO JUSTICE AND INDEPENDENCE OF THE JUDICIARY

- a. Law Enforcement Agencies should ensure prompt investigation of all reports of commission of crime and ensure that persons found culpable are prosecuted.
- b. Law Enforcement Agencies should avoid arbitrary arrest and prolonged detention of citizens without trial.

CHAPTER 17 - SEXUAL AND BASED VIOLENCE

- a. Advocacy for the domestication and implementation of the Violence Against Persons Prohibition Act, 2015 (VAPP Act) across the federation should be enhanced.
- b. There should be continuous awareness and sensitization programmes aimed at promoting the rights of women by relevant stakeholders.
- c. Women should be sensitized and encouraged to seek redress against any form of abuse and the need to speak out when abused.
- d. All complaints on abuse of sexual or gender violence against women should not be treated as family matter but should be promptly investigated by law enforcement agencies and persons culpable should be prosecuted.
- e. Traditional institutions, interfaith based organizations, men and youth leaders should be encouraged to sensitize members of their community to eschew violence against women.

CHAPTER 18 – RIGHTS OF THE CHILD

- a. States that are yet to pass the Child Rights Law should be encouraged to do so. This will enhance advocacy and better protection of children and their rights.
- b. The Commission should foster the collaboration with relevant stakeholders to sensitize the public on basic human rights standards as it relates to children and young persons.
- c. Borstal homes should be built and equipped to cater for the needs of children who may come into conflict with the law.

CHAPTER 19 – ENVIRONMENT AND NIGER DELTA

- a. Governments of Nigeria at all level, public and private companies should ensure that developments brought on the environment takes into consideration environmental rights of the host communities.
- b. Government should ensure the preparation of Environmental Impact Assessment for developmental programmes in any community and that such Assessment Report should be made public.
- c. The Federal Government should continue to undertake developmental programmes in the Niger Delta to address the socio-economic yearnings of the people of the Nigeria Delta Area and ensure the speed up of the Ogoni cleanup exercise.
- d. Issues of erosion, flood, etc should be promptly and adequately addressed by the relevant Government agencies.

CHAPTER 20 – HUMAN TRAFFIKING

- a. Adequate and sustained enlightenment should be carried out in the schools, communities (particularly rural communities), places of worship, market places and other public spaces. The media should be actively involved in this to ensure that people are adequately sensitized on the dangers of trafficking and the effect on the society.
- b. Government should intensify campaign against human trafficking. Parents should be sensitized on the dangers of their children could face when given or released to unknown distant relatives.

- c. Government should intensify efforts to enhance and better the economic and social wellbeing of every Nigerian. That way, parents would be able to cater for their children on their own without necessarily relying on strangers or relatives.
- d. All cases of trafficking in persons should be adequately investigated by NAPTIP in conjunction with security agencies and the culprits prosecuted.

CHAPTER 21 – ELECTION AND ELCTORAL PARTICIPATION

- b. Law enforcement agencies should ensure that persons who engage in electoral offences are investigated and prosecuted.