



2020/2021 INVESTIGATION PANEL ON ALLEGED SEXUAL AND GENDER-BASED VIOLENCE – A REPORT



NATIONAL HUMAN RIGHTS COMMISSION

2020/2021
INVESTIGATION PANEL ON ALLEGED
SEXUAL AND GENDER-BASED VIOLENCE –
A REPORT



Spotlight Initiative
To eliminate violence against women and girls



Sustainable Development Goals/ Goal 5



EDITED BY

TONY OJUKWU, OFR, SAN, FICMC (Editor-in-Chief)
OKAY BENEDICT AGU, ESQ.



National Human Rights Commission

**2020/2021 INVESTIGATION PANEL ON ALLEGED SEXUAL
AND GENDER-BASED VIOLENCE – A REPORT**



European Union



United Nations



Sustainable Development Goals/ Goal 5



EDITED BY

**TONY OJUKWU, OFR, SAN (Editor-in-Chief)
OKAY BENEDICT AGU, ESQ**

**2020/2021 INVESTIGATION PANEL ON ALLEGED SEXUAL AND
GENDER-BASED VIOLENCE – A REPORT**

© National Human Rights Commission, 2021

ISBN: 978-978-783-232-5

All rights reserved. No part of this publication may be reproduced or transmitted in any form or by any means or stored in any retrievable system of any nature without prior written permission, except for permitted fair dealing under copyright law. Application for permission to use copyright material, including permission to reproduce, shall be made in writing to the publisher. Any unauthorised reproduction of this work will amount to copyright infringement and actionable in both civil and criminal law. Full acknowledgment of author, publisher, and source must be given.

Although every effort has been made to ensure that the information published in this work is accurate, the authors, the editors, publisher, and printer take no responsibility for any loss and damage suffered by any person as a result of reliance upon the information contained herein.

Published by

NATIONAL HUMAN RIGHTS COMMISSION

*19, Aguiyi-Ironsi Street, Maitama P.M.B, 444,
Garki Abuja FCT, Nigeria.*

Tel: 234 9-4135274, Fax: 234-9-4135274

E-mail: nhrcnigeria@yahoo.com Website:

www.nigeriarights.gov.ng

TABLE OF CONTENTS

LIST OF ABBREVIATIONS	xi
FOREWORD	xii
OBJECTIVES OF THE PANEL INVESTIGATION	xii
ACKNOWLEDGEMENT	xvi
CHAPTER ONE	1
NORTH CENTRAL ZONE.....	1
ABUJA.....	1
1. CASE NUMBER: NHRC/SGBV/2019/ABJ/9.....	2
2. CASE NUMBER: NHRC/PSGBV/2019/ABJ/16	4
3. CASE NUMBER: NHRC/SGBV/2019/PL/5	5
4. CASE NUMBER: NHRC/SGBV/2019ABJ/12.....	7
5. CASE NUMBER: NHRC/PSGBV/2019/ABJ/3	8
6. CASE NUMBER: NHRC/PSGBV/2019/ABJ/13	9
7. CASE NUMBER: NHRC/PSGBV/2020/ABJ/13	11
8. CASE NUMBER: NHRC/PSGBV/2020/ABJ/14	12
9. CASE NUMBER: NHRC/PSGBV/2020/ABJ/15	14
10. CASE NUMBER: NHRC/PSGBV/2020/ABJ/16	15
11. CASE NUMBER: NHRC/PSGBV/2020/ABJ/18	17
12. CASE NUMBER: NHRC/PSGBV/2020/ABJ/19	18
13. CASE NUMBER: NHRC/PSGBV/2020/ABJ/22	19
14. CASE NUMBER: NHRC/PSGBV/2020/ABJ/23	22
15. CASE NUMBER: NHRC/PSGBV/2020/ABJ/27	23
16. CASE NUMBER: NHRC/PSGBV/2020/ABJ/28	25
17. CASE NUMBER: NHRC/PSGBV/2020/ABJ/29	26
18. CASE NUMBER: NHRC/PSGBV/2020/ABJ/31	27
19. CASE NUMBER: NHRC/PSGBV/2020/ABJ/34	29
20. CASE NUMBER: NHRC/PSGBV/2020/ABJ/35	30
21. CASE NUMBER: NHRC/PSGBV/2020/ABJ/38	32

22. CASE NUMBER:	NHRC/PSGBV/2020/ABJ/39	33
23. CASE NUMBER:	NHRC/PSGBV/2020/ABJ/40	35
24. CASE NUMBER:	NHRC/PSGBV/2020/ABJ/43	37
CHAPTER TWO		39
NORTH EAST		39
ADAMAWA STATE		39
1. CASE NUMBER:	NHRC/PSGBV/2020/ADS/6.....	40
2. CASE NUMBER:	NHRC/PSGBV/2020/ADS/2.....	42
3. CASE NUMBER:	NHRC/PSGBV/2020/ADS/1.....	43
4. CASE NUMBER:	NHRC/PSGBV/2020/ADS/3.....	44
5. CASE NUMBER:	NHRC/PSGBV/2020/ADS/4.....	46
6. CASE NUMBER:	NHRC/PSGBV/2020/ADS/5.....	46
7. CASE NUMBER:	NHRC/PSGBV/2020/ADS/7.....	47
8. CASE NUMBER:	NHRC/PSGBV/2020/ADS/8.....	48
9. CASE NUMBER:	NHRC/PSGBV/2020/ADS/9.....	49
10. CASE NUMBER:	NHRC/PSGBV/2020/ADS/10.....	50
11. CASE NUMBER:	NHRC/PSGBV/2020/ADS/11.....	50
12. CASE NUMBER:	NHRC/PSGBV/2020/ADS/12.....	51
13. CASE NUMBER:	NHRC/PSGBV/2020/ADS/13.....	51
14. CASE NUMBER:	NHRC/PSGBV/2020/ADS/14.....	52
CHAPTER THREE		55
SOUTH EAST		55
(A) ENUGU STATE		55
1. CASE NUMBER:	NHRC/PSGBV/2020/EN/1	56
2. CASE NUMBER:	NHRC/PSGBV/20/EN/2	56
3. CASE NUMBER:	NHRC/PSGBV/2020/EN/2	57
4. CASE NUMBER:	NHRC/PSGBV/2020/EN/21	59
5. CASE NUMBER:	NHRC/PSGBV/2020/EN/4	60
6. CASE NUMBER:	NHRC/PSGBV/2020/EN/3	
[C/2020/2013/ESO]	.....	62
7. CASE NUMBER:	NHRC/PSGBV/2020/EN/31	62

(B) EBONYI STATE.....	63
1. CASE NUMBER: NHRC/PSGBV/2020/EBO/1 (C/2020/065/EBO)	64
2. CASE NUMBER: NHRC/PSGBV/2020/EBO/3 (C/2020/068/EBO)	64
3. CASE NUMBER: NHRC/PSGBV/2020/EBO/4 (C/2020/067/EBO)	67
4. CASE NUMBER: NHRC/PSGBV/2020/EBO/13.....	70
5. CASE NUMBER: NHRC/PSGBV/2020/EBO/6(C/2020/074/EBO)	72
6. CASE NUMBER: NHRC/PSGBV/2020/EBO/18.....	73
7. CASE NUMBER: NHRC/PSGBV/2020/EBO/12.....	74
8. CASE NUMBER: NHRC/PSGBV/2020/EBO/16.....	76
9. CASE NUMBER: NHRC/PSGBV/2020/EBO/17.....	78
10. CASE NUMBER: NHRC/PSGBV/2020/EBO/9 (C/2020/085/EBO)	80
11. CASE NUMBER: NHRC/PSGBV/2020/EBO/18.....	82
(C) IMO STATE	84
1. CASE NUMBER: NHRC/PSGBV/IMS/13.....	85
2. CASE NUMBER: NHRC/PSGBV/IMS/11.....	87
3. CASE NUMBER: NHRC/PSGBV/IMS/15.....	88
4. CASE NUMBER: NHRC/PSGBV/IMS/18.....	90
5. CASE NUMBER: NHRC/PSGBV/IMS/19.....	90
6. CASE NUMBER: NHRC/PSGBV/IMS/33.....	90
7. CASE NUMBER: NHRC/PSGBV/IMS/32.....	91
8. CASE NUMBER: NHRC/PSGBV/2019/IMS/3.....	91
9. CASE NUMBER: NHRC/PSGBV/2019/IMS 6.....	91
10. CASE NUMBER: NHRC/PSGBV/IMS/7	92
11. CASE NUMBER: NHRC/PSGBV/IMS/10.....	92
12. CASE NUMBER: NHRC/PSGBV/IMS/12.....	93
13. CASE NUMBER: NHRC/PSGBV/IMS/17.....	93

14. CASE NUMBER -	NHRC/PSGBV/IMS/20	93
15. CASE NUMBER:	NHRC/PSGBV/IMS/24.....	94
16. CASE NUMBER:	NHRC/PSGBV/IMS/30.....	94
17. CASE NUMBER:	NHRC/PSGBV/IMS/21.....	94
18. CASE NUMBER:	NHRC/PSGBV/IMS/25.....	96
19. CASE NUMBER:	NHRC/PSGBV/IMS/3.....	96
20. CASE NUMBER:	NHRC/PSGBV/IMS/28.....	97
21. CASE NUMBER:	NHRC/PSGBV/IMS/34.....	99
23. CASE NUMBER:	NHRC/PSGBV/IMS/16.....	101
24. CASE NUMBER:	NHRC/PSGBV/IMS/29.....	102
25. CASE NUMBER:	NHRC/PSGBV/IMS/31.....	104
26. CASE NUMBER:	NHRC/PSGBV/2019/IMS/5.....	105
27. CASE NUMBER:	NHRC/PSGBV/IMS/17.....	106
28. CASE NUMBER:	NHRC/PSGBV/IMS/35.....	107
CHAPTER FOUR.....		109
SOUTH WEST		109
LAGOS STATE.....		109
1. CASE NUMBER:	NHRC/PSGBV/2019/LG/5	109
2. CASE NUMBER:	NHRC/PSGBV/2019/OY/6.....	113
3. CASE NUMBER:	NHRC/PSGBV/2019/LAG/7	114
4. CASE NUMBER:	NHRC/PSGBV/2020/LAG/9	116
5. CASE NUMBER:	NHRC/PSGBV/2020/LAG/10	117
6. CASE NUMBER:	NHRC/PSGBV/2020/LAG/11	119
7. CASE NUMBER:	NHRC/PSGBV/2020/LAG/12	120
8. CASE NUMBER:	NHRC/PSGBV/2020/LAG/14	122
9. CASE NUMBER:	NHRC/PSGBV/2020/LAG/15	123
10. CASE NUMBER:	NHRC/PSGBV/2020/LAG/16	124
11. CASE NUMBER:	NHRC/PSGBV/2020/LAG/18	125
12. CASE NUMBER:	NHRC/PSGBV/LAG/21.....	127
13. CASE NUMBER:	NHRC/PSGBV/LAG/22.....	128

CHAPTER FIVE	129
SOUTH- SOUTH.....	129
(A) RIVERS STATE.....	129
1. CASE NUMBER: NHRC/PSGBV/2020/RVS/17	129
2. CASE NUMBER: NHRC/PSGBV/2020/RVS/15.....	130
3. CASE NUMBER: NHRC/PSGBV/2020/RVS/12.....	131
4. CASE NUMBER: NHRC/PSGBV/2020/RVS/19.....	132
5. CASE NUMBER: NHRC/PSGBV/2020/RVS/20.....	133
6. CASE NUMBER: NHRC/PSGBV/2020/RVS/21.....	134
7. CASE NUMBER: NHRC/PSGBV/2020/RVS/22.....	135
8. CASE NUMBER: NHRC/PSGBV/2020/RVS/23.....	136
9. CASE NUMBER: NHRC/PSGBV/2020/RVS/24.....	137
10. CASE NUMBER: NHRC/PSGBV/2020/RVS/27	138
11. CASE NUMBER: NHRC/PSGBV/2020/RVS/28.....	139
12. CASE NUMBER: NHRC/PSGBV/2020/RVS/31	140
13. CASE NUMBER: NHRC/PSGBV/2020/RVS/31	141
14. CASE NUMBER: NHRC/PSGBV/2020/RVS/33.....	143
15. CASE NUMBER: NHRC/PSGBV/2020/RVS/34.....	144
16. CASE NUMBER: NHRC/PSGBV/2020/RVS/36.....	145
17. CASE NUMBER: NHRC/PSGBV/2020/RVS/35.....	146
18. CASE NUMBER: NHRC/PSGBV/2020/RVS/37.....	147
19. CASE NUMBER: NHRC/PSGBV/2020/RVS/14.....	148
20. CASE NUMBER: NHRC/PSGBV/2020/RVS/13.....	149
21. CASE NUMBER: NHRC/PSGBV/2020/RVS/18.....	150
22. CASE NUMBER: NHRC/PSGBV/2020/RVS/38.....	151
23. CASE NUMBER: NHRC/PSGBV/2020/RVS/39.....	152
24. CASE NUMBER: NHRC/PSGBV/2020/RVS/41.....	152
25. CASE NUMBER: NHRC/PSGBV/2020/RVS/44.....	153
26. CASE NUMBER: NHRC/PSGBV/2020/RVS/45.....	154
27. CASE NUMBER: NHRC/PSGBV/20/RVS/10.....	155

28. CASE NUMBER:	NHRC/PSGBV/2020/RVS/11.....	156
29. CASE NUMBER:	NHRC/PSGBV/2020/RVS/26.....	157
30. CASE NUMBER:	NHRC/PSGBV/2020/RVS/28.....	158
31. CASE NUMBER:	NHRC/PSGBV/2020/RVS/29.....	159
32. CASE NUMBER:	NHRC/PSGBV/2020/RVS/35.....	160
33. CASE NUMBER:	NHRC/PSGBV/2020/RVS/43.....	161
43. CASE NUMBER:	NHRC/PSGBV/2020/46.....	162
(B) CROSS RIVER STATE		164
1. CASE NUMBER:	NHRC/PSGBV/2020/CAL/1.....	164
2. CASE NUMBER:	NHRC/PSGBV/2020/CAL/6.....	165
3. CASE NUMBER:	NHRC/PSGBV/2020/CAL/7.....	166
4. CASE NUMBER:	NHRC/PSGBV/2020/CAL/5.....	168
5. CASE NUMBER:	NHRC/PSGBV/2020/CAL/9.....	170
6. CASE NUMBER:	NHRC/PSGBV/2020/EBO/6.....	171
7. CASE NUMBER:	NHRC/PSGBV/2020/CAL/2.....	173
8. CASE NUMBER:	NHRC/PSGBV/2020/CAL/3.....	175
9. CASE NUMBER:	NHRC/PSGBV/2020/CAL/4.....	176
11. CASE NUMBER:	NHRC/PSGBV/2020/CAL/7.....	177
(C) EDO STATE.....		178
1. CASE NUMBER:	NHRC/PSGBV/2020/BN/2.....	178
2. CASE NUMBER:	NHRC/PSGBV/2020/BN/5.....	180
3. CASE NUMBER:	NHRC/PSGBV/2020/BN/8.....	181
4. CASE NUMBER:	NHRC/PSGBV/2020/BN/3.....	183
5. CASE NUMBER:	NHRC/PSGBV/2019/DEL/1.....	185
6. CASE NUMBER:	NHRC/PSGBV/2019/RVS/1.....	186
7. CASE NUMBER:	NHRC/PSGBV/2020/BN/8 c/2020/04/ED	188
CHAPTER SIX.....		190
NORTH WEST.....		190
(A) KANO STATE.....		190
1. CASE NUMBER:	NHRC/PSGBV/2019/KN/1.....	190

2.	CASE NUMBER:	NHRC/PSGBV/2019/KN/2	.	.	.	191
3.	CASE NUMBER:	NHRC/PSGBV/2019/KN/3	.	.	.	191
4.	CASE NUMBER:	NHRC/PSGBV/2019/KN/4	.	.	.	193
5.	CASE NUMBER:	NHRC/PSGBV/2019/KN/5	.	.	.	193
6.	CASE NUMBER:	NHRC/PSGBV/2019/KN/6	.	.	.	194
7.	CASE NUMBER:	NHRC/PSGBV/2019/KN/7	.	.	.	194
8.	CASE NUMBER:	NHRC/PSGBV/2019/KN/8	..	.	.	195
9.	CASE NUMBER:	NHRC/PSGBV/2019/KN/9	.	.	.	195
10.	CASE NUMBER:	NHRC/PSGBV/2019/KN/10	.	.	.	196
11.	CASE NUMBER:	NHRC/PSGBV/2019/KN/11	.	.	.	197
12.	CASE NUMBER:	NHRC/PSGBV/2019/KN/12	.	.	.	198
13.	CASE NUMBER:	NHRC/PSGBV/2019/KN/14	.	.	.	198
14.	CASE NUMBER:	NHRC/PSGBV/2019/KN/15	.	.	.	200
15.	CASE NUMBER:	NHRC/PSGBV/2019/KN/16	.	.	.	200
16.	CASE NUMBER:	NHRC/PSGBV/2019/KN/17	.	.	.	201
17.	CASE NUMBER:	NHRC/PSGBV/2019/KN/13	.	.	.	202
(B)	SOKOTO STATE	.	.	.	.	203
1.	CASE NUMBER:	NHRC/PSGBV/2020/SOK/1	.	.	.	204
2.	CASE NUMBER:	NHRC/PSGBV/2020/SOK/2	.	.	.	204
3.	CASE NUMBER:	NHRC/PSGBV/2020/SOK/3	.	.	.	205
4.	CASE NUMBER:	NHRC/PSGBV/2020/SOK/4	.	.	.	206
5.	CASE NUMBER:	NHRC/PSGBV/2020/SOK/5	.	.	.	207
6.	CASE NUMBER:	NHRC/PSGBV/2020/SOK/6	.	.	.	207
7.	CASE NUMBER:	NHRC/PSGBV/2020/SOK/9	.	.	.	209
8.	CASE NUMBER:	NHRC/PSGBV/2020/SOK/7	.	.	.	210
9.	CASE NUMBER:	NHRC/PSGBV/2020/SOK/8	.	.	.	212
10.	CASE NUMBER:	NHRC/PSGBV/2020/SOK/11	.	.	.	215

RECOMMENDATIONS.	218
A. Guidelines for protection of the rights of Victims/Survivors of Sexual and Gender- Based Violence	218
B. Guidelines and Policy for Employers/Institutions in relation to Sexual and Gender- Based Violence	220
C. Guidelines and Policy for the Nigeria Police Force and other Law Enforcement Agencies	221
D. Guidelines and Policy Paper For The Conduct Of Raids In Line With Best Practices {The Police, Abuja Environmental Protection Agency And Related Agencies	224
E. Guidelines and policy on sexual and gender-based violence for the Government, Human Right Organisations, Non-Governmental Organisations, Religious Organisations and other Community based Organisations	225
F. Policy on Homes and Marriages	228

LIST OF ABBREVIATIONS

Abj.	Abuja
ACJA	Administration of Criminal Justice Act
AEPB	Abuja Environmental Protection Board
Asst.	Assistance
Barr.	Barrister
BN	Benue
CAL	Calabar
CID	Criminal Investigation Division
COP	Commissioner of Police
CPR	Civil and Political Rights
DPO	Divisional Police Officer
EBO	Ebonyi
ENU	Enugu
ES	Executive Secretary
Esq.	Esquire
EU- UN	European Union and the United Nations
FCT	Federal Capital Territory
FIDA	International Federation of Women Lawyers (FIDA) Nigeria
fm	frequency modulation
IDP	Internally Displaced Person
IGP	Inspector General of Police
IMS	Imo State
KN	Kano
LAG	Lagos
MDA	Ministry, Departments & Agencies
MoU	Memorandum of Understanding
NAPTIP	National Agency for the Prohibition of Trafficking in Persons
NGSs	Next Generation Sequencings
NHRC	National Human Rights Commission
NPP	Nigeria Policing Programme
NSCDC	Nigeria Security and Civil Defence Corps
OC	Officer in Charge
OFR	Order of the Federal Republic
Ors	Other
OSIWA	Open Society Initiative for West Africa
OY	Oyo
POS	Point of Sale
Prof.	Professor
SGBV	Sexual and Gender-Based Violence
RoLAC	Rule of Law and Anti-Corruption
RVS	Rivers State
SOK	Sokoto
UN	United Nations

FOREWORD

Sections 5 and 6 of the National Human Rights Commission Act (1995), as amended, give the Commission the mandate to promote, protect and enforce the human rights of Nigerians and all persons living within the country. Furthermore, as a quasi-judicial agency, the Commission is vested with the power to investigate all alleged cases of human rights violations, monitor developments in various thematic areas of human rights, assist victims of human rights violations through appropriate awards and compensation, and bring its findings to the attention of the government. It also serves to ensure government's compliance with international and regional human rights obligations among other functions and powers.

In the course of the Commission's operations, some of the complex human rights violations/abuses the Commission had to contend with have been those of Sexual and Gender-Based Violence (SGBV). Sexual and gender-based violence are harmful acts directed at a person based on their gender and has its roots in gender inequality. It is also a life threatening health and protection issue. It is estimated that at least one in three women will experience sexual or physical violence in their life time. These cases present in various complexities reflecting the multi-cultural and religious make-up of the Nigerian societies.

Typical of many abuses embedded in cultural and traditional values, the visibility of SGBV cases are largely hampered by stereotypes and fear of stigmatisation in many climes. In Nigeria, however, a number of incidents have come to the fore, attracting public outcry for urgent action nationally and internationally. Some examples include the cases of little Ochanya in Benue State; and the BBC documentary on "Sex for Grades" in the University of Lagos and its counterpart in Ghana. Another example is the infamous raids of night clubs by armed security personnel, led by the Abuja Environmental Protection Board (AEPB) and the FCT Joint Task Force, allegedly in pursuit of prostitutes,

from which emanated numerous allegations of rape, sexual harassment, cruel, inhuman and degrading treatment.

In furtherance of the foregoing, and as a direct response to the public outcry for immediate action, the office of the Vice-President of Nigeria requested the Commission to take immediate steps to arrest this scourge in the society and make appropriate recommendations to the government; that led to the constituting of the Special Investigation Panel on Sexual and Gender-Based Violence.

The members of the Panel were carefully selected to represent diverse interests of the society: the Commission as the chair and secretariat, the academia, gender experts, civil society and professional groups. The Panel also worked closely with consultants, who brought to bear their professional expertise in the field of SGBV during the proceedings and report of the panel.

OBJECTIVES OF THE PANEL INVESTIGATION

The general objectives of the investigation are as follows:

- a) To find out whether there were human rights violations or sexual and gender-based violence during the raids and or in the process of such arrests and detention
- b) To find out the persons or officers responsible for any such violations and recommend appropriate sanction and accountability measures for each case as it may be deemed appropriate
- c) To ensure adequate remedy for victims of such violations
- d) To develop clear guidelines for inspections and raids in the country by task forces
- e) To review extant laws and regulations applicable to Joint Task Forces to be in line with human rights standards.

In the first round of sittings, the Panel received and considered one hundred and thirteen (113) complaints/memo across the six (6) geo-political zones recording

landmark successes. In addition to consideration of complaints, the panel visited *loci in quo* where SGBV survivors are kept and in some cases provided livelihood assistance.

The second round of sittings, which took place in the wake of a resurging pandemic, was very unique in a number of ways. This was so, not just because of the astronomical rise in the number of cases of SGBV (which was aptly described as a shadow pandemic by the United Nations), but also because the sitting afforded the Panel the opportunity to address issues of the pandemic-induced and other SGBV cases from a realistic perspective. In this round, the panels sat in Enugu, Lagos, Ebonyi, Cross River, Rivers, Sokoto, and Adamawa States as well as in Abuja. During this period, a total of 119 cases were listed for consideration. The breakdowns of the cases are as follows:

NORTH CENTRAL

- Abuja (25 cases)

NORTH EAST

- Adamawa State (14 cases)

SOUTH EAST

- Enugu State (7 cases)
- Ebonyi State (11 cases)
- Imo State (28 cases)

SOUTH WEST

- Lagos State (15 cases)

SOUTH SOUTH

- Rivers State (16 cases)
- Cross River (11 cases)
- Edo State (7 cases)

NORTH WEST

- Kano State (17 cases)
- Sokoto State (10 cases)

The process availed all parties the fair hearing to table and defend any allegations before the investigation panel. Complainants, victims and alleged violators were assisted to participate fully at the hearings through the defraying of transportation and accommodation costs. Legal assistance was also provided through internal and external counsels to the panel to assist victims and alleged violators who could not afford the services of legal practitioners in the presentation or defense of their matters before the panel.

This report therefore documents all the activities and findings of the panel across the six geo- political zones of the federation. Each sitting is recorded, highlighting the records of proceeding of each case together with the findings of the panel.

The facts of the cases, herein reported, and findings of the panel will certainly throw more light on the human rights implications of sexual and gender-based violations in Nigeria.

Chief Anthony Ojukwu, OFR, SAN
Executive Secretary
National Human Rights Commission

ACKNOWLEDGEMENT

The success of the Public Sitings of the Special Investigation Panel on Sexual and Gender- Based Violence in Nigeria was as a result of the concerted efforts of many individuals, experts and partners. First and foremost, our immense appreciation goes to the government for recognising the mandate of the Commission and also for supporting the Commission in setting up the Panel.

Our profound gratitude goes to the Executive Secretary, Anthony Ojukwu, OFR, SAN, who is also the Chairman of the Panel, for leading the process of all the public sittings across the six geo-political zones of the country.

Also, the Commission's appreciation goes to the underlisted panel members, consultants, counsels, members of secretariat and rapporteurs for their expertise and immeasurable contributions towards the success of the Special Investigation Panel on SGBV across the country.

- Mr. A. A Yakubu - NHRC Director, CPR (Member)
- Barr. Rachael Adejor - Chairperson FIDA, Abuja Chapter (Member)
- Barr. Ito Ezeanaba - Founder, Mirabel Centre, Lagos (Member)
- Prof Joy Ngozi Ezeilo, - Former UN Special Rapporteur on Trafficking in Persons, especially women & children (Member)
- Prof. Epiphany Azinge, SAN
 - Former Director General, Nigerian Institute of Advanced Legal Studies (Consultant)
- Chief Awa Kalu, SAN
 - Former Attorney – General and Commissioner for Justice, Abia State (External Counsel)
- Harry Ogwuche Obe - Director, Women and Children (Internal Counsel)
- Rosemary Igboyi - Assistant Director, Legal (Registrar)
- Olawale Afolabi - Asst. Chief Legal Officer (Internal Counsel)
- Arinze Okoro - Asst. Chief Legal Officer (Internal Counsel)

- Salome Loko - Asst. Chief Legal Officer (Internal Counsel) Secretariat
- Barr. Benedict Agu - Head of Secretariat & NHRC, Monitoring
- Ngozi O. Okore - Deputy Director, Research
- Obiora Nwosu - Chief Research Officer
- Anthonia Nwabueze - Asst. Chief Investigation Officer
- Uzumma Anunihu Ume - Principal Legal Officer
- Seun Elere - Senior Executive Officer
- Kiki Mordi - Rapporteur
- Damilola Are - Rapporteur

More specially, the Commission wishes to thank the following partners that supported the public hearing – OSIWA, Rule of Law Initiative, Ford Foundation, Nigeria Policing Programme (NPP), Partners West Africa – Nigeria, RoLAC, EU-UN Spotlight Initiative and the Amnesty International Nigeria, for their continuous support and partnership.

The Commission will also like to commend the complainants and the public for their courage to lodge their complaints.

CHAPTER 1

NORTH CENTRAL ZONE

ABUJA

There were two sittings in Abuja, the first in November 2019 and the second in April 2021. The initial sitting began many of several hearings of the Special Investigation Panel on Sexual and Gender-Based Violence which eventually came to an end on the 15th of April, 2021. The objectives of the Panel were highlighted at the opening ceremony and some of these included:

1) reviewing extant laws and regulations applicable to Joint Task Forces in the country and Federal Capital Territory (FCT) in particular, especially the Abuja Environmental Protection Board (AEPB) 2) examining whether such laws and regulations are compliant with Chapter 4 of the 1999 Constitution of the Federal Republic of Nigeria (as amended) and other international human rights conventions and protocols applicable in Nigeria; 3) identifying individuals directly responsible for any violations and abuses and make recommendations for further actions including, but not limited to prosecutions, disciplinary proceedings and damages. Out of the slated 19 (nineteen) cases, only 6 (six) were heard due to the voluntary absence of some complainants and respondents.

A major observation in this sitting was that a number of complaints of alleged corruption, sexual molestation, harassment, psychological and physical assault were made against certain police officers, the Abuja Environmental Protection Board and other nominal parties. The Complainants in such cases were made up of both individuals and Non-Governmental Organisations.

Additionally, a number of parties engaged the services of lawyers to represent them; an observation not made in sittings in other states. It is, perhaps, also worth adding, that majority of the parties in this sitting were willing to settle

their matter by way of agreeing to Terms of Settlement/Memorandum of Understanding.

A major highlight of this sitting was the Panel's visit to a Children Centre in Gwagwalada where one of the Complainants (Dorothy N.) alleged that child trafficking was taking place. However, upon visiting the said centre (unannounced), it was discovered that the children were well taken care of. In light of this observation, the Panel decided to re-visit the centre at a later date.

The second round of sittings at Abuja took place after other sittings across the six geo-political zones of the country. There were thirty-two (32) cases slated for hearing. Nine (9) of those cases were heard and decisions made by the panel while the rest of the cases were not heard due to the unavailability of the Respondents, hence, adjournment was the only option.

What follows is a report of the cases heard in Abuja:

- 1. CASE NUMBER:** NHRC/SGBV/2019/ABJ/9
- COMPLAINANT:** COALITION OF CONCERNED ABUJA RESIDENTS AND ORGANIZATIONS (PRESENT)
- RESPONDENT:** ABUJA ENVIRONMENTAL PROTECTION BOARD, NIGERIA CIVIL DEFENSE CORPS, NIGERIA POLICE & ORS
- SUBJECT MATTER:** ALLEGED SEXUAL ASSAULTS, RAPE, VERBAL HARASSMENT, INHUMAN AND TREATMENT AND TORTURE
- APPEARANCES:** AFOLABI OLAWALE [INTERNAL COUNSEL]; EDEDEM ANI [EXTERNAL CONSULTANT TO PANEL] MOJIRAYO OGUNNANA-NKANGA, NONYE OGBUOGU [FOR VICTIMS/COMPLAINANTS]; YAKUBU ESTHER-LAIDE, PAUL APE, ADEGOKESALAMENTU [FOR 4TH & 5TH

RESPONDENTS];

JUDE AZIH, CHIAMAKA EZE [1ST

RESPONDENT]

PANEL:

ALL PRESENT, ANTHONY OJUKWU, ESQ

(PRESIDING)

FACTS

The issues resolved in this case bordered on alleged sexual assault, rape, verbal harassment, inhuman and degrading treatment.

Counsel to the 1st Respondent (AEPB) objected to the Panel hearing this case on the ground that a case with the same subject matter was pending before the Federal High Court, Abuja. In response, Counsel to the Complainant explained that the Panel was constituted for administrative, legislative and policy changes. The Panel overruled the objection on the basis that it was not constituted with punitive objectives. In light of this, the hearing continued. The Complainant's witnesses gave their testimonies. However, all Counsel to the Respondents refused to cross-examine the witnesses.

On the Respondents' side, the 1st Respondent's Counsel called his witness, the 1st Respondent, a Director in AEPB. Counsel to the Complainant cross-examined this witness. Additionally, members of the Panel examined the witness.

DECISION OF THE PANEL

The crux of the findings was that the Director was not aware of some of the acts committed by his subordinates. Additionally, the Panel posited that the methods with which the AEPB carried out their raids were not compliant with human rights laws.

The Panel requested that all counsels file final closing address and Counsel to

first Respondent was cautioned for his demeanor before the Panel.

2. CASE NUMBER: NHRC/PSGBV/2019/ABJ/16

COMPLAINANT: ERDOW APOLLOS (ABSENT)

RESPONDENT: APOLLOS DAVID (PRESENT)

SUBJECT MATTER: DOMESTIC VIOLENCE; STALKING;
REFUSAL TO PAYHOUSE RENT AND
PROVIDE UPKEEP

APPEARANCES: AFOLABI OLAWALE [NHRC INTERNAL
COUNSEL];
EDEDEM ANI, VIVIAN UDORA (EXTERNAL
CONSULTANT TO PANEL);
NO LEGAL REPRESENTATION FOR BOTH
THECOMPLAINANT AND THE
RESPONDENT.

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
(PRESIDING)

FACTS

The issue as stated in the complaint bordered on alleged domestic abuse. The Complainant stated that both parties had been married for eight years and have four (4) children. She alleged that the Respondent in all their eight years of marriage had been violent to her, in the presence of their family members. She asserted that since she left their home on the 3rd day of September, 2018, the Respondent had been stalking her. She sought the Commission's help to stop the Respondent from stalking her, pay the children's fees, pay the house rent and provide the basic needs for general upkeep of his children.

In response, the Respondent asserted that the Complainant (his wife) had been away from their home since 3rd September, 2018. According to him, all his efforts to bring her home were of no avail. He asserted that on 22nd, 23rd and 24th

of December 2018, the Complainant wrote and shared on social media all manner of insults against him. He noted that despite her behaviour, he still sent money to her, with the last payment being ₦54,000 (Fifty Four Thousand Naira) on 14th February, 2019. However, he received court summons from his wife on the 27th February, 2019 regarding their marital issue and alleged violence. He stated that his prayer to the court was for his wife to come back, adding that the initial judge recused herself because she was biased.

Regarding the claims of domestic violence against him, he informed the Panel that his wife had slapped him on several occasions and that out of anger, he was violent on one occasion.

DECISION OF THE PANEL

The Panel struck this case out for reason that the same case was already before the court. The Panel thereafter struck off the matter owing to the non-attendance of the Complainant.

3. CASE NUMBER: NHRC/SGBV/2019/PL/5

COMPLAINANT: SARAH JONATHAN [PRESENT]

RESPONDENT: MUSA JONATHAN [PRESENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE, THREAT TO LIFE AND OWNERSHIP OF FAMILY PROPERTY

APPEARANCES: AFOLABI OLAWALE [NHRC INTERNAL COUNSEL];
EDEDEM ANI, CHUKA OBODIKE, VIVIAN UDORA [EXTERNAL CONSULTANT TO PANEL];
NO LEGAL REPRESENTATION FOR BOTH THE COMPLAINANT AND THE RESPONDENT.

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ

(PRESIDING)

FACTS

The issues bordered on alleged domestic violence and threat to life.

The Complainant asserted that she had been married to the Respondent for 27 (Twenty- Seven) years with 6 (six) children. She alleged that for the past 10 (ten) years, the marriage had not been peaceful as the Respondent had been violent to her. Additionally, she stated that the Respondent claimed that he did not want the marriage anymore and asked her to leave their home. However, she refused to leave because of one of their children with special needs in addition to the fact that she made significant monetary contribution to the business they both own. The Complainant sought mediation from the Commission in ensuring her monetary contribution to the business is paid to her.

In response, the Respondent agreed that both parties were married with children. He apologised for his wrongdoings, and promised not beat his wife again. The Panel, not convinced, asked the Respondent to identify the cause(s) of the violence in order to put in place, mechanisms to avoid it. The Respondent revealed his anger issues and pleaded with the Commission to refuse the sale of their business. He further stated that the Complainant will participate in the business.

In reply, the Complainant further informed the Panel that the problem was as a result of the employment of a secretary to manage their farm/business and restricting the Complainant from participating or visiting the farm.

DECISION OF THE PANEL

The Panel resolved this issue by way of mediation stating terms to be agreed to by both parties. Additionally, the Panel asked both parties to sign a Memorandum of Understanding. The Respondent was also asked to sack his current secretary and allow the Complainant employ one. The Commission was

to monitor progress.

4. CASE NUMBER: NHRC/SGBV/2019ABJ/12

COMPLAINANT: PRECIOUS JEWELS

RESPONDENTS: COMMISSIONER OF POLICE {FCT};
INSPECTOR GENERAL OF POLICE

SUBJECT MATTER: ALLEGED ARBITRARY ARREST;
DETENTION; RAPE AND BRUTALITY BY
NIGERIA POLICE

APPEARANCES: AFOLABI OLAWALE [NHRC INTERNAL
COUNSEL];
EDEDEM ANI, CHUKA OBODIKE, VIVIAN
UDORA(EXTERNAL CONSULTANT TO
PANEL);
DEJI AJARE, MOJIRAYO OGUNLANA –
NKENJA, NONYE JENNIFER OGBUOGU
(COMPLAINANT’S COUNSEL);
NO LEGAL REPRESENTATION FOR THE
RESPONDENT

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
(PRESIDING)

FACTS

This is a consolidated suit that involves a number of young women who had experienced one form of Police brutality or the other within the past couple of years. Eighty-four (84) members of the Complainant {group} were arrested and detained by Police in Abuja under the guise of maintaining public morality.

The young ladies were molested, raped, duped, extorted at detention centres and Police cells; some were charged before Zuba, Karimu Courts, Abuja; some were coerced to plead guilty to non-existent offences in order to be released.

About nine (9) of the victims were present at the Panel and gave oral testimony in addition to their written statements.

DECISION OF THE PANEL

The Panel asked the witnesses to provide the names of the police officers in order for them(the police officers) to be engaged in a public trial. Additionally, the Panel instructed the Counsel to the Commission to do a brief on the case and preserve any evidence obtained.

5. CASE NUMBER: NHRC/PSGBV/2019/ABJ/3

COMPLAINANT: DOROTHY N. (ON BEHALF OF TARGETED WOMEN)

RESPONDENT: ABUJA ENVIRONMENTAL PROTECTION BOARD;
COMMISSIONER OF POLICE (FCT);
INSPECTOR GENERAL OF POLICE;
FEDERAL CAPITAL TERRITORY
ADMINISTRATION SOCIAL DEVELOPMENT
SECRETARIAT

SUBJECT MATTER: ALLEGED ARBITRARY ARREST;
BRUTALITY BY NIGERIA POLICE

APPEARANCES: AFOLABI OLAWALE [NHRC INTERNAL COUNSEL];
EDEDDEM ANI, CHUKA OBODIKE, VIVIAN UDORA[EXTERNAL CONSULTANT TO PANEL];
DEJIAJARE, MOJIRAYO OGUNLANA – NKENJA, NONYEJENNIFER OGBUOGU [COMPLAINANT’S COUNSEL];
JUDE COLLINS AZIH, CHIAMAKA EZE [COUNSEL FOR 1ST RESPONDENT];
NO LEGAL REPRESENTATION FOR 2ND, 3RD AND 4TH RESPONDENTS.

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ (PRESIDING)

FACTS

Counsel for the Complainant called two witnesses. The first witness, Kuti Joan Funmilola, a self- employed caterer, recounted what happened to her on the 9th

day of July, 2014 in the afternoon, at Garki Market where she went to buy a cake mixer. On entering the market, she asserted that she saw people running helter-skelter. She initially stood confused but continued going to where she had planned. On arriving at the shop, she saw the vendor running, saying that he was not meant to put anything in front of the shop. She recounted that the next thing she heard was a loud bang. She was beaten for 45 minutes. Afterwards, she went to Garki Hospital to receive medical attention, following which, she reported the incident to Wazobia FM; and the station aired her complaint. Additionally, she tendered the videos she had as well as hospital records of the incident. She stated that since the incident, she had been unable to use her left hand properly. She petitioned the Panel for justice and compensation.

Additionally, a witness Dorothy N., was also called to give evidence. She recounted her experience of severe police brutality that resulted in depression and anxiety. She further stated that her advocacy against police brutality had made her a target, forcing her to live in her car days on end, to avoid the police finding her.

Counsel for the first Respondent vehemently opposed the tendering of documents, stating that he had no time to read the affidavits deposed to by the witnesses. Nonetheless he cross-examined the witnesses.

Counsel to the 1st Respondent also called a witness who testified and resolved to look into the issues raised by the Complainant.

DECISION OF THE PANEL

The Panel admonished the 1st Respondent, instructing that he look into the case and bring forward, those responsible.

6. CASE NUMBER: NHRC/PSGBV/2019/ABJ/13

COMPLAINANT: ONYINECHI AZOGU

RESPONDENT: TONY AZOGU

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND

REQUEST FOR CHILD CUSTODY

APPEARANCES:

AFOLABI OLAWALE [NHRC INTERNAL COUNSEL];
EDEDEM ANI, CHUKA OBODIKE, VIVIAN UDORA [EXTERNAL CONSULTANT TO PANEL];
NO LEGAL REPRESENTATION FOR BOTH PARTIES

PANEL:

ALL PRESENT, ANTHONY OJUKWU, ESQ (PRESIDING)

FACTS

The facts in this case revolve around alleged domestic violence and request for child custody. The Complainant asserted that she was married to the Respondent and they were blessed with four (4) children (with the oldest being 16 years old and the youngest being 7 years old). She stated, however, that she had become a victim of abuse from her husband and was also denied access to her children. In her initial appearance before the Panel, the Respondent was absent. However, the Presiding Panelist instructed that the man be summoned before the Panel and that the children be brought with him in order to see how they (the children) were faring.

Upon appearing before the Panel, the Respondent informed the Panel that the Complainant's claims were all false. He counter argued, that the Complainant stopped caring for the family and started travelling and staying away from the home for long periods at a time. According to him, the Complainant had left their home since the 25th of January, 2019 and never returned. He asserted that he tried to resolve the matter within the family, all to no avail.

The children were called in one after the other to be calmly questioned (in the absence of both parents) about the situation. All four children stated that nobody stopped their mother from visiting them and that they wanted their mother to come home. They all said that they believed their mother abandoned them.

DECISION OF THE PANEL

The Panel asked both parents to sign Terms of Settlement in order to allow both parents adequate access to their children. However, the Complainant vehemently refused, stating that she will go to court instead. Consequently, the Panel informed the Complainant that if and when the Commission is invited to court as a witness regarding this case, the Terms of Settlement will be presented to the court as evidence. In light of this, the case was closed.

7. CASE NUMBER: NHRC/PSGBV/2020/ABJ/13

COMPLAINANT: DONATUS UWAZURIKE [PRESENT]
RESPONDENT: CHIOMA RITA UWAZURIKE [PRESENT] HER
LAWYER EMMANUEL DIM ESQ.
REPRESENTED THE RESPONDENT
SUBJECT MATTER: ALLEGED ABANDONMENT AND DENIAL OF
ACCESS TO CHILD
APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE,
CHIOMA UMA, CHIJOKE ATUNE, VIVIAN
UDORAH, PRECIOUS UCHENDU,
EMMANUEL OLATUNDE (EXTERNAL
COUNSEL TO PANEL)
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
(PRESIDING)

FACTS

The Complainant stated that some time last year the Respondent took his child without his knowledge and sometime in 2018 he was able to reach her and when she showed up on the 18th of March 2018 she came with the child and some of her family members stating that they had come to return her bride price which he refused to accept. They all left with the child and since then he had not seen the Respondent nor his child. He prayed the Panel to assist him in getting the full custody of the child and if the Respondent was no more interested in the

marriage it was fine with him, he also blamed his mother-in-law for his wife's negative attitude to him.

DECISION OF PANEL

The Panel held that the legal department should draw up terms of settlement for both parties to sign with regards to access and maintenance of the child. With regard to the fear expressed by the Respondent on the Complainant forcefully taking away the child, the Commission is to write to the child's school informing them that the case was before the NHRC and only the Respondent [her mother] can pick her up from school or if the Complainant was to pick her up from school the school should request the permission of the Respondent. Also, arrangements would be made for monitored visitations since the Complainant expressed fears and concerns.

8. CASE NUMBER: NHRC/PSGBV/2020/ABJ/14

COMPLAINANT: ESTHER OBINNA ON HER BEHALF AND HER CHILDREN [PRESENT]

RESPONDENT: MR COLLINS OBINNA EMERIBE [PRESENT]

SUBJECT MATTER: ALLEGED DENIAL OF RIGHT TO SURVIVAL AND DEVELOPMENT

APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC INTERNAL COUNSEL];

AWA KALU (SAN), CHUKA OBIDIKE,
CHIOMA UMA, PRECIOUS UCHENDU
[EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
(PRESIDING)

FACTS

The Complainant and Respondent are married and the latter has not taken any financial responsibility for the children for the past three years; the Complainant has been the one financially taking care of the children. He has refused that they

both share a joint account he withdrew all the money in the account and refused that they share a joint account. She sent him money from the United States at some point to build a house in Nigeria and he squandered the money. She prayed the Panel to intervene so that the Respondent can live up to his financial responsibilities and take care of the children some of which are overseas and roaming the streets without any form of support and are dying of hunger.

The Complainant affirmed her written complaint after it was read out to her and further elaborated stating that the Respondent sent her and the children out of the house in 2016 with cutlass and acid, they stayed out for 6 months before they moved back in, In 2017 they were chased out again, they stayed out for 9 months before returning in 2019. She added that the Respondent asked her to send the sum of ten thousand dollars to his boss to help them buy a house and the house was yet to be bought and she was yet to get a refund despite requesting on several occasions for the money to be refunded.

The Respondent responded to the allegation stating that he was over 61 years and retired from the ministry of foreign affairs at the age of 54. He stated that he had health challenges (type 2 diabetes), had suffered partial stroke and has lost one of his eyes as a result. He said that the Complainant never accompanied him on hospital visits or showed concern and that all monies given to her to keep were sent to her young male pastor and his family.

DECISION OF PANEL

The Panel held that the ruling of the Panel will be delivered on the 15th of April, 2021 and that the first two children of the marriage should appear before the Secretariat for Counselling and discussions.

15/4/2021- The Panel held that the Secretariat should work out the terms and prepare a memorandum of understanding for both parties to sign.

9. CASE NUMBER: NHRC/PSGBV/2020/ABJ/15

SUBJECT MATTER: ALLEGED NEGLECT OF PARENTAL RESPONSIBILITIES

COMPLAINANT: GRACE JOEL [PRESENT]

RESPONDENT: NNAMDI OKORO [PRESENT]

APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE, CHIOMA UMA, CHIJOKE ATUNE, VIVIAN UDORAH, PRECIOUS UCHENDU, EMMANUEL OLATUNDE [EXTERNAL COUNSEL TO PANEL]
MR DAVID IKOM ESQ [RESPONDENT'S COUNSEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ (PRESIDING)

FACTS

The matter bordered on Alleged Neglect of Parental responsibilities. Parties were married for four (4) years. The Respondent was violent. Attempt was made to seek solution at the Customary court. She was prevailed on to withdraw the matter, which she eventually did. The Respondent agreed to pay three thousand naira weekly, but he was defaulting on the upkeep.

The Complainant got pregnant while in her second year at Federal Polytechnic, Bida. She had to drop out of school as she could not effectively combine studentship with pregnancy. In 2019, she secured another admission and currently caters for herself in school, while also making efforts to sponsor/train her son by paying his school fees. She claims that the pressure was too much for her to bear and despite the fact that the Respondent had initially agreed to pay the sum of three thousand naira (3,000), he did not keep his words as he only made part payment and stopped.

When asked for the reason why he is not taking care of his son, the respondent

alleged that he took care of her throughout the pregnancy and that he had been sending her money whenever she said the child was sick. He believed she was using the upkeep of the child as an avenue to extort him.

DECISION OF THE PANEL

The legal team was asked to draw up the terms of settlement and it was agreed that the child should be in the mother's custody. The Respondent was asked to provide the sum of Twenty Thousand Naira (20,000) monthly, subject to periodic review for upkeep. In line with economic reality, the Respondent was also asked to take care of other expenses. The Panel said the Complainant must agree/consult with the Respondent before taking any action concerning the child; the Respondent shall have access to the child and shall not be deprived of access to the Child; and the Commission will monitor the Complainant and the level of compliance.

10. CASE NUMBER: NHRC/PSGBV/2020/ABJ/16

COMPLAINANT: FAITH OGENEGBU [PRESENT]

RESPONDENT: BENJAMIN OSUYA [PRESENT]

SUBJECT MATTER: ALLEGED HARMFUL WIDOWHOOD
PRACTICE AND DENIAL OF INHERITANCE

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE,
CHIOMA UMA, PRECIOUS UCHENDU
[EXTERNAL COUNSEL TO THE NHRC]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
(PRESIDING)

FACTS

The Respondent is the brother-in-law to the Complainant and she alleged that ever since her husband died in November, 2019 the Respondent has tried to strip them of their rights to the properties of the deceased. He allegedly seized

his late brother's ATM cards, documents to his properties, cars and trucks and also gave instructions that all the financial benefits of the deceased be paid to him. He also gave her a condition to send the children to Delta State and also seek a transfer to the same state and which is the home state of the deceased. She prayed the Panel to intervene and mandate the Respondent to return all the properties he had seized and stop interfering in the affairs of her family.

The Complainant affirmed her written statement after it was read out.

The Respondent stated that all the allegations were false, that the Complainant was not the wife of the deceased but a live-in lover, that he never chased her away nor denied her access to the deceased's properties, that she and her children were still occupying the deceased's four-bedroom flat in Nasarawa State. He further stated that he did not seize any ATM cards and that she was with them while the three cars were parked in the village after the funeral.

DECISION OF PANEL

The Panel held that the Secretariat should provide all relevant documents with regards to the mediation sessions held between both parties prior, on the 13th of April, 2021. The Respondent was to provide the papers of the truck he claimed ownership of on or before 16th of April, 2021. The NHRC would also assist the Complainant in enquiring the full financial benefits the deceased was entitled to since he was a federal public servant.

The Panel further held that the final ruling would be delivered on the 14th of April, 2021.

14/4/2021 - The Complainant and the Respondent were both before the Panel [R.A RERRIEsq. Counsel to the Respondent was also present]

Appearances were taken - Harry Obe and Salome Loko [**Internal Counsel to NHRC**]

Chuka Obidike, Chioma Uma, Preciouss Uchendu, Emmanuel Olatunde

[holding the brief of Awa Kalu, SAN, external counsel to the NHRC].

The Respondent tendered the copy of the particulars of the truck which he claimed he had ownership of.

The Panel held that its primary purpose was to ensure that the children of the deceased are raised to be good citizens of the country and in that regard ruled that the rents paid from the deceased's properties should be paid into an interest yielding bank account and not the account of the friend of the Respondent. The Panel also held that 25% of the proceeds should be paid to the Complainant for her upkeep and the remaining 75% for the upkeep of the children until they attain the age of 21. The Respondent was told to continue to take care of the education of the children of the deceased. The commission was to verify the authentic ownership of the Renault truck in contention from the vehicle licensing office and one of the cars of the deceased not in contention should be released to the Complainant for her personal use and the second car to be used by the Respondent. The Commission was also charged to assist the Complainant in the Ministry of Labor to know the full financial benefits accrued to the deceased so the Complainant and the children can have them.

11. CASE NUMBER: NHRC/PSGBV/2020/ABJ/18
COMPLAINANT: VICTORIA AMEH [PRESENT]
RESPONDENT: FRIDAY ORJI [PRESENT]
SUBJECT MATTER: ALLEGED DENIAL OF ACCESS TO CHILD
APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE,
CHIOMA UMA, PRECIOUS UCHENDU,
EMMANUEL OLATUNDE [EXTERNAL
COUNSEL TO PANEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
(PRESIDING)

FACTS

The case bordered on Alleged Denial of Access to Child. The Complainant stated that she had a relationship with the Respondent and they have a daughter, Eboh, who is six (6) years old. The Respondent had requested that their daughter, Eboh, spend the holidays with him after which she will return to the Complainant. The Complainant obliged him but after the holidays, the Respondent refused to return their daughter and has since then denied her access to the child. All efforts made by the Complainant to have access to their child proved abortive and so she wanted the Commission to intervene in the matter.

The Respondent, in his response, claimed he was married to the Complainant having been introduced to her parents in 2011. She gave birth to their daughter, Eboh, in 2012. He also claimed that the Complainant abandoned their child when she was between four and five months old. He also added that in 2013, the Complainant went to the Human Rights radio and told them that he forcefully took their child from her. He was later invited and he obliged and he was thereafter asked to return the child to the Complainant, particularly, because the child was still very tender at the time. He claimed he returned the child.

DECISION OF THE PANEL

The Legal Team of the Commission will draw up the Terms of Settlement which will be duly signed by both parties. Eboh was eight years old and so she was to remain in the custody of her mother (the Complainant). The Respondent was asked to return Eboh to the Complainant at once.

12. CASE NUMBER: NHRC/PSGBV/2020/ABJ/19

**SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
DENIAL OF ACCESS TO CHILDREN**

**COMPLAINANT: MRS NAADA ESTHER SHANKYULA
[PRESENT]**

RESPONDENT: WG. CDR. I. T. SHANKYULA [ABSENT]

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];

AWA KALU (SAN), CHUKA OBIDIKE,
CHIJOKE ATUNE, VIVIAN UDORAH,
EMMANUEL OLATUNDE. [PANEL
EXTERNAL COUNSEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
(PRESIDING)

FACTS

The Respondent was not served because it was discovered that he was out of town when he was called. The Complainant went ahead to state that she had been married to the Respondent for over ten (10) years and he was in the armed forces and was very violent; would physically assault her and her children at the slightest provocation; and was in the habit of seizing her phone, car keys and locking up her shops whenever he was angry with her. In January 2021, the Respondent's mother went to the children's school and took the children away with her and since then she has not had access to her children.

DECISION OF PANEL

The Panel held that the Respondent would be served through his office so that he would appear before the NHRC.

13. CASE NUMBER: NHRC/PSGBV/2020/ABJ/22

COMPLAINANT: MRS. OZOEMENA MARIA [PRESENT]

RESPONDENT: MR. TOOCHUKWU OZOEMENA
[PRESENT]

SUBJECT MATTER: ALLEGED VIOLATION OF CHILD RIGHT TO
SURVIVAL AND DEVELOPMENT

APPEARANCES: OBE AND SALOME LOKO [PANEL
INTERNAL COUNSEL];

CHUKA OBIDIKE, CHIJOKE ATUNE, VIVIAN
UDORAH [HOLDING THE BRIEF OF AWA
KALU (SAN), EXTERNAL COUNSEL TO THE

PANEL];

T. J. AYODELE (FOR COMPLAINANT)

PANEL:

ALL PRESENT, ANTHONY OJUKWU, ESQ
(PRESIDING)

FACTS

This case bordered on alleged violation of child's right to survival and development. The Complainant is a 31-year-old woman who stays in Karmajiji, Airport Road, She got married to the Respondent on November 5, 2011. The marriage is blessed with three (3) children; Chidalu Ozoemena (10), Joy Ozoemena (7), and Dorin Ozoemena (4). The third child was with her in Anambra State, while the other two children were with her mother-in-law, also in Anambra State.

The crisis started during her first pregnancy. She believed that with prayers it would be resolved. She first met the Respondent at the age of 19 years and married him at the age of 20 years. The Complainant said her parents warned her but she married out of love. The Respondent usually wants her to be absolutely obedient.

On one occasion, she decided to speak up and express herself as life was becoming unbearable. He slapped her and *she saw stars*, He beat her to the extent that her neck and face were swollen and she had to remove a tooth, as a result of the severe beating received.

On another occasion, the injuries were so severe that the Maitama General Hospital refused to treat her without the production of a police report. It took the intervention of a policeman who was present at the hospital, before she was admitted and treated. The Complainant stated that she has not been happy since the inception of the marriage. When her daughter fell sick and she told the Respondent, he refused to give her money for the child's medical treatment.

The case has been at the Commission for a while. The Respondent took the children to the south east, where they were schooling, the Commission gave her

permission to go and see her children but she was denied the right to see them. She said she would have loved to train her kids herself.

The Respondent is a 41-year old Electrical Contractor who has been married to the Complainant for 10 years and they have been separated for 7 years. He claimed that the problem started from the inception of the marriage when the Complainant's family listed the bride price requirements. The Complainant's father refused to grant him audience when he wanted to negotiate the items listed and rather directed him to the mother-in-law. He tried to negotiate certain requirements with the mother-in-law but the father-in-law got angry and said that he was arguing with his wife. The father-in-law insulted him and said that the marriage would not work as long as he was alive. The Respondent claimed that the Complainant's family insults him verbally and further stated that his brothers-in-law came to the house and beat him up.

He alleged that on a certain day, the Respondent's family members came and ordered her to pack her properties, she did and left with a child and he has not seen the child for the past four years.

Mr. Ola, the Officer in charge of the case, stated that the woman could not come over when the children were produced, the man was not around as well, as he travelled. They agreed that the Child should remain in the Wife's custody until there is another opportunity to meet. The Respondent however continued to refuse to send upkeep money to the mother. Both Parties were initially adamant as to the custody of the Children. Subsequently, the Complainant consented to the children staying in the south east.

DECISION OF PANEL

The children need to come to Abuja and stay with either of the parties. It is in the interest of the children to stay with their mum until they are 18 years old and if they are in Abuja, both Parties can have access to them and minimise the costs of upbringing.

The Complainant was asked to get a comfortable apartment, after which the children can come over to Abuja. The Respondent should also make arrangements for the children's return to Abuja.

Maintenance is left at the Respondent's discretion.

14. CASE NUMBER: NHRC/PSGBV/2020/ABJ/23

COMPLAINANT: JOY ELISHA [PRESENT]

RESPONDENT: ELISHA YOHANNA [PRESENT]

SUBJECT MATTER: ALLEGED FORCEFUL SEPARATION OF CHILDREN AND DENIAL OF ACCESS TO THEM

APPEARANCES: HARRY OBE AND SALOME LOKO [PANEL INTERNAL COUNSEL];

AWA KALU (SAN), CHUKA OBIDIKE, CHIJOKE ATUNE, VIVIAN UDORAH [EXTERNAL COUNSEL TOPANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complaint bordered on alleged abduction and denial of access to children. Complainant alleged that she has been married to the Respondent for over five years. The union is blessed with two (2) children, aged 2 and 4 years. The Respondent took the youngest daughter to the village first. On 31st March, 2021, he also took the 2nd child and threatened that she will never see them again. The children are in Adamawa State.

She seeks the commission's intervention in ensuring that she has access to her children. The Respondent stated that the Complainant usually stays in her mother's shop, a Beer Parlour. He stated that the reason he took his children to Adamawa State was as a result of the fact that he doesn't want his children to keep staying at a beer parlour with their mother. He alleged that the Complainant also keeps the company of unmarried friends. The Complainant

is an hairdresser, she had initially requested that her husband should open a saloon for her. She requested two hundred thousand naira which the husband could not afford.

DECISION OF THE PANEL

The Committee directed that the Respondent should make efforts to build a shop within his house where the wife can run her business and live with her children for an initial period of 6 months. The respondent was urged to make arrangements on how the children would return home.

The Respondent would be assisted with the sum of thirty thousand naira (N30,000) to cover logistics and the Complainant is to make herself physically available in the house to receive the children on arrival.

The Respondent was asked to endeavour to set up a business for the Complainant so that she can help with finances while the Complainant is to make efforts to bring up the children in a more decent environment.

The Respondent was advised to stop beating the Complainant and act responsibly. The Commission is to monitor the relationship for 6 months hoping that the parties will work *hand in hand* for the benefit of the children. The Legal secretary was asked to draw up the Terms of Settlement and any issue arising therefrom should be brought to the knowledge of the Commission for necessary action.

15. CASE NUMBER: NHRC/PSGBV/2020/ABJ/27
COMPLAINANT: ESTHER MONDAY [PRESENT]
RESPONDENT: PHILIP IHUMAN [PRESENT]
SUBJECT MATTER: ALLEGED DENIAL OF ACCESS TO CHILD
APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE,
CHIOMA UMA, CHIJOKE ATUNE, VIVIAN

UDORAH, PRECIOUS UCHENDU,
EMMANUEL OLATUNDE [EXTERNAL
COUNSEL TO NHRC]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant stated that she separated from the Respondent in 2014. They have two

(2) children aged 11 and 9 and she has been the only one catering for the children financially while the Respondent was planning to get married. She said they had an agreement at a time she was broke that the children should stay with either the Respondent or their grandfather and ever since, the grandfather denied her access to take the children during holidays. After a while, the children, according to her, went to stay with the Respondent and then the new wife's sister started maltreating them.

After the mediation done by the NHRC the children were released to the Complainant in July, 2020 and the Respondent had not been taking care of the children financially, she prayed the Panel to intervene and compel the Respondent to provide the means for taking care of the children's feeding, school fees and medical bills.

The Respondent stated that he usually supports the children and that he wants the children to come live with him.

DECISION OF PANEL

The Panel held that terms of settlement will be prepared by the legal team for both parties to sign and that the two children would continue to stay with their mother while the man shall provide a monthly upkeep of N20,000. The Panel said that the upkeep allowance of the children shall be subject to periodic review and the Respondent shall also pay the children's school fees, contribute to their medical bills, and have unfettered access to the children.

16. CASE NUMBER: NHRC/PSGBV/2020/ABJ/28
SUBJECT MATTER: ALLEGED NEGLECT OF PARENTAL RESPONSIBILITIES
COMPLAINANT: RASIDAT SALIHU [PRESENT]
RESPONDENT: SHAMSUDEEN ABDULLAHI [PRESENT]
APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL];
AWA KALU (SAN), CHUKA OBIDIKE, CHIOMA UMA, PRECIOUS UCHENDU [EXTERNAL COUNSEL TO PANEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant stated that the case was initiated by her late sister and grandmother and she has the authority of the grandfather to pursue the case to a logical conclusion. She prayed the Panel to intervene and compel the Respondent to cater for the children financially as they were living like orphans.

The Complainant affirmed the written statement.

The Respondent stated that after his wife died the grandmother refused on countless occasions to send bank account details for him to remit money for the upkeep of the children neither has he had access to see or hear from the children. He claimed that two weeks prior he went to the house the children stayed but was not allowed to see them. He also stated that he had never denied his children anything, but rather, he had been denied access to his children.

DECISION OF PANEL

The Panel held that the legal department should prepare the terms of settlement and by 16th of April, 2021 both parties would sign. The Panel mandated that the families of the Respondent and the Complainant should consult each other peacefully and decide on the amounts payable and report back to the commission on the 15th of April and the terms of settlement would be signed by

both parties on 16th April, 2021.

- 17. CASE NUMBER:** NHRC/PSGBV/2020/ABJ/29
- 18. OMPPLAINANT:** NKIRU NWABUFO [PRESENT]
- RESPONDENT:** MR NNAMDI NWABUFO [ABSENT]
- SUBJECT MATTER:** ALLEGED DOMESTIC VIOLENCE AND ABANDONMENT OF PARENTAL RESPONSIBILITIES
- APPEARANCES:** HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE, CHIJIJOKE ATUNE, VIVIAN UDORAH, EMMANUEL OLATUNDE [EXTERNAL COUNSEL TO PANEL]
- PANEL:** ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Respondent did not appear before the Panel despite having been served a hearing notice. The Panel proceeded on the hearing.

The Complainant stated that she got married to the Respondent in 2007 and they have two children, the first one was born in 2008 and the second in 2009. She stated further that she was molested, assaulted and humiliated in the marriage and when it became unbearable for her, she left. The Respondent then tricked her and invited her with the children and took one of them and she had not seen the child since then.

She prayed the Panel to help her gain access to her child and compel the Respondent to take financial responsibility for the child with her and play the role of a father in their lives.

The Complainant confirmed her written statement and further elaborated that she was ready to go public with her request as she had not seen one of her sons in years as the child was taken away and was still forcibly held by her sister-in-

law. The case was adjourned to the 14th of April, 2021 for the Complainant to make a public service announcement on Channels Television.

The case continued on 14/4/2021.

DECISION OF THE PANEL

The Panel held that all parties (the Respondent, his two sisters, his mother, alongside the son in question, Chukwuebuka Nwabufo, who they were asked to come with) mentioned should appear before the Panel on the 21st of April, 2021. The legal department of the Secretariat was also mandated to search all Heritage Bank branches in Lagos to know the particular one Mrs Ebele Nwabufo (the sister of the Respondent that has the son) works in and serve her through her office to ensure she appeared before the Panel on the 21st of April, 2021.

19. CASE NUMBER: NHRC/PSGBV/2020/ABJ/31

COMPLAINANT: VALERIE AGBADE [PRESENT]

RESPONDENT: OLUREMI REHOBOTH AGBEDE [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
THREAT TO LIFE

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE,
CHIOMA UMA, PRECIOUS UCHENDU
[EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Respondent was absent, he was not served a hearing notice but was informed of the Panel sitting via telephone conversation; he said he was out of town. The case was already before the Commission's Secretariat and the Respondent had responded prior to the allegation so the case proceeded.

The Complainant stated that the Respondent was her husband and he was in the habit of emotionally abusing her and on three different occasions battering her, such that she sustained physical injuries. She prayed the Panel to intervene by compelling the Respondent to stop the violence and abuse to enable her live a peaceful and meaningful life. She said he was also in the habit of stopping her from taking up job opportunities by threatening to take the children away from her. The Complainant added that in furtherance of the threats he had already taken away the birth documents of the children and had threatened on several occasions that he would kill her. She prayed for the commission to intervene.

The Complainant confirmed her written statement and further stated that the Respondent also wanted them to relocate and she did not want that, she also stated that he had started providing for the family financially which he was not doing prior.

The Respondent in his written response denied the allegation of physical abuse against the Complainant and on the issue of emotional abuse, he said it was as a result of the emotional baggage the Complainant brought into the marriage. He insisted that he was making efforts to solve the emotional issues. He denied blocking his wife's efforts to be gainfully engaged and stated that on two occasions he had gotten the Complainant a teaching job which she refused to take up. On the issue of threat to life he denied ever doing that.

The Complainant told the Panel that she had observed changes in the Respondent and would want some time to confirm whether he had actually turned a new leaf. She also mentioned that the Respondent should be asked to take over the payment of the children's school fees from her.

DECISION OF THE PANEL

The Panel held that in line with the time frame requested by the Complainant to observe the changes seen in the Respondent, the Commission would grant her three months, and she should report back to the Commission in the next

three months. The Panel said it had no mandate to stop him from relocating his family while responding to the complaint of the man planning to relocate the family against the Complainant's wishes.

20. CASE NUMBER: NHRC/PSGBV/2020/ABJ/34

COMPLAINANT: BLESSING DANLADI [PRESENT]

RESPONDENT: JOSEPH ECHIRIGO [PRESENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
NEGLECT OF PARENTAL RESPONSIBILITIES

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE,
CHIOMA UMA, CHIJIKE ATUNE, VIVIAN
UDORAH, PRECIOUS UCHENDU,
EMMANUEL OLATUNDE [EXTERNAL
COUNSEL PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The subject matter bordered on allegations of domestic violence and neglect of parental responsibilities.

The marriage produced two children and was marred by domestic violence and abuse. Attempts by family members to resolve the disputes had proved abortive. The Complainant was presently living with her sister as the Respondent had thrown her out. She desired that the Commission should get the respondent to stop violating her.

The Complainant alleged that the Respondent frequently battered her and thereafter would take her to the hospital for treatment. She said that on an occasion, he took her to Asokoro General Hospital. There were several medical reports on the injuries sustained as a result of the beatings she received. She recalled an instance where the Respondent beat her to the extent that she bled

from her ears. She said she presently cannot hear well with one of her ears and that the Respondent battered her even when she was pregnant. She told the Panel that after each beating, the Respondent would drop her off at her hypertensive mother's apartment and her mother will be the one caring for her. She blamed her mother's untimely death on the sad circumstances of her marriage and alleged that the Respondent was in the habit of sending insulting text messages to the Complainant's family members.

The Respondent alleged that the problems arose from the Complainant slapping him and engaging in extra-marital affairs.

DECISION OF THE PANEL

The Panel decided that a Memorandum of Understanding should be prepared stating that the husband should make provisions for the upkeep of the children for the time being. The MOU should also contain provisions prohibiting the Respondent from being violent and if any case of violence is reported within the six months period, the police will be involved.

21. CASE NUMBER: NHRC/PSGBV/2020/ABJ/35

COMPLAINANT: OBI PAULINA NKENU [PRESENT]

RESPONDENT: MR OBI ABANG [PRESENT]

SUBJECT MATTER: ALLEGED ABANDONMENT AND
NEGLECT OF PARENTAL
RESPONSIBILITIES

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE,
CHIJIJOKE ATUNE, VIVIAN UDORAH,
EMMANUEL OLATUNDE [EXTERNAL
COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The matter bordered on alleged abandonment of fatherly responsibility to children, denial of right to development and survival.

The parties got married in May 2006 when the Complainant was 20 years old and have three children, Obi Naomi (11 years); Obi Nelson (9 years); and Obi Great (2 years). The Respondent failed/refused to take care of the children, despite repeated demands. The children are in the Complainant's custody as the parties are separated.

The Respondent is a 49-year old civil servant, he said he walked out of the marriage when the Complainant brought her siblings and parents to beat him up. He stated that it was a policeman who rescued him and took him away from the scene of the violence. Upon returning home, the Respondent said he found his room empty and his belongings cleared out.

The Respondent stated that the Complainant's family returned the bride price to his parents before their demise. They also sent a letter which stated that the couple no longer had anything to do with each other. The Complainant alleged that the Respondent brought police men to harass her. She remarried and had two children from the new marriage.

The Respondent stated that there was a time the matter was reported at the Asokoro Police station. Parties signed an undertaking whereby the Complainant agreed to produce the children whenever he wanted to see them. The Respondent also said that he reported at the NHRC and that the Commission ordered the Complainant to grant access to Nelson, being male. Nelson is 13 years old; Naomi is 14. Naomi is in boarding school. He further stated that he has been denied access to his children for the past 6 years, and that he was only able to see them when they needed a means of identification of State of Origin and they came over to his office. He stated that he was only concerned about his children and documents in the Complainant's possession, as they had both remarried.

The Complainant stated that all she wanted was for the Complainant to take care of the two children he acknowledged as his and that she was not interested in arguments over the paternity of the third child. She narrated the horrible ordeal the Respondent made her go through during her third pregnancy. She stated that she was not in possession of the said documents and that she was willing to allow the Respondent have unfettered access to the children.

DECISION OF THE PANEL

Having considered the Respondent's financial status, it was suggested that He provides the sum of twenty thousand naira (N20,000) monthly subject to periodic review in line with the economic reality

22. CASE NUMBER: NHRC/PSGBV/2020/ABJ/38

COMPLAINANT: MRS GRACE UZOMU KANU [PRESENT]

RESPONDENT: MR EDWARD KANU [ABSENT BUT SENT A WRITTEN STATEMENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND DENIAL OF ACCESS TO CHILD

APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE, CHIOMA UMA AND PRECIOUS UNCHENDU [EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

This case bordered on alleged domestic violence and denial of access to child. The Complainant was legally married to the Respondent and since they got married, the Respondent had constantly abused the Complainant such that she decided to discontinue with the marriage. Together, they have a nine-month old baby who the Complainant keeps since they started living apart. The Complainant wants custody of their nine-month old child since she cannot continue with the

marriage anymore for fear of death.

The Respondent in his reply said that the Complainant has been resorting to fight and that on the 8th of January, 2020, she damaged his car by closing the gate anytime he wanted to reverse. After the issue, he had to beg her in order for both of them to resolve their differences. The Respondent also claimed that the Complainant abused him verbally and also provoked him to fight. The atmosphere unfriendly in their home was unfriendly. The Respondent says he came back home one day and did not see the Complainant in the house, it turned out she ran away with their child. He wants their child returned to him as he thinks he is in a better position to raise the child properly.

DECISION OF THE PANEL

Since the Complainant was no longer interested in pursuing the matter and the Respondent wanted an amicable resolution, and given the circumstances in which the Complainant left the house with the child, the Panel decided that the Respondent should file a Counter Complaint address to the Executive Secretary of the National Human Rights Commission, highlighting the issues for determination. The Counter Complaint will thereafter be referred to the department of Women and Children for amicable resolution of the issues in the best interest of the child and in full compliance with the provisions of the Child's Right Act or the State Child Rights Law, where applicable.

23. CASE NUMBER: NHRC/PSGBV/2020/ABJ/39
COMPLAINANT: MRS ABIOLA ADERINOYE OGUNWA
[PRESENT]
RESPONDENT: MR HASSAN ENILOJU OGUNWA [PRESENT]
SUBJECT MATTER: ALLEGED ABANDONMENT OF PARENTAL
RESPONSIBILITIES
APPEARANCES: HARRY OBE AND SALOME LOKO
(INTERNAL COUNSEL TO PANEL);
AWA KALU (SAN), CHUKA OBIDIKE,

CHIOMA UMA,CHIJOKE ATUNE, VIVIAN UDORAH, PRECIOUS UCHENDU, EMMANUEL OLATUNDE [EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Parties were married and have two (2) children, aged thirteen (13) and eleven (11) years.

At the time the petitioner left, the first child was four (4) years old and the second child a few months old. They had initially enrolled the children in a school with the mutual consent of both parties. The school fees was One Hundred and Twenty Seven Thousand Naira (N127,000) per term for the 13-year old daughter and N90,000 for the 11-year old son. The debt incurred at the Children's school amounted to about Seven Hundred and Fifty Thousand Naira (750,000)

The Respondent stated that he had made part payment of the debt incurred. He stated that he was hypertensive and also spent money on drugs monthly, hence his inability to pay the balance. He suggested that the children be enrolled in a public school which both parties can afford. The Complainant turned down the idea of enrolling the children in a public school and insisted that the children should continue at the private school in order to acquire quality education.

DECISION OF THE PANEL

The chairman of the Panel counseled the parties on the importance of jointly taking decisions on the children's education and appealed to the Respondent to make plans on how to contribute his own part of the outstanding school fees and then to subsequently augment the school fees.

The Panel agreed that a term of settlement would be drawn up and the parties were urged to cooperate. Terms of settlement should include that Mr. Hassan

would provide the sum of twenty thousand naira only (N20,000) for monthly maintenance, subject to economic realities. The Respondent was also to contribute 2/3rd of the outstanding school fees and the Complainant should not take any major decisions affecting the children without the consent of the Respondent.

24. CASE NUMBER: NHRC/PSGBV/2020/ABJ/40

COMPLAINANT: LAWYER ALERT FOR THE PROTECTION OF THE RIGHTS OF CHILDREN, WOMEN AND INDIGENT PERSONS ON BEHALF OF ADA ESTHER KALU AND 11 OTHERS. [THE LAWYER REPRESENTING THE ASSOCIATION WAS PRESENT]

RESPONDENTS: THE COP, CALABAR CROSS-RIVERS STATE; INSPECTOR GENERAL OF POLICE.

SUBJECT MATTER: MORANDUM ON THE RAIDS OF WOMEN IN CALABAR BY THE NIGERIA POLICE FORCE AND OTHER NIGERIAN SECURITY AGENCIES

APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL]; AWA KALU (SAN), CHUKAOBIDIKE [EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant stated that in August 2019, so many women were arrested in Calabar by members of the police force without any information as to why they were being arrested. The women were arrested at a brothel. They were detained, extorted, sexually abused, molested, raped, assaulted and were all treated in very undignified manners just because of their sexual gender/expressions. The Complainant further stated that the arrest in August was one of the many arrests unlawfully done by the officers of the Nigerian Police Force, on allegations of

prostitution and indecent dressing. There was raids and arrests on February 18, April 16 and 26; and then in May and June; on 4th of August; and in September and October 2019. These arrests were being done in areas known as brothels. A lady was reportedly arrested because she was seen outside at night; she was detained and spent three nights in police custody and was raped by two police officers and in the process the condom used by one of the police officers broke/tore/ripped and despite her pleas for a replacement of the aforementioned condom the said police officer did not grant her plea. The Complainant further stated in her written statement that some women were also arrested in Calabar, Cross River State, without any reason for their arrest and they were detained for over a month and were not released until hundreds of thousands of naira was extorted from them. These ladies were charged to court, and unfortunately, the court did not sit and they were taken to Afuka prison where they spent over one month. The court finally struck out the matter and stated that the police had no case against these women but despite the court order the police still extorted money from these women before letting them go. These raids were usually carried out by male police officers in brothels and these brothels were allegedly made to pay certain amount of money to the police station; N200 per person on Mondays and N1,000 per person on Fridays.

Each time these ladies were arrested, they were allegedly given three options, to either pay some money as bail; on failing to pay the amount stipulated they were forced to make it up with sex; and the third option was paying with sex. The Complainant further stated that the victims of these raids were never given an opportunity to speak or state their own side of the story and those bold enough to dare the police were usually battered and physically abused by the police officers.

Also, the police only arrested the females and left the male counterparts. On some occasions the arrested ladies were denied the opportunity to wear their clothes, they were either picked up half naked or with no clothes at all and forced

into the police van.

The Counsel to the Complainant confirmed the written complaint and prayed that the case be transferred to Calabar, Cross River State NHRC for further investigation and for handling.

The internal Counsel to the NHRC, Mr Harry Obe, stated that the Complainant's Counsel's submission was as result of logistic issues that might arise from moving the 12 Complainants back and forth between Cross River State and Abuja. He said that it would be financially tasking.

DECISION OF THE PANEL

The Panel held since the Complainant received the hearing notice prior to the sitting and none of the victims was brought before the Panel and taking into consideration the issues involved in moving the 12 victims/survivors, the case was adjourned "*sine die*" to enable the lawyers adequately prepare the survivors and conveniently bring them to the NHRC headquarters for justice to be fully served.

25. CASE NUMBER: NHRC/PSGBV/2020/ABJ/43

COMPLAINANT: HADIZA BUBA GARBA [ABSENT]

RESPONDENT: MATTIAS GBASONGON AGUNDU
[PRESENT]

SUBJECT MATTER: ALLEGED DENIAL OF ACCESS TO CHILD

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE,
CHIOMA UMA, CHIJOKE ATUNE, VIVIAN
UDORAH, PRECIOUS UCHENDU,
EMMANUEL OLATUNDE [EXTERNAL
COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

Immediately the case was called the Panel inquired into the reason for the absence of the Complainant. The file officer told the Panel that the Complainant had been avoiding bringing the child to the NHRC Secretariat hence her absence at the Panel. The officer said that all means of communicating with her to serve her the hearing notice for her case were exhausted without the efforts yielding any dividends. The Complainant stated that she has a daughter with the Respondent, that on the 8th of April, 2018 the Respondent came home and took their daughter away and since then she has not seen her child and that she has tried everything possible to have access to the child including going to court but the matter was struck out. She prayed the Commission to intervene as her daughter was too young to live away from her.

The Respondent stated that the child in question was five years old and that the Complainant had abandoned the child at some point when the child was one year and a few months old. She left then and later came back. He got frequent telephone calls when he was at his work place that his wife had abandoned the child and left again, so he had to call his landlady to help take care of the child. He said that he was the one who has not had access to the child in years and he did not have a telephone number or any means of communicating with the Complainant and did not know the whereabouts of the child.

DECISION OF THE PANEL

The Panel held that the NHRC would make arrangements to get the Complainant so that the issues can be sorted out, the Secretariat was charged with the responsibility of ensuring the appearance of the Complainant as the Respondent had raised issues of abandonment and the unfitness of the Complainant to raise the child as she was always reportedly abandoning her. The complaint was adjourned indefinitely until the Commission was able to handle it and make decisions that would be in the best interest of the child.

C **HAPTER 2**

NORTH EAST

ADAMAWA STATE

The Panel sitting was held on the 22nd to 23rd of March 2021 with a statement by the Executive Secretary of the National Human Rights Commission.

The Governor of Adamawa state was duly represented by the Chief of Staff who gave a goodwill message on behalf of the Governor. He commended the NHRC on their quest for the protection of women's rights and ensuring justice for victims of Sexual and Gender-Based Violence and he reiterated the support of the state for the NHRC's ongoing fight against violating women's rights.

The Chief Judge of Adamawa State also sent a representative, who, on his behalf, commended the Panel for its commendable efforts in protecting women's rights. He pledged the support of the State's judiciary for the NHRC.

The Attorney General of Adamawa State was duly represented. He said that the State's judiciary will work towards completely eradicating the scourge of sexual and gender-based violence.

The Ministry of Women Affairs of Adamawa State also gave a goodwill message and further pledged their support for the NHRC's fight against sexual and gender-based violence.

The Commissioner of Police, speaking through a representative, said the Police will do everything necessary to end the scourge of sexual and gender-based violence and will also provide security for the NHRC Secretariat.

The Nigeria Security and Civil Defence Corps (NSCDC) also promised to support the NHRC and IDP camps in ending rape, domestic violence and other sexual and gender-based violence forms.

FIDA was also represented and pledged their support.

The Special Adviser to the Executive Secretary of the NHRC restated the eleven objectives of the Panel's public sitting. Prof. Epiphany Azinge (SAN) gave a vote of thanks on behalf of the Panel sitting. Names of Members of the Panel sitting in Adamawa State are:

Mr. Anthony Ojukwu [Executive Secretary NHRC] Prof. Epiphany Azinge
(SAN)

Mrs. Racheal Adejo-Andrew

- 1. CASE NUMBER:** NHRC/PSGBV/2020/ADS/6
- COMPLAINANT:** WISDOM HEZRON ON BEHALF OF VICTORIA CLEMENT [PRESENT] [THE VICTIM WAS ALSO PRESENT]
- RESPONDENTS:** PASTOR IMANI GIDEON, PWAVENO IMANI AND 21 OTHERS [ALL ABSENT] BUT REPRESENTED BY THEIR COUNSEL, MR CHIKAMSO ESQ.
- SUBJECT MATTER:** ALLEGED FALSE ACCUSATION, TORTURE, CRUEL, INHUMAN AND DEGRADING TREATMENT
- APPEARANCES:** HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF AWA KALU (SAN) [EXTERNAL COUNSEL TO PANEL]
- PANEL:** ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The 1st Respondent, Imani Gideon, is a resident pastor of LCCN Njoboliyo. The victim was accused falsely by one Rejoice of trying to kill her elder brother when a prayer was ongoing. That one of the Respondents, named Lovely,

attempted to kill the victim with a javelin and machete in the night when he was told by his daughter that she dreamt that the victim came with a knife and was about to kill her but for the intervention of neighbours. That months after the first incident, one Absalom AUSA came to the Complainant's house and hit her head with a big stick, gave her cuts on her fingers and palm with a knife and broke two doors in her house. The Complainant visited the hospital for her injuries and on her return the violence still continued.

Three weeks after the incident, the victim ran away from the village to her elder sister's place in Rumde Makera since the harassment continued. While at her sister's house, the district head sent the S.O. [the police] and vigilante members to summon her but she refused to go with them. Upon her refusal to follow them, the pastor was called on the telephone and he sent some men to come and forcibly arrest her. At the pastor's house she was tied down and almost killed because they accused her of killing the pastor's first wife. During the torture and humiliation in the pastor's house they allegedly broke her leg and even stole her wedding ring because they claimed it was an occult ring. They stripped her naked, tortured her with electric wire, applied pepper in her vagina, hit her head with a heavy metal, and beat her severely with a stick called 'gora' in Hausa. She prayed the commission to intervene and bring the Respondents to book.

The Counsel to the Respondents denied every allegation based on the instructions of all his clients and challenged the Complainant to produce evidence.

The Complainant stated that the evidence of the hospital bills will be produced and that some photographs of the torture and maltreatment were attached to the complaint filed. The photographs were admitted in evidence by the Panel. She showed the Panel members the scars from the torture on her body.

The Pastor (a Respondent) was present at the Panel and a video was shown to him where the Complainant and other women were paraded on the floor and

tortured at his residence. He responded by stating that he did not ask for the victim to be summoned and that she was brought by the other witches seated on the floor beside her as they recognised her as their member. He further denied having knowledge of the injuries inflicted on the victim saying that he was inside the church and was not aware of what happened. The pastor claimed that when he got wind of the fact that they wanted to inflict injuries on the victim he was the one who helped her to escape and that members of the community confiscated his house for helping the victim.

DECISION OF THE PANEL

After hearing all the testimonies and considering the evidence before it, the Panel found that the Respondents were culpable. The Panel noted that the Respondents had the option of reporting the Complainant to the appropriate authorities and have her prosecuted according to the law of Adamawa State, particularly Section 187 of its Penal Code which criminalised witchcraft. The Panel reiterated that ignorance of the law was not an excuse; therefore Mr. Danladi, Pastor Imani Gideon, Mr. Yahaya should all be reported to the police and prosecuted for inhuman and degrading treatment.

The 1st Respondent and his church shall pay the sum of N300,000 (Three Hundred Thousand Naira) within three months to the Complainant as compensation for the medical expenses incurred by her. The church was ordered to desist forthwith from acts of sexual and gender-based violence and that if the church is ever confronted with issues of witchcraft, it should report same to the police and not take matters into their own hands.

2. CASE NUMBER: NHRC/PSGBV/2020/ADS/2
COMPLAINANT: JAMILA BABA ON BEHALF OF MAGDALENE SUMOYE [PRESENT]
RESPONDENTS: SANIMORE [ABSENT]
SUBJECT MATTER: ALLEGED RAPE

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNALCOUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF
AWA KALU(SAN) [EXTERNAL COUNSEL TO
PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

This is a case of the alleged rape of a 7-year old by the Respondent, who thereafter, abandoned her at a fuel station where she passed the night. She was found by a security man and returned to school because she was still in her school uniform. The victim informed the case officer that the Respondent threatened to kill her with a knife if she told anyone what happened.

When the case was called, the NHRC file officer said the Respondent was not served because he was at large but the case had been reported to the (Police) State CID.

DECISION OF THE PANEL

The Panel held that the case could not be heard by the Secretariat and that the NHRC office in Adamawa State should work closely with the police to ensure that the Respondent was arrested and brought to justice.

3. CASE NUMBER: NHRC/PSGBV/2020/ADS/1

COMPLAINANT: RUTH BAKURI [PRESENT]

RESPONDENT: MR BAKURI [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNALCOUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF

AWA KALU(SAN) [EXTERNAL COUNSEL TO
PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

This is a case bordering on domestic violence. When the case was called, the NHRC Adamawa said that the Respondent was a police officer and currently in Gombe State receiving treatment at a traditional healer's, hence his absence.

DECISION OF THE PANEL

The Panel held that the NHRC Adamawa State was to continue the case as soon as the Respondent recovered from his ill health.

4. CASE NUMBER: NHRC/PSGBV/2020/ADS/3

COMPLAINANT: EZEKIEL ANTHONY ON BEHALF OF DORIS
KEVIN
[PRESENT]

RESPONDENT: KENNETH KEVIN [PRESENT] MUSA
CHAGWA[ABSENT]

SUBJECT MATTER: ALLEGED DENIAL OF INHERITANCE AND
EVICTIONFROM MATRIMONIAL HOME

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNALCOUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF
AWA KALU(SAN) [EXTERNAL COUNSEL TO
PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

Doris Kevin alleged that after the death of her husband on 11th July, 2019, the 1st Respondent, who is her late husband's first son, took over his properties. She told the Panel that she reported the matter to the family elders with no positive result. She also reported taking the matter to the district head of Bazza Michika

LGA who instructed the Respondent to assist his stepmother, the Complainant and her two children with with upkeep and feeding provisions. She said that the Respondent declined the instructions and claimed that the two children are not his father's biological children. The Complainant prayed the commission to intervene.

The Complainant and the victim both present affirmed the written statement read out.

The Respondent, in reply, countered that the Complainant, who was the second wife of his late father, was stopped from farming on his late father's lands by the elders because she buried a strange object in the land and took the Respondent's name to a witch doctor as a result of which the relatives held that the victim could not be allowed to stay with them. He stated that they found this out through a recording that he stumbled on in the stepmother's telephone. The case was reported to the police station and it was agreed that she should leave the house.

The Complainant, on her part, countered by saying that the Respondent had said that he was going to deal with her. Shortly thereafter, her prayer person forewarned her that someone would come to collect her personal effect and that the intention will be to use it to do evil against her. Not long after, the Respondent came to borrow her necklace which she refused to give him and that her refusal resulted in the conversation in the voice recording. She maintained that the Respondent maltreated her and her kids, refused to neither feed nor allow them cultivate her husband's land.

DECISION OF THE PANEL

The Panel, having heard from both sides, held that Doris Kevin had the right to share in the properties and house of her late husband and that no one had the authority to put her out of her home on the unfounded accusation of burying charms. The family was therefore asked to cease all forms of discrimination

against the victim and restore to her all she was entitled to.

5. CASE NUMBER: NHRC/PSGBV/2020/ADS/4
SUBJECT MATTER: ALLEGED ABANDONMENT AND
NEGLECT OF PARENTAL
RESPONSIBILITIES
COMPLAINANT: CECILIA BITRUS [ABSENT]
RESPONDENT: HAMMAN NYAKO [ABSENT]
APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF
AWA KALU(SAN) [EXTERNAL COUNSEL TO
PANEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

This case borders on alleged abandonment and neglect of parental responsibilities. The case officer informed the Panel that both parties were served but failed to appear.

DECISION OF THE PANEL

The case was struck out by the Panel as parties were absent.

6. CASE NUMBER: NHRC/PSGBV/2020/ADS/5
COMPLAINANT: FATIMA BABA ABDULLAHI [ABSENT]
RESPONDENT: MALLAM HASSAN HAMIDU [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE, THREAT
TO LIFE AND NEGLECT OF PARENTAL
RESPONSIBILITIES
APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];

DAVID IDANG HOLDING THE BRIEF OF
AWA KALU(SAN) [EXTERNAL COUNSEL TO
PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

This case borders on alleged abandonment and neglect of parental responsibilities. When the case was called, the NHRC Adamawa State Coordinator stated that the case had been resolved.

DECISION OF THE PANEL

The matter was struck out.

7. CASE NUMBER: NHRC/PSGBV/2020/ADS/7

COMPLAINANTS: MERCY YUSUF, FADI YUSUF, AISHATU
YUSUF [ALLABSENT]

RESPONDENTS: YUSUF MUSA, YACHE TELLA, MIJIN YAWA
TELLA
[ALL ABSENT]

SUBJECT MATTER: ALLEGED PHYSICAL ASSAULT, CRUEL,
IN HUMAN AND DEGRADING TREATMENT

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF
AWA KALU(SAN) [EXTERNAL COUNSEL TO
PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

This case bordered on alleged physical assault, cruel, inhuman and degrading treatment. The NHRC Adamawa state coordinator stated that the case was already before the court and the Respondents were all remanded in a correctional facility.

DECISION OF THE PANEL

The matter was struck out.

8. CASE NUMBER: NHRC/PSGBV/2020/ADS/8

COMPLAINANT: REJOICE JOEL [PRESENT]

RESPONDENT: UCHE MICHAEL [PRESENT]

SUBJECT MATTER: ALLEGED FORCEFUL SEPARATION FROM CHILD AND DENIAL OF ACCESS

APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF AWA KALU(SAN) [EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant stated that she got pregnant for the Respondent and gave birth to a child on the 31st of January, 2018, the child's name is Kingsley. She said that on the 24th of November, 2020 the Respondent came and took the child from her on mutual agreement to spend Christmas with him. However, the Respondent refused to return the child after the New Year holidays and instead called the Complainant's mother to inform her that he had taken away his child to his own mother in the village. The Complainant said that all efforts to make him bring back the child proved abortive. She prayed the commission to intervene to ensure that the Respondent returned her child.

The Complainant affirmed her written statement after it was read out to her.

The Respondent stated that during the course of their co-habitation (himself and the Complainant), he physically assaulted her on the grounds of her promiscuous lifestyle; she was in the habit of taking strong alcohol beverages

and constantly abandoning the child. He said that the reason he took the child away to his parents was because the Complainant abandoned the child with her mother and travelled to Taraba State for over six months. The Complainant's mother kept calling him to come and take his child, so he decided to take his son to his own mother as he was unable to work and still care for him.

DECISION OF THE PANEL

The Panel held that the Respondent return the child to the Complainant within a month as a child of that age should be under the care of the mother. The Panel also held that he was to pay a monthly stipend of N5,000 (Five Thousand Naira) to the Complainant for the maintenance and upkeep of the child. The Respondent is to have unfettered access to the child and the Panel supported him with the sum of N60,000 (Sixty Thousand Naira) to help bring the child and provide for him.

9. CASE NUMBER: NHRC/PSGBV/2020/ADS/9

COMPLAINANT: DIJA JOHN [PRESENT]

RESPONDENT: JOSHUA LUKA [ABSENT]

SUBJECT MATTER: RAPE AND CRUEL, INHUMAN AND DEGRADING TREATMENT

APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF AWA KALU (SAN) [EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

This case bordered on alleged rape, cruel inhuman and degrading treatment. The case officer informed the Panel that the matter was already in court and all the Respondents were recurrently detained in a correctional facility.

DECISION OF THE PANEL

The matter was struck out.

10. CASE NUMBER: NHRC/PSGBV/2020/ADS/10
COMPLAINANT: JUMMAI YAKUBU [ABSENT]
RESPONDENT: FRANK PATRICK [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
NEGLECT OF PARENTAL RESPONSIBILITIES
APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF
AWA KALU(SAN) [EXTERNAL COUNSEL TO
PANEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

This case bordered on alleged domestic violence and neglect of parental responsibilities. The case officer informed the Panel that both parties were served but failed to appear.

DECISION OF THE PANEL

The matter was struck out for want of diligent prosecution.

11. CASE NUMBER: NHRC/PSGBV/2020/ADS/11
COMPLAINANT: PRECIOUS GODWIN [ABSENT]
RESPONDENT: GODWIN AGBREGI [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE
AND THREAT TO LIFE
APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF
AWA KALU(SAN) [EXTERNAL COUNSEL TO
PANEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

This case bordered on alleged domestic violence, neglect and threat to life. The case officer informed the Panel that the issues have been resolved amicably.

DECISION OF THE PANEL

The case was struck out by the Panel as both parties had resolved their dispute.

12. CASE NUMBER: NHRC/PSGBV/2020/ADS/12
COMPLAINANT: ELIZABETH LUKA [ABSENT]
RESPONDENT: ADAMU DANYARO [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
NEGLECT OF PARENTAL RESPONSIBILITIES
APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF
AWA KALU(SAN) [EXTERNAL COUNSEL TO
PANEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

This case bordered on alleged domestic violence and neglect of parental responsibilities. The case officer informed the Panel that both parties were served but failed to appear.

DECISION THE PANEL

The Panel struck out the case for want of diligent prosecution.

13. CASE NUMBER: NHRC/PSGBV/2020/ADS/13
COMPLAINANT: MARY JOHN [PRESENT]
RESPONDENT: MATHIAS LLIYA [PRESENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
ABANDONMENT
APPEARANCES: HARRY OBE AND SALOME LOKO

[INTERNALCOUNSEL TO PANEL];
DAVID IDANG HOLDING THE BRIEF OF
AWA KALU(SAN) [EXTERNAL COUNSEL TO
PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant stated that the Respondent, a police officer, was her husband, and they got married in 2015 and had two children aged four and two. She said that the Respondent was in the habit of beating and maltreating her and that also neglected his responsibilities as a father by not providing for his family. She prayed the Commission to intervene and call the Respondent to order.

The Complainant confirmed her written statement after it was read out to her. She further stated that she was no longer interested in the marriage; that the Respondent was neglecting her, was physically abusing her at the slightest provocation and was not providing basic needs for the family.

The Respondent denied ever physically abusing the Complainant and complained that she was in the habit of constantly nagging him for no reason.

DECISION OF THE PANEL

The Panel held that the Respondent should pay the sum of N5,000 (Five Thousand Naira) monthly for the maintenance of the Complainant and the children as well as cater for their health, accommodation and other needs. He was also mandated to pay the full bride price of the Complainant and take her home or he would be held for sexual and gender-based violence. The NHRC Adamawa State was to monitor progress and report to the Secretariat.

14. CASE NUMBER: NHRC/PSGBV/2020/ADS/14

COMPLAINANT: REMIGIOUS SIKARI ON BEHALF OF HIS
DAUGHTER [PRESENT]

RESPONDENT: IDRIS IBRAHIM [GAYA DISTRICT HEAD]

[ABSENT]

SUBJECT MATTER: ALLEGED INHUMAN AND DEGRADING
TREATMENT

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The case was adjourned to 23rd March, 2021 for the Respondent who was involved in an accident to be present to answer the case against him.

On 23/3/2021:

FACTS

The NHRC received a complaint from Remigious Sikari dated 6th January, 2021, in which he stated that on the 11th of October, 2018, the district head of Gaya asked his daughter to appear before him as she was being accused of witchcraft.

His daughter was accused of attacking the daughter of Sarkin Matasan Gaya Gartsanu named Maryam. He further said that his daughter was given a traditional concoction three times and on the 13th of November, 2018, his daughter was tied naked in public for three hours under the sun. That it eventually turned out that she was innocent of all she was accused of but that due to this unfair and degrading treatment his family had been put to shame and people insult and run away from his family members in their community.

The family asked for a compensation of three million naira from the king for the defamation of character and inhuman treatment on his daughter and also N98,000 (Ninety Eight Thousand Naira) which they used for transportation and medical treatment for his daughter. He prayed the commission to intervene and ensure that justice prevailed and the Respondent punished for his crime, according to the law.

The Complainant affirmed his written statement.

The Respondent sent his son to represent him since he was not available. The Respondent's representative said that the Respondent was away on pilgrimage when the alleged incident occurred.

The Complainant countered by saying that the Respondent was around, that such an act of local exorcism cannot be done in the community without the king being present.

DECISION OF THE PANEL

The Panel held that the local exorcists (malamaris) should be charged and held responsible for the acts and not the Sariki, as they were the ones that carried out the acts. The NHRC would support the victim with the sum of N50,000 (Fifty Thousand Naira) for her tailoring skills acquisition. The NHRC office of Adamawa State was to make the money available to the victim within two months. The Sariki and the village should desist from acts of sexual and gender-based violence as Adamawa State has a Penal Code provision for punishing witchcraft and any suspect should be handed over to the police to do a proper investigation and upon conclusion charge the suspect who will then be prosecuted in court.

C CHAPTER 3

SOUTH EAST

(A) ENUGU STATE

The Panel, in continuing the execution of its mandate, converged in Enugu to hold private hearings for the all individuals who had filed their complaints to the Enugu State Office of the Commission (ESO). In the Welcome Statement of the Presiding Panelist, the audience was given an update of the Panel's activities so far as well as its continuous determination to ensure that cases of violation of human rights are heard and investigated. For the Enugu sitting, the Panel was slated to hear 29 (twenty-eight) cases. However, only five cases were heard. Upon inquiry, the Panel was informed by the ESO Representative that some of the parties had relocated while others separated and the remaining, opted to settle voluntarily.

It is worth noting that all the cases heard bordered on one or more of the following issues: alleged domestic violence, inhuman and degrading treatment and abandonment of parental responsibilities.

A commendable occurrence in this hearing was the presence of a representative of the Chief Judge of Enugu State (in the person of Hon. Justice Angela Amadi), who, at the opening ceremony, emphasised the need to seek justice for victims who had their human rights violated.

The Panel, in line with section 6(g) of the National Human Rights Commission (Amendment) Act 2010, empowering the Commission to do such other things as are incidental, necessary, conducive or expedient for the performance of its functions under this Act, donated the total sum of ₦150,000 (One Hundred and Fifty Thousand Naira) to two Complainants (in the cases of *Mrs. Ejiofor Chinaza v. Mr. Patrick Ani And Mrs Okafor Oluchi v. Mr Okafor Sunday*). The

Complainants in the two matters had suffered gross violation of their rights. The donation was to support these victims' businesses in order to provide for the children involved.

It is pertinent to note that the Panel also instructed the ESO Representative to provide free legal aid to a Complainant who had been served court summons by the Respondent (in the case of *Mrs Onyebuchi Uche v. Mr Emeka Onyebuchi*) in order for her to be adequately defended in the matter.

In furtherance of the Panel's mandate, what follows is a report of the cases heard in Enugu State:

1. CASE NUMBER: NHRC/PSGBV/2020/EN/1
COMPLAINANT: INNOCENT ABANG AND MR SAMPSON ON BEHALF OF NNEOMA NNADI [ABSENT]
RESPONDENT: MRS IFEOMA OZOUGWU, IPO CHINYERE, ENUGU COP [ALL ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND ASSAULT
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The case could not be entertained because all parties were absent despite having been served hearing notices.

2. CASE NUMBER: NHRC/PSGBV/20/EN/2
COMPLAINANT: MRS CHINYERE EZIKE [PRESENT]
RESPONDENT: MR CHIDI EZIKE [PRESENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND THREAT TO LIFE
APPEARANCES: HARRY OBE, SALOME LOKO [NHRC INTERNAL COUNSEL];
IVIAN UDORA [EXTERNAL COUNSEL]

TO NHRCHOLDING THE BRIEF OF AWA
KALU, SAN]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The parties informed the panel that the matter should be closed as they had reconciled and were living in peace as all issues between them had been resolved.

The Panel encouraged them to continue living in peace and that the NHRC office in Enugu will occasionally monitor their progress.

3. CASE NUMBER: NHRC/PSGBV/2020/EN/2

COMPLAINANT: MRS EJIOFOR CHINAZA [PRESENT]

RESPONDENT: MR PATRICK ANI [PRESENT]

SUBJECT MATTER: ALLEGED PHYSICAL ASSAULT AND
ABANDONMENT OF PARENTAL
RESPONSIBILITIES

APPEARANCES: HARRY OBE, SALOME LOKO [INTERNAL
COUNSEL];
VIVIAN UDORA [EXTERNAL COUNSEL,
HOLDING THE BRIEF OF AWA KALU, SAN]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The case bordered on alleged neglect of parental responsibilities.

The Complainant alleged that the Respondent neglected his parental responsibilities by failing to provide for their two children. Additionally, she stated that the Respondent never concluded the formalities of marriage and had on several occasions, disrespected and mistreated her by impregnating other women. She informed the Panel that she wants the respondent to provide for

the children.

The Panel was informed that the Complainant's mother had been taking care of her grandchildren since their birth. She lamented the huge and unexpected financial responsibility of taking care of her grandchildren with the small business she was running. She further informed the Panel that the Respondent failed to adhere to the initial agreement of contributing ₦3,000 (Three Thousand Naira) weekly, 50 (Fifty) cups of rice and milk every month, for the upkeep of the children.

The Respondent asserted that the Complainant is his wife and accepted that he met and impregnated her when he was in Senior Secondary 2. He stated that he had plans of marrying her but was advised by her parents to wait until after the birth of their (first) child. At some point and after the birth of the second child, his relationship with the Complainant's mother broke down. Believing the core issue to be the status of his relationship with the Complainant, he sought to begin the marriage formalities. He approached the Complainant's family, was given a list, but was not invited back. According to him, he was told to live with the Complainant. He also asserted that he had not been getting his just due of conjugal rights. Furthermore, he informed the Panel that he was a cobbler and provided ₦1,000 weekly for the two children.

DECISION OF THE PANEL

Upon conclusion of hearing, the Panel instructed the Respondent to adhere to the Terms of Settlement earlier drafted by the Commission and agreed to by both parties. To ensure agreement, the Counsel to the Commission was instructed to produce copies of the Terms of Settlement for both parties to sign again. In specific terms, the Respondent was reminded of an aspect of the earlier Terms of Settlement which included his responsibility to provide the Complainant and her children ₦3,000 (Three Thousand Naira) weekly, 50 cups of rice a month and milk. Additionally, the Panel donated ₦50,000 (Fifty Thousand Naira) to

the Complainant's mother's business to aid the children's upkeep.

This decision of the Panel is in line with section 34 of the Constitution of the Federal Republic of Nigeria 1999 (as amended) that "every individual is entitled to respect for dignity of his person and accordingly no person shall be subjected to torture or to inhuman or degrading treatment". It is also in line with Article 27 (2) of the Convention on the Rights of the Child (which provides that "the parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development) and section 6(g) of the National Human Rights Commission (Amendment) Act 2010, empowering it to do such other things as are incidental, necessary, conducive or expedient for the performance of its functions under this Act.

4. CASE NUMBER: NHRC/PSGBV/2020/EN/21

COMPLAINANT: MRS OKAFOR OLUCHI [PRESENT]

RESPONDENT: MR OKAFOR SUNDAY [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND ABANDONMENT

APPEARANCES: HARRY OBE, SALOME LOKO [INTERNAL COUNSEL];
VIVIAN UDORA [EXTERNAL COUNSEL HOLDING THE BRIEF OF AWA KALU, SAN]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

This case borders on alleged domestic violence and abandonment of parental responsibilities.

The Complainant alleged that she was a victim of domestic violence and financial extortion by her husband, a position confirmed by the Enugu State Office of the Commission. The violence and extortion culminated in the loss of

her business and means of living. She chronicled in detail, instances of domestic violence and financial extortion by her husband, stating for example, an incident where the Respondent beat her up to the extent of pulling off her hair from the scalp. Another instance, she alleged, was when he used scissors to cut up the dress she had planned to wear to church. Additionally, he had once suggested that she sell off one of their children (the first son, 8 years old) and use the money to start a business. She sought for a separation and an undertaking that he will not beat her again or put any of their children in danger.

The Respondent was absent in this case and was unable to be reached despite all attempts.

DECISION OF THE PANEL

The Panel took its decision in line with section 34 of the Constitution of the Federal Republic of Nigeria 1999 (as amended), and Article 5 of the African Charter on Human and Peoples' Rights (that every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status and that all forms of exploitation and degradation of man particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited) and section 6(e) of National Human Rights Commission (Amendment) Act 2010 (allowing the Commission to 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). The Panel, in its decision, asked that the man be brought the next day to sign an undertaking not to sell any of his children. Additionally, the Panel donated ₦100,000 (One Hundred Thousand Naira) as capital to aid the woman in her business endeavours, in other to support her children.

5. CASE NUMBER: NHRC/PSGBV/2020/EN/4

COMPLAINANT: MRS ONYEBUCHI UCHE [PRESENT]

RESPONDENT: MR EMEKA ONYEBUCHI [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
THREAT TO LIFE
APPEARANCES: HARRY OBE, SALOME LOKO [INTERNAL
COUNSEL];
VIVIAN UDORA [EXTERNAL COUNSEL
HOLDING THE BRIEF OF AWA KALU, SAN]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The NHRC Enugu coordinator stated that the case was already pending before a court and that upon being served a notice by the Commission, the Respondent hired a lawyer who filed an action in court against the wife and that the Commission was yet to receive the full details of the case in court. The Panel observed that the domestic violence allegation which had led her to flee alongside her children from her matrimonial home was different from the court processes obtained by the Commission which was centred on custody of the children, thereby making the two issues completely different. The Panel, therefore, proceeded to listen to the complaint.

The Complainant made several allegations of domestic violence against her husband, one of which was the loss of her pregnancy in 2009 due to the Respondent's blunt force to her stomach.

DECISION OF THE PANEL

The Panel requested to see medical evidence of the loss of the baby, in order to proceed with prosecution. In the meantime, the Panel asked the Enugu State Office of the Commission to avail a lawyer to defend the Complainant in the legal action against her. This decision is in line with section 6 (1) (a) of National Human Rights Commission (Amendment) Act 2010 (hereinafter, the NHRC Act) providing thus: The Commission shall have power to conduct its investigations and inquiries in such manner as it considers appropriate.

6. CASE NUMBER: NHRC/PSGBV/2020/EN/3[C/2020/2013/ESO]
COMPLAINANT: MRS NNEKA OLUCHUKWU OKONKWO
[ABSENT]
RESPONDENT: MR IKECHUKWU OKONKWO [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
ABANDONMENT OF PARENTAL
RESPONSIBILITIES.
APPEARANCES: HARRY OBE, SALOME LOKO [INTERNAL
COUNSEL];
VIVIAN UDORA [EXTERNAL COUNSEL TO
NHR HOLDING THE BRIEF OF AWA KALU,
SAN]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

Both parties were absent despite proof of service of hearing notice, hence the matter was struck out.

7. CASE NUMBER: NHRC/PSGBV/2020/EN/31
SUBJECT MATTER: ALLEGED DENIAL OF PARENTAL
RESPONSIBILITIES
COMPLAINANT: MRS CHIOMA ONWE [PRESENT]
RESPONDENT: MR IFEANYI ONWE [ABSENT]
APPEARANCES: HARRY OBE, SALOME LOKO [INTERNAL
COUNSEL];
VIVIAN UDORA [EXTERNAL COUNSEL
HOLDING THE BRIEF OF AWA KALU, SAN]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The Panel was informed that the Respondent was served hearing notice the day before the panel sitting (1st of February 2021) and the case was new and only listed for hearing on 1/2/2021 during the panel sitting.

FACTS

The Complainant alleged that she was married to the Respondent, they have four children and he was not providing for their feeding. He then asked the teachers in the children's school to stop the children from attending school as he was no longer willing to pay their school fees, even though he was not bringing money regularly despite signing an agreement to that effect.

The Chairman of the Panel called the Respondent on the telephone and he (the Respondent) informed him that he was out of town and that he was innocent of all the allegations leveled against him by the Complainant. He further stated that the Complainant had denied him access to the apartment even though he was the one financially responsible for the children and performed his fatherly roles to the extent of bathing the children and taking them to church with him.

DECISION OF THE PANEL

Respondent was instructed to visit the NHRC office in Enugu state upon his return and the Memorandum of Understanding signed by both parties previously should be upheld and its effective implementation should be monitored by the NHRC office in Enugu.

(B) EBONYI STATE

The panel started sitting from 6th to 17th February 2021, at Abakaliki, Ebonyi State.

The Executive Secretary of NHRC was duly represented by Mr Yakubu Abdulrahman, He gave a welcome address to the guests, Complainants, media and the entire NHRC team.

The Nigeria Security and Civil Corps (NSCDC) Ebonyi State, National Agency for Prohibition of Trafficking in Persons (NAPTIP), Legal Aid Council, Child Protection Network, Ministry of Justice were all duly represented and gave their goodwill messages, commending the Panel for its amazing efforts and

contributions to curbing sexual and gender-based violence and they each pledged their support to the Panel, the Commission and the cause.

The Director of Women and Children NHRC, Mr. Harry Obe, gave a vote of thanks to the entire team.

1. CASE NUMBER: NHRC/PSGBV/2020/EBO/1 (C/2020/065/EBO)

COMPLAINANT: MRS EZE EDITH [PRESENT]

RESPONDENT: MR EZE ANAYO PATRICK [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE, THREAT TO LIFE AND ABANDONMENT

APPEARANCES: HARRY OBE, SALOME LOKO [NHRC INTERNAL COUNSEL];
DAVID IDANG [EXTERNAL COUNSEL TO THE NHRC,HOLDING THE BRIEF OF AWA KALU, SAN]

PANEL: ALL PRESENT, MR. YAKUBU ABDULRAHMAN REPRESENTING THE NHRC EXECUTIVE SECRETARY [PRESIDING]

FACTS

When the case was called up, the Complainant said that her issue had been resolved prior to the Panel sitting and would like to thank the NHRC Ebonyi State for their intervention and assistance which helped in resolving her complaints.

DECISION OF THE PANEL

The case was thereby declared closed by the Panel.

2. CASE NUMBER: NHRC/PSGBV/2020/EBO/(C/2020/068/EBO)

COMPLAINANT: NWANGBO BLESSING MMASINACHI
[ABSENT]

RESPONDENT: MR SUNDAY NWANGELE, ABRAHAM UGAMA, OGBONNA NWAENYIM NSHI, EBILI BONIFACE, EJIEGBU MATHIAS [ALL ABSENT BUT WERE ALL PREPRESENTED BY

SUBJECT MATTER: A LAWYER WHO WAS PRESENT]
ALLEGED DENIAL OF RIGHT TO
INHERITANCE ON THE GROUND OF
GENDER

APPEARANCES: HARRY OBE, SALOME LOKO [NHRC
INTERNAL COUNSEL]:
DAVID IDANG [EXTERNAL COUNSEL
TO NHRCHOLDING THE BRIEF OF AWA
KALU, SAN]

PANEL: ALL PRESENT, MR. YAKUBU
ABDULRAHMANREPRESENTING THE NHRC
EXECUTIVE SECRETARY[PRESIDING]

FACTS

The Complainant was the only child of her late parents, Mr and Mrs Nwangbo Eziekel. Her late father hails from Oswanka in Izzi LGA of Ebonyi State. The Complainant's late father had some properties, including land and house, in the Oswanka LGA, the Complainant is not allowed anywhere near her father's property by Mr Sunday Nwangele and the Oswanka Community.

The Respondent's Counsel said that both parties have settled the issue amicably and that was why the Complainant was not present. He said that the issue was reported to the office of peace and conflict resolution of Ebonyi State, which, in turn, reported to the chairman of the LGA in question and the Complainant had been given access and the issue resolved.

The Panel held that the NHRC Ebonyi State should ensure that the Complainant be present at the second sitting of the Panel on the 17th of February, 2021, so the Panel can be sure that the matter has been resolved amicably and she has been given the full entitlements and access to the properties.

Barr Nkem Chukwu, the founder of Health for the Society Justice and Peace Initiative, who was an interested party in the case suggested that apart from the Complainant appearing before the Panel, the agreement should be in writing both for posterity and also for reference purposes because of the kind of pressure and unfair treatments women in the rural communities are subjected to in respect of

their family inheritance and property acquisition.

The Panel held that the Complainant should appear before the Panel physically, in order to confirm what the lawyer for the Respondents have said and that the NHRC Ebonyi State should also draw up terms of settlement for both parties to sign and closely monitor the progress of the terms of settlement for at least 12 months.

The case was thereby adjourned to the 17th of February, 2021.

17th of February, 2021

The Complainant was present before the Panel, Appearances were taken by Harry Obe, Salome Loko [NHRC internal Counsel]

David Idang [External Counsel to the NHRC holding the brief of Awa Kalu, SAN]. The Respondents were all absent.

The Complainant said that the issue had not been resolved as claimed by the Respondent on the previous day.

Mrs Obedience Blessing Onyedikachi a private legal practitioner and a member of FIDA restated the right of the Complainant to a share of her late father's estate.

DECISION OF THE PANEL

The Panel held that the NHRC of Ebonyi State should draw up terms of settlement which will specifically contain the properties that belong to the Complainant. Also, the chairman of the local Government of the said community, FIDA Ebonyi State are all to be involved to ensure the effectiveness of the terms of settlement while the NHRC Ebonyi State should closely monitor the Agreement and report back to the headquarters.

3. CASE NUMBER: NHRC/PSGBV/2020/EBO/4 (C/2020/067/EBO)

COMPLAINANT: MISS MBAM CHINENYE [ABSENT BUT REPRESENTED BY HER LAWYER CHUKWUKA OGBAIA ESQ.]

RESPONDENTS: MR SUNDAY IYEDE, JAMES OGBARAGWU, DONATUS UGO, SUNDAY MGBABU, OGBONNA NWORI, OGBONNA IGBOJI, EMMANUEL NWAKPURU, ROMANUS NWOSU, JOHN ONWE, NWAGBALA IYEDE [ALL ABSENT]

SUBJECT MATTER: ALLEGED THREAT TO LIFE, DEPRIVATION OF FAMILY INHERITANCE AND DISCRIMINATION ON ACCOUNT OF GENDER.

APPEARANCES: HARRY OBE, SALOME LOKO [NHRC INTERNAL COUNSEL]; DAVID IDANG [EXTERNAL COUNSEL TO NHR HOLDING THE BRIEF OF AWA KALU, SAN]

PANEL: ALL PRESENT, MR. YAKUBU ABDULRAHMAN REPRESENTING THE NHRC EXECUTIVE SECRETARY [PRESIDING]

FACTS

The Complainant, in her written statement, stated that she has not been allowed to go anywhere near her father's properties despite being the biological child of her late parents, Mr and Mrs Odo Mbam. She also alleged that the community wanted her to perform a harmful traditional practice by drinking the water used to bathe the corpse of her parents and that Mr Nwogbala Iyede and the Osawanka Community do not want her to inherit anything because she is female.

The chairman of the Panel asked why the Respondents were not before the Panel, the NHRC coordinator said that the file officer's life was threatened when he went to serve the Respondents the summons, and the lawyer to the Respondents also refused service.

The chairman asked for the cell phone number of the Respondent's lawyer which was provided. The lawyer was rude over the telephone. He said that the Respondents should be served personally and individually, but, however, he had called the first Respondent briefing him of the hearing notice which he apparently shoved and ignored.

The Counsel to the Complainant, who also showed up at the Panel sitting with some witnesses from the Complainant's family, said that when anybody tried to intervene in the issue the Respondents will write a petition to the police passing off the matter as armed robbery, threat to life and acts likely to cause breach of peace.

The internal Counsel to NHRC, Mr Harry Obe, read out section 6(4) of the NHRC Act, emphasising that the law enforcement agencies have the mandate to help the Commission to carry out its duties.

The Commissioner of Police of Ebonyi State was asked to make security available to ensure that the Respondents were served and procured before the Panel sitting the following day.

The Panel agreed with the Counsel and held that the Ebonyi State Commissioner of Police assists the NHRC Officials in serving the hearing notice and ensure that the Respondents were brought before the Panel the following day, 17th February, 2021. The legal department of the NHRC was urged to prepare a letter immediately so that the Commissioner of Police will be served and the needful done.

The case was adjourned to the 17th of February, 2021.

17th of February, 2021

On the adjourned date, 17th of February 2021, the Complainant was present, Appearances were entered by Harry Obe, Salome Loko NHRC internal Counsel, David Idang External Counsel to the Commission holding the brief of

Awa Kalu, SAN. Also the Counsel for the Complainant, Chukwuka Obiaia Esq, was also present.

The Counsel to the Complainant told the Panel that the police officers that accompanied them to serve the hearing notice on the Respondents were accosted by the members of the community and beaten. The NHRC officer who went with the police to serve the hearing notice confirmed the story told by the Counsel. He stated further that they went to the divisional police headquarters in Igboko where they met the DPO in charge of the station and who gave them five (5) police officers. On getting to the village, they met with Mr Sunday Iyede, who started screaming that he was not going anywhere with the police and the villagers trooped out in numbers and started blocking the roads with logs and tyres. The villagers fought with the police, tore their shirts so the police had to leave. In conclusion, the Respondent refused arrest and service.

The Counsel to the Complainant addressed the Panel restating the written statement of the Complainant and as the Respondent had refused arrest by the police, he prayed the Panel to use their powers to compel the Respondent further to appear before the Panel to uphold the principle of "*audi alterem partem*". He also prayed the Panel to help the Complainant get justice.

The Internal Counsel to the Commission, Mr Harry Obe. also addressed the Panel stating that it was totally unfortunate that the Respondent could disobey the authority of the Panel constituted by the Federal Government as well as the law enforcement agency for the second time. He stated that the NHRC Act provides clearly on how persons that act in the manner that the Respondent has acted should be treated. In that regard specific reference was made to section 6 and 4 of the Act and he urged that the first Respondent be treated accordingly. The Complainant is 16 years of age and accordingly is protected by the Child Rights Act and the relevant child rights laws in Ebonyi State.

DECISION OF THE PANEL

The Panel held that the denial of the Complainant from the inheritance of her late parents and drinking the water used in washing the corpses of her late parents is repugnant to the rules of natural justice and against the provisions of the 1999 Constitution of the FRN. The apparent ostracisation is illegal and repugnant to the provisions of the Constitution, The Commissioner of Police was thereby mandated to look into the case and handle it appropriately. The NHRC was asked to prepare a letter to the Governor and First Lady of Ebonyi State informing them of the plight of the Complainant and for prompt action to be taken. Also, the Complainant was to seek legal redress in a competent court of law over the infringement of her fundamental human rights and the commission will support the lawyer with the legal process.

4. CASE NUMBER: NHRC/PSGBV/2020/EBO/13

COMPLAINANT: MISS IFEOMA NZENWA [PRESENT]

RESPONDENT: MR STEVE ALI [ABSENT]

SUBJECT MATTER: ALLEGED SEIZURE OF BIOLOGICAL SON
(DENIAL OF ACCESS)

APPEARANCES: HARRY OBE, SALOME LOKO [NHRC
INTERNAL COUNSEL] DAVID IDANG [NHRC
EXTERNAL COUNSEL HOLDING THE BRIEF
OF AWA KALU, SAN]

PANEL: ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE NHRC
EXECUTIVE SECRETARY [PRESIDING]

FACTS

The Chairman of the Panel Mr Yakubu Abdulrahman asked the NHRC Coordinator why the Respondent was not present before the Panel and he said that the Respondent asked for all the processes to be served on his lawyer. The coordinator proceeded to the lawyer's office and served the processes and there was an acknowledgment copy to that effect.

The Panel held that the Commissioner of Police will also need to assist the Panel in serving the Respondent the hearing notice personally so he can be brought before the Panel to hear and defend the complaint made against him in line with the NHRC Act of 1995.

The case was thereby adjourned to 17th of February, 2021. On the adjourned date (17/2/2021) The Complainant was present but the Respondent was absent.

The Complainant is a graduate of Physics Education, during her NYSC she became mentally ill, got missing and was impregnated by an unknown person, she eventually delivered a male child under a flyover at Dr. Ezeogo Akanu Ibiam junction, Abakiliki, Ebonyi State. On that day, some concerned citizens took her to the Federal Teaching Hospital in Abakiliki where the hospital relieved her of the custody of the baby. She absconded from the hospital leaving her baby as a result of her mental illness and after several months, the baby was transferred to the ministry of women affairs and social development on the 17th of May, 2017. She eventually regained her sanity and took the matter to court in order to gain custody of her child who already had foster parents. The case had been finalised in court where custody was given to her but the foster parents refused to release the child to her; she asked the Commission to intervene and help her regain custody of her child.

DECISION OF THE PANEL

The Panel held that it will ensure that the court judgment was enforced, having listened to the Complainant and tried all means to get the Respondent to appear before the Panel and defend the case against him which he declined. The legal team of the NHRC will write to the Chief Judge of Ebonyi State on the current situation and ensure the enforcement of the already existing court judgment. Also, a letter will be written to the Police and the Women Affairs Commission on the current situation.

5. CASE NUMBER: NHRC/PSGBV/2020/EBO/6(C/2020/074/EBO)

COMPLAINANT: MRS NNENNANYA OKORIE ANOH
[PRESENT]

RESPONDENT: MR OGOONNAYA OKORIE ANOH [ABSENT]

SUBJECT MATTER: ALLEGED FORCEFUL EVICTION FROM
HOME

APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC
INTERNAL COUNSEL] ; DAVID IDANG
[HOLDING THE BRIEF OF AWA KALU (SAN)
EXTERNAL COUNSEL TO NHRC]

PANEL: ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE NHRC
EXECUTIVE SECRETARY [PRESIDING]

FACTS

The chairman of the Panel, Mr Yakubu Abdulrahman, asked the NHRC coordinator Ebonyi State why the Respondent was not present; he replied that the Respondent is a naval officer who at the time was in Ogun State. The Respondent had, when contacted by telephone asked for his lawyer to be served the processes. His lawyer, in turn, said his office was in Ogun State and the officer requested for an email address to serve the hearing notice which the lawyer obliged him. He sent an email but the lawyer never responded nor acknowledged receipt of the email.

The Internal Counsel to the NHRC was called upon to advise the Panel accordingly. The Counsel advised that a letter should be written to the naval headquarters by the NHRC requesting for the release of the Respondent so he could answer to the case of gender discrimination. In the written statement of the Complainant, she stated that she and her children were rendered homeless upon the death of her husband, Mr Okorie Anoh, by the Respondent, who is her stepson, as he demolished the house her late husband built for her prior to his death. She alleged that she had experienced all forms of maltreatment and

inhuman treatment from the Respondent and his mother.

DECISION OF THE PANEL

The Panel held that the Respondent's appearance was very vital to the case, and therefore the legal team of the NHRC should issue two new hearing notices; one served on the chief of Naval Staff urging him to release the Respondent to answer to his case and the second hearing notice served on the lawyer of the Respondent.

The case was adjourned to the next sitting of the Panel in Calabar on the 1st-2nd March, 2021. The Panel also promised to provide the Complainant, who was present at the Panel in Abakaliki, logistic support to the Calabar sitting where her case will be heard.

- 6. CASE NUMBER:** NHRC/PSGBV/2020/EBO/18
- COMPLAINANT:** MRS PATIENCE UGO UWA, UKAMAKA UDE, EKE OKO[ALL PRESENT]
- RESPONDENTS:** MR ABRAHAM OKO OTI, OTA AGHA 11, SUNDAY UDE, OGBONNIA CHUKWU, MONDAY UCHE, EGWU UWA, UWA OKPANI, EGWU AGHA [ALL ABSENT]
- SUBJECT MATTER:** ALLEGED DENIAL OF INHERITANCE, THREAT TO LIFE, CRUEL, INHUMAN AND DEGRADING TREATMENT.
- APPEARANCES -** HARRY OBE, SALOME LOKO [INTERNAL COUNSEL TO NHRC]; DAVID IDANG [EXTERNAL COUNSEL TO THE NHRC HOLDING THE BRIEF OF AWA KALU, SAN]
- PANEL:** ALL PRESENT, MR. YAKUBU ABDULRAHMAN REPRESENTING THE NHRC EXECUTIVE SECRETARY [PRESIDING]

FACTS

The chairman of the Panel asked the NHRC Coordinator whether the Respondents were served; he stated that the first Respondent insisted that the

case was in court and refused service, but upon further inquiry; it was discovered that the case was not in court. The Complainants were also asked and they all said that the case was not before any court.

The complaint was received by the Commission from Goodheart Foundation on behalf of the Respondents on the 11th of January, 2020, stating that the Respondents forcefully tookover and sold their lands to without their consent. The Respondents also allegedly used a chain to flog the children of the said families for hours; the victims were ostracised from having anything to do with the family and members of the community were placed on a fine if they relate with these families. The widows were also banned from fetching water from the borehole dug by the government within the community. The Respondents equally destroyed farm lands owned by the victims and disconnected them from the community's electricity supply.

DECISION OF THE PANEL

The legal team of the Panel will write a letter to the Commissioner of Police urging the presence of the Respondents in the Panel's sitting; also NHRC will work with Barrister Nkem Chukwu of the Health for the society justice and peace initiative foundation in taking the case to court for the unjust and illegal ostracisation of the Complainants. The Enugu Office of the commission was asked to monitor the progress of the case and report back to the headquarters in 30 days.

7. CASE NUMBER: NHRC/PSGBV/2020/EBO/12

COMPLAINANT: NNENNA EBENEZER [PRESENT]

RESPONDENT: EBENEZER JOHN IKWEGBU [PRESENT]

SUBJECT MATTER: ALLEGED THREAT TO LIFE AND DENIAL OF ACCESS TO CHILDREN

APPEARANCES: HARRY OBE, SALOME LOKO [NHRC INTERNAL COUNSEL]; DAVID IDANG

[EXTERNAL COUNSEL TO NHR HOLDING
THE BRIEF OF AWAKALU, SAN]

PANEL:

ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE NHRC
EXECUTIVE SECRETARY [PRESIDING]

FACTS

In her written statement the Complainant stated that she is legally married to the Respondent and they have five (5) children. She alleged that in their over 15 years of marriage the Respondent has never taken her to his hometown, he also constantly tortured, humiliated and dehumanised her. She asked the commission to intervene.

The Complainant affirmed the written statement and further added that she has not had access to her children and even when she took food to the house to see her youngest child she would be denied access. Her oldest child is fourteen (14) and the youngest is (3). She moved out of her matrimonial home on June 2nd 2019.

The Respondent said he got married to the Complainant in 2005 and they have five (5) children. He denied chasing her out of the house or ever beating her but accepted scolding her. He further stated that the Complainant always received male and female guests in the name of church fellowship and when he confronted her about it, the Complainant said that she would rather move out of the house than leave the fellowship and that was how she left. He said she has had access to the children. He further stated that he was willing to sign an undertaking as requested by the Complainant for him to stop harassing her and denying her access to her children.

DECISION OF THE PANEL

The Panel held that the children aged fourteen (14) and ten (10) should continue living with the Respondent while those aged twelve (12), seven (7) and three (3) should live with the mother. The Ebonyi State NHRC office was asked to draw

up terms of settlement stating expressly that the Respondent is responsible for the financial burden of the entire five children, including the three that are not in his custody. The terms of settlement will also include that the Respondent should never physically assault or harass the Complainant again. The Ebonyi State office of the NHRC was mandated to send a progress report to the headquarters within 30 days after the execution of the terms of settlement.

8. CASE NUMBER: NHRC/PSGBV/2020/EBO/16

SUBJECT MATTER: ALLEGED DENIAL OF INHERITANCE ON THE GROUND OF GENDER

COMPLAINANT: MRS ESTHER PROMISE NWODE [PRESENT]
RESPONDENTS: COMMISSIONER OF JUSTICE EBONYI STATE [REPRESENTED BY MRS FAITH-VIN .N.] EMMANUEL ONWE THE ADMINISTRATOR GENERAL PUBLIC TRUSTEE, MINISTRY OF JUSTICE, EBONYI STATE [ABSENT] EMEKA ALBERT NWODE [PRESENT]

APPEARANCES: HARRY OBE, SALOME LOKO [INTERNAL COUNSEL TONHRC]; DAVID INANG [EXTERNAL COUNSEL TO NHRC HOLDING THE BRIEF OF AWA KALU, SAN]

PANEL: ALL PRESENT, MR. YAKUBU ABDULRAHMAN REPRESENTING THE NHRC EXECUTIVE SECRETARY [PRESIDING]

FACTS

The complaint was lodged by an NGO, the Youth Hub. The Complainant stated that she was married to Sir D.O Nwode until his death in 2011 and she had a daughter with her him. She stated that Emeka Nwode, the 3rd Respondent who is also her stepson, took over all the properties of her late husband to the exclusion of herself and her daughter. The Complainant said items also taken away by her stepson include her personal clothings, kitchen utensils, her personal car and the compensation paid on her late husband's property. The 3rd Respondent took

over everything in sight to the exclusion of the Complainant and her daughter and a court decision stating that she be given a portion of the compensation was blatantly ignored by the Respondent, Mr Albert Nwode. She further stated that the 3rd Respondent does not have the power to administer the estate of her late husband and the government-appointed administrator continuously connived with the 3rd Respondent to deprive her of her entitlements. She wanted the commission to intervene and ensure that she and her daughter got what was due to them.

The Complainant said there were two court orders stating that she be given a property in the vast estate of her late husband as well as the sum of five million naira as her own share in the nine million naira compensation paid by the Ebonyi State Government over acquisition of the late husband's property. The 3rd Respondent refused to obey the orders, she added.

The 3rd Respondent stated that he was not aware of the two aforementioned court orders and that the only court order he was aware of was the one issued by Justice Aloy Nwankwoin 2012 which was different from the aforementioned. He said that the sum of nine million naira was received by Mr Sunday Nwode, who is the most senior member of the family and the brother to the deceased, and was shared among the family members and also used to rebuild the property of the deceased which was acquired by the Government and demolished. Currently there was still no letter of administration for the property

The chairman of the Panel adjourned the case to the 17th of February, 2021 in order for the Commissioner of Justice to be present for justice to be served.

The case continued on 17th February, 2021. Appearances were taken by Mr Harry Obe, Salome Loko [Internal Counsel to the NHRC]. David Idang [External Counsel to the NHRC holding the brief of Awa Kalu, SAN]

DECISION OF THE PANEL

The Panel held that after hearing from both sides it was a clear case of contention in the distribution of properties of the deceased. The Panel encouraged both families to amicably resolve their dispute and the office of the public Administrator (whose head, Emmanuel Onwe, was present) should also help in amicably resolving the dispute between the parties using alternative dispute resolution mechanisms. The case was, therefore, struck out.

9. CASE NUMBER: NHRC/PSGBV/2020/EBO/17

COMPLAINANT: MRS COMFORT UCHE [ABSENT]

RESPONDENT: MRS UCHE AMADI, MRS AHIA ANYINA,
MRS UZO UDEEGBA [ALL PRESENT ALSO
WITH THEIR LAWYER]

SUBJECT MATTER: ALLEGED BREACH OF FUNDAMENTAL
RIGHTS OF MRS COMFORT UCHE

APPEARANCES: HARRY OBE, SALOME LOKO [NHRC
INTERNAL COUNSEL];
DAVID IDANG [EXTERNAL COUNSEL
TO NHR HOLDING THE BRIEF OF AWA
KALU, SAN]
OTA EWA ESQ [COUNSEL TO THE
RESPONDENTS]

PANEL: ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE NHRC
EXECUTIVE SECRETARY [PRESIDING]

FACTS

A complaint was lodged to the Commission by Anyim and Associates, who are agents and solicitors of Comfort Uche, stating that the Complainant, a 59-year old petty trader in Amasiri community, Afikpo North LGA, Ebonyi State, was subjected to orchestrated and brazen acts of harassment, public ostracism, discriminatory restrictions, looting and continuous conduct likely to breach public peace. The Respondents had sought to compel the Complainant, against her will, to join and support the Osumkpa Age Grade in Amasiri community which she declined as some practices of the age grade are against her personal

beliefs as a Jehovah's Witness. As a result of her refusal to join the age grade she was harassed, assaulted, degraded and forced to sit in the mud by members of the aforementioned age grade, led by the second Respondent. She was forcibly evicted from the community market; on the 14th day of August, 2019, she was further harassed by the 4th Respondent and two others; they looted her properties, including a basin, wooden chair, head tie and a pair of slippers. The members of the Age grade went further to deposit their walking sticks in the Complainant's house which was a sign of intimidation and ostracism. She had written to the traditional ruler of the community who warned the Respondents to desist from harassing and intimidating the Complainant and return all looted items. Despite the traditional ruler's order, they still continued harassing her and even went further to fine her N3,000 annually as the default fee for her refusal to join the Age Grade. The Complainant wants to live in peace and go about her business without harassment. The Complainant prayed the Panel should compel the Respondents to compensate her for loss of income and she be allowed to practice her faith and move freely within the community. Also, the Age Grade should provide a written apology assuring that they will refrain from violating her fundamental rights and every ostracism order against her by the community should be lifted with immediate effect.

The chairman of the Panel asked the first Respondent if the Complainant had been ostracised and she said no, and further explained that in the village it was the turn of the Complainant to lead the age grade market leadership which she refused to do. The first Respondent said that the traditional leader told the Complainant to assist the age grade in developing the community and pay the sum of N3,000 annually as a default fee even if she does not want to join the age grade while the rest of the women in the group will do the job on her behalf. The ruler also reportedly asked her to participate in community development projects.

The lawyer of the Respondents (Ota Ewa Esq) further reiterated/corroborated

the statement of the first Respondent further emphasising that different members of the age grade have Christian backgrounds and the community is developed by the indigenes themselves through communal efforts and different age grade and not the government. He said that there was freedom to participate and freedom not to participate in the age grade activities; however, if the latter was chosen an annual default fee of N3,000 was to be paid to the group which the Complainant has failed to do ever since.

DECISION OF THE PANEL

The Panel held that community groups are as old as time and encouraged by the law. The Ebonyi State NHRC was asked to draw up terms of settlement between the Age Grade and the Complainant as well as mediate in order to broker peace between parties and ensure effectively that the Complainant's fundamental human rights are not infringed upon. The Ebonyi State office of the NHRC was also mandated to work closely with the legal department of the Panel and report back in 30 days.

10. CASE NUMBER: NHRC/PSGBV/2020/EBO/9 (C/2020/085/EBO)
COMPLAINANT: MISS NWANYINYA FELICIA OGBONNE
[PRESENT]
RESPONDENT: MR CHUKWUDI (OBINNA) MMADU
AGWUAGWU [PRESENT]
SUBJECT MATTER: ALLEGED THREAT TO LIFE AND PHYSICAL
VIOLENCE
APPEARANCES: HARRY OBE, SALOME LOKO [NHRC
INTERNAL COUNSEL];
DAVID IDANG [EXTERNAL COUNSEL
TO NHR HOLDING THE BRIEF OF AWA
KALU, SAN]

FACTS

On the 10th of October, 2020 the Complainant lodged a complaint with the commission stating that her life was being threatened physically, emotionally

by Mr Chukwudi Mmadu Agwuagwu, that her motorcycle was forcibly taken from her by Mr Obinwa Agwuagwu.

Her second complaint has her step brother as the Respondent [John Nwanyinya who was also present] in which she stated that he hired hoodlums to attack her concerning their father's property. The Respondent, according to her, sold some family property without her consent and also borrowed the sum of N400,000 from her and has not repaid the loan.

She prayed the Panel to intervene in both her complaints with the first being that the Respondent be called to order and the latter being that she did not want to lose her father's land to her brother or the buyer he sold it to.

The Respondent John Nwanyinya said that his son was mentally ill, which was financially draining. He met with his sister [the Complainant] and other family members and told them that he wanted to sell the family land in order to treat the child and pay off outstanding debts. The Complainant insisted that they should share the land so the step brother could sell off his own but the land was not partitioned and he sold off the land for the sum N2,400,000 and spent it all on his child's treatment.

He denied threatening her life or sending any hoodlums after her and claimed that it was N250,000 the Complainant gave to him and not the N400,000 she alleged.

Mr Chukwudi Mmadu Agwuagwu stated that he is a charcoal seller and that the other Respondent, Mr John Nwanyinya, did not sell any house to him. He said he only bought three economic trees for N3,500 each. He further stated that he did not purchase any motorcycle from the Complainant and that the said motorcycle was held by the village council for reasons not known to him.

DECISION OF THE PANEL

The Panel, having listened to the parties, held that there was evidence that the

Complainant had been a victim of violence and discrimination on account of her gender. To that end it made the following orders:

- That the Commissioner of Police in Ebonyi state was to provide sufficient protection to the Complainant to ensure she lives and moves about freely in the community
- NHRC Ebonyi to work with the Ebonyi Police Command to return motorcycle seized from the Complainant by the village council
- Appropriate terms of settlement to be drafted by NHRC Ebonyi state between all the parties to ensure that the Complainant gets her fair share of inheritance including the proceeds of the sale of land by the Respondent for N2.4 Million
- NHRC Ebonyi to monitor progress and report compliance within 30 days.

11. CASE NUMBER: NHRC/PSGBV/2020/EBO/18

COMPLAINANT: MRS PATIENCE UGO UWA & ANOR.
[PRESENT]

RESPONDENT: MR. ABRAHAM OKO OTI & ORS. [ABSENT]

SUBJECT MATTER: ALLEGED DENIAL OF INHERITANCE,
THREAT LIFE, CRUEL, INHUMAN AND
DEGRADING TREATMENT

APPEARANCES: HARRY OBE, SALOME LOKO [NHRC
INTERNAL COUNSEL];
DAVID IDANG [EXTERNAL COUNSEL TO
NHR HOLDING THE BRIEF OF AWA KALU,
SAN]
OTA EWA ESQ [COUNSEL TO THE
RESPONDENTS]

PANEL: ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE NHRC
EXECUTIVE SECRETARY [PRESIDING]

FACTS

Counsel to the Panel reminded the Panel that the matter was adjourned from its

sitting the previous day as the Panel had requested the assistance of the CP Ebonyi to secure the attendance of the Respondents. The Commissioner of Police, in compliance with the directive of the Panel, detailed some Police men to effect arrest of the Respondents who got wind of their presence and all ran away.

However, the Police was able to arrest the town crier of the community who announced the banishment of the Complainant. He was adjudged to be in a good position to throw light on the allegation before the Panel.

The said Town Crier introduced himself as Ogbunniya Akuma, male, 48, a motorcycle mechanic who lives at Enohia-nkalu village in Afikpo North LGA. He confirmed that he is the Town Crier for his community. He confirmed knowing the Complainants as they were from the same kindred. He further confirmed knowing all the Respondents. He denied knowing about a land related case involving the parties. He confirmed being aware of the community's practice of ostracising community members who are found erring culturally. He stated that the decision to ostracise is taken by all members of the community and in such instance since everyone is usually present, there will be no need to announce the decision; he merely announces the scheduling of a communal meeting. He confirmed that it was the 8th Respondent that summoned and presided over the meeting wherein the Complainants were ostracised. He stated that as a member of the community, he did not support the decision of the community but it was a communal decision, binding on all. He further stated that expressing a contrary view in such instance may lead to the ostracising of the person with a dissenting opinion. He stated that he did not know the reason why the Complainants were ostracised.

Following the testimony of the Town Crier, Counsel to the Panel informed the Panel that the testimony confirmed the allegations in the Complainant. He urged the Panel to move to activate the relevant Federal and State agencies and the

Police Force to take immediate steps to ensure the abolishment of the obnoxious cultural practices. The Panel may also wish to declare that the actions meted out against the Complainants are in gross violation of their fundamental rights. The Panel may also wish to direct the witness to convey the decision of the Panel to the community and its leaders to immediately lift the said banishment orders on the Complainant and that the NHRC Ebonyi state should work to resolve all other issues that restrict the exercise of the rights of the Complainant to all amenities and utilities commonly used by members of the community. The Community may also be informed that any action taken in contravention of the Orders of the Panel is an infraction on the Law setting up the National Human Rights Commission and is punishable with terms of imprisonment.

DECISION OF THE PANEL

The Panel held that having given the Respondents the opportunity to appear and defend themselves without them deeming it fit to appear concluded that the Respondents have nothing to say. The Panel, therefore, decided that the Good heart foundation, in collaboration with FIDA, should institute a legal action on the infringement of the fundamental human rights of the Complainants. Also, the Ebonyi State NHRC should write a letter to the Governor of Ebonyi State to ensure the protection of the rights of the Complainants stating their plight in vivid details. The Ebonyi State NHRC was to work closely with these agencies including FIDA to protect the rights of the Complainants.

(C) IMO STATE

SOUTH-EAST ZONE PROCEEDINGS HELD AT OWERRI IMO STATE, ON 27TH to 30TH JANUARY 2020

The Panel in continuing the execution of its mandate, converged in Owerri, to hold private hearings for the all individuals who had filed their complaints to the South East state branches of the Nigeria Human Rights Commission. A total of 27 cases were brought before the panel and out of which 15 of them were

heard and decided upon.

In the opening ceremony, the Panel re-iterated its commitment to ensuring the protection of rights and investigation of violation of rights. In this sitting, all the cases had the themes of domestic violence, abandonment of children and parental responsibility.

1. CASE NUMBER: NHRC/PSGBV/IMS/13

SUBJECT MATTER: ALLEGED CRUEL,INHUMAN AND DEGRADINGTREATMENT

COMPLAINANT: UKAMAKA AHAMEFULE

RESPONDENTS: MR B DIKORO [ACG NSCDC], STATE COMMANDANTNSCDC IMO STATE, COMMANDANT GENERAL NSCDC.

APPEARANCES: UCHENNA ANYANWU AND CHINEDU ELIONU[APPEARING FOR THE COMPLAINANT]; M.O ASHU, C.A EGBULE, M.N NWACHUKWU[APPEARING FOR THE 2ND AND 3RD RESPONDENTS]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The first Respondent was absent and not represented. He was served on the 22nd of January,2020, to show that he was aware of the Panel being constituted and his presence needed.

M.O Ashu informed the Panel that the first Respondent was the former head of the 2nd Respondent's office in Owerri and that he retired in May 2019 and this process was served on the 24th of January, 2020. He further informed the Panel that they could not get in touch with the zonal office to find out exactly what happened in the matter/case. He therefore appealed to be given a few days to put their houses in order.

The Complainant's Counsel said that everything should be done in writing for

front loading purposes.

The case was adjourned to the 29th of January, 2020.

29th January 2020

Appearances were entered by same parties present on the 27th.

Mr Harry Obe [NHRC Internal Counsel] said that a reply was given.

M.O ASHU informed the Panel that hearing notice was not received and going through the petition it was against the first Respondent and not the Second or Third Respondents. He therefore charged the Commission to channel the Petition to the appropriate authorities since Mr Dikoro had retired. He said that a letter has to be written to the office in Abuja because Mr Dikoro ACG has retired.

The NHRC internal Counsel and the Complainant's Counsel refused to accept the letter written to the commission by Mr Ashu (Counsel to the 2nd and 3rd Respondent) and both Counsel urged that the case continue as the principle of vicarious liability [agent and principal] relationship applied.

DECISION OF THE PANEL

The ruling of the Panel read by the Executive Secretary (ES) :-

- The application to strike out the 2nd and 3rd Respondents is hereby refused for obvious reasons which have been outlined in the submissions of both the in-house and external Counsel of the Panel. The Counsel of the Respondents is therefore directed to sort out his issues in-house and the Complainant is therefore directed to continue with their case.
- Counsel to the Complainant wishes to adopt the petition, copy of the medical report is also tendered and the facts are contained in the petition, all the Petitioner [complainant] is asking for is the compensation of N200,000 and medical cost and a written apology from the Respondents.

The Counsel to the Complainant sought to tender the medical report but as a result of the Complainant's absence and observance to the rule of evidence the case was stood down to 30th January 2020 at noon for continuation so that the Complainant herself will be present. However, she never showed up.

2. CASE NUMBER: NHRC/PSGBV/IMS/11

COMPLAINANT: MRS PATIENCE OGAZIE [ABSENT]

RESPONDENTS: MR REMI IWUAGWU, CHIEMEZIE UMUNAKWE, MAURICE NWACHUKWU, TIMOTHY EBO, LOUISANUFORO, PATRICIA IWUAGWU [NOT IN NIGERIA, ITALY], MARIA IWUAGWU [NOT IN NIGERIA, CAMEROUN], COP IMO STATE, IG OF POLICE.

SUBJECT MATTER: ALLEGED THREAT TO LIFE, VIOLATION OF RIGHT TO DIGNITY OF HUMAN PERSON AND WIDOW'S RIGHTS

APPEARANCES: ENTERED BY BOTH INTERNAL AND EXTERNAL COUNSEL.

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

All the Respondents were present except the two outside Nigeria and the police were represented by Omo-Osagie Esq.

The Counsel for the 8th and 9th Respondents said that the case was reported to the police by concerned members of the community and it bordered on possession and ownership of family property. One Chiemezie, a member of the family and the son of the widow [the complainant], and Emeka Ogazie engaged in a brawl using knives, they stabbed themselves

while fighting, hence the report to the police. They were both brought to the police station and given medical attention while investigation continued. They were both given administrative bail, some concerned members of the extended

family pleaded with the COP to allow them amicably settle out of court; however, there was no solution in sight as investigation was concluded and a *prima facie* case of criminal conspiracy and occasioning harm has been made out against the petitioner, her son and Chiemezie.

The police were on the criminal aspect so the Panel could proceed on the civil aspect of the case. The police wanted to arraign but several invitations to the petitioner and her son were not honored.

The case was adjourned to the 29th of January, 2020.

29th January, 2020

The Complainant was still absent.

Appearances were entered by both internal and external Counsel to the NHRC.

DECISION OF THE PANEL

On the last date the Complainant was mandated by the Panel to be present to throw more light on her case, she was still absent. The Respondents were asked to prepare their responses/reply in writing, which they did. The Panel struck out the case since the claimant was not present to defend her case and the Respondents were present with their reply.

3. CASE NUMBER: NHRC/PSGBV/IMS/15

COMPLAINANT: OLUCHI ONWUKA [PRESENT]

RESPONDENT: NKIRUKA EKENDU [PRESENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE

APPEARANCES: ENTERED BY BOTH INTERNAL AND EXTERNAL COUNSEL

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant adopted his written complaint as his complaint before the Panel.

The Respondent's Side of the Story: She stated that the last time she was called she denied all the allegations by the Complainant. She and members of her family do not have the intention of killing him. The Respondent further stated the petitioner was assaulting her from the inception of the marriage; was referring to her father as a goat; and telling her father to come and take his daughter away since she was unable to give birth three years after the marriage. He continued beating her even when the doctor warned him to stop and their pastor asked him to show more love and respect to her. He was also openly dating other women and refusing to provide for her even when she was supporting him financially and almost supplied all the funds he used to build a house. She alleged that he was in the habit of telling her she must leave his house alive or dead.

Complainant's reply: He admitted hitting her but said she always caused it by, for example, blocking his way whenever he wanted to leave the house. He accepted that she had been supporting him financially and provided part of funds they used in building a house. He said she has stopped supporting him financially for some time.

The case was adjourned to Wednesday, 29th January, 2020 for the couple to think about their final needs/requirements from NHRC in order for a decision to be made.

29th January 2020- situation report

The Complainant said there was slight improvement.

DECISION OF THE PANEL

The ES held that six months will be given in which the NHRC Imo State office will be monitoring the marriage monthly and will make a report to the

Commission within six months.

4. CASE NUMBER: NHRC/PSGBV/IMS/18
COMPLAINANT: MRS DIVINE NKE ELEZIEANYA [ABSENT]
RESPONDENT: MR HUMPHREY NWOKOMA
ELEZIEANYA [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
DENIAL OF PARENTAL CARE, PROTECTION
AND MAINTANCE
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

Neither parties appeared before the Panel the entire four days the Panel sat, so the case never went on and was struck out.

5. CASE NUMBER: NHRC/PSGBV/IMS/19
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE
COMPLAINANT: IKECHUKWU MAUREEN [ABSENT]
RESPONDENT: IKECHUKWU EMMANUEL [ABSENT]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

Both parties were absent the entire four days the Panel sat in Imo State. The case was notheard.

6. CASE NUMBER: NHRC/PSGBV/IMS/33
COMPLAINANT: AFE BABALOLA AND CO [ON BEHALF OF
ASSEMBLY OF CONCERNED IGBO WOMEN
IN NIGERIA ANDDIASPORA]
RESPONDENTS: IKECHUKWU EMMANUEL, MR JASPER
NDUBUAKU, S.PIBE CHUKWU,
COMMISSIONER OF POLICE, INSPECTOR
GENERAL OF POLICE
SUBJECT MATTER: ALLEGED CRUEL, INHUMAN AND

DEGRADING TREATMENT

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The entire four days the Panel sat in Imo State neither parties were present, so the case was not heard.

7. CASE NUMBER: NHRC/PSGBV/IMS/32
COMPLAINANT: ACHIMBA PRISCA OGECHI [ABSENT]
RESPONDENT: MR TOCHUKWU EMEATU [ABSENT]
SUBJECT MATTER: ALLEGED CRUEL, INHUMAN AND
DEGRADING TREATMENT

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The entire four days the Panel sat in Imo State neither parties showed up, the case never went on.

8. CASE NUMBER: NHRC/PSGBV/2019/IMS/3
COMPLAINANT: ZITA ONYEMA
RESPONDENT: CANICE ONYEMA
SUBJECT MATTER: ALLEGED UNLAWFUL DEPRIVATION OF
PROPERTY AND DENIAL OF INHERITANCE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The entire four days the Panel sat in Imo State neither parties showed up, the case was not heard.

9. CASE NUMBER: NHRC/PSGBV/2019/IMS 6
COMPLAINANT: CHIAMAKA ONYEBUCHI [ABSENT]
RESPONDENT: EVANS GODWIN AND ODINAKA SAMUEL
[ABSENT]
SUBJECT MATTER: ALLEGED SEXUAL ABUSE VIOLATION OF

RIGHT TO DIGNITY OF HUMAN PERSON
AND RIGHT TO PRIVATE LIFE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

Both parties never showed up the entire four days the Panel sat in Imo State, the case was never heard.

10. CASE NUMBER: NHRC/PSGBV/IMS/7

COMPLAINANT: MRS AMADI VIVIAN [ABSENT]

RESPONDENT: MR DANIEL AMADI [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE,
VIOLATION OF RIGHT TO DIGNITY OF
HUMAN PERSON AND VIOLATION OF RIGHT
TO PARENTAL CARE, PROTECTION AND
MAINTENANCE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The entire four days the Panel sat in Imo State neither parties showed up, the case was not heard.

11. CASE NUMBER: NHRC/PSGBV/IMS/10

COMPLAINANT: EGEMUKA PRECIOUS [ABSENT]

RESPONDENT: UGOCHUKWU ANYANWU [ABSENT]

SUBJECT MATTER: ALLEGED VIOLATION OF RIGHT TO
DIGNITY OF HUMAN PERSON, SEXUAL
ABUSE AND RIGHT TO PARENTAL CARE,
PROTECTION AND MAINTENANCE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

Neither parties showed up the entire four days the Panel sat in Imo State, the case never went on.

12. CASE NUMBER: NHRC/PSGBV/IMS/12
COMPLAINANT: MRS OBINISIKE JOY OGOCHUKWU [ABSENT]
RESPONDENT: MR SAMUEL OBINISIKE [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE, VIOLATION OF RIGHT TO DIGNITY OF HUMAN PERSON AND VIOLATION OF RIGHT TO PARENTAL CARE, PROTECTION AND MAINTENANCE
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

Neither parties showed up the entire four days the Panel sat in Imo State, the case was never heard.

13. CASE NUMBER: NHRC/PSGBV/IMS/17
COMPLAINANT: MRS OBIAGERI OPURUM [ABSENT]
RESPONDENT: MR SIMEON OPURUM [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND RIGHT TO FREEDOM FROM DISCRIMINATION
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

Neither parties were present the entire four days the Panel sat in Imo State, the case was not heard.

14. CASE NUMBER - NHRC/PSGBV/IMS/20
COMPLAINANT: CHIAMAKA ONUOHA [ABSENT]
RESPONDENT: UZOMA ONUOHA RAPHAEL [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE, VIOLATION OF RIGHT TO DIGNITY OF HUMAN PERSON AND VIOLATION OF RIGHT TO PARENTAL CARE, PROTECTION AND MAINTENANCE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

Neither of the parties showed up the entire four days the Panel sat in Imo State the case was never heard.

15. CASE NUMBER: NHRC/PSGBV/IMS/24

COMPLAINANT: MRS NWANKPA CHINYERE [ABSENT]

RESPONDENT: MR JOSEPH NWANKPA [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE,
VIOLATION OF RIGHT TO DIGNITY OF
HUMAN PERSON AND VIOLATION OF RIGHT
TO PARENTAL CARE, PROTECTION AND
MAINTENANCE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

Neither of parties showed up the entire four days the Panel sat in Imo State, the case was not heard.

16. CASE NUMBER: NHRC/PSGBV/IMS/30

COMPLAINANT: CHIDINMA ONYENEKE [ABSENT]

RESPONDENTS: BASIL NJOKU ONYENEKE, SUNDAY NJOKU
ONYENEKE, ONYEKACHI NJOKU
ONYENEKE, PAUL NJOKU ONYENEKE
[ABSENT]

SUBJECT MATTER: ALLEGED CRUEL, INHUMAN AND
DEGRADING TREATMENT VIOLATION OF
WIDOW'S RIGHTS, DISCRIMINATION
AGAINST WOMEN AND VIOLATION OF
RIGHT TO INHERITANCE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

Neither of the parties showed up the entire four days the Panel sat in Imo State the case was not heard.

17. CASE NUMBER: NHRC/PSGBV/IMS/21

COMPLAINANT: MR DANIEL AKPAN [ON BEHALF OF SOPHIA

AKPAN]

RESPONDENT: CHIJOKE ONONIWU, COMMISSIONER OF POLICE IMO STATE, INSPECTOR GENERAL OF POLICE

SUBJECT MATTER: ALLEGED SEXUAL ABUSE OF A MINOR

APPEARANCES: ENTERED BY BOTH EXTERNAL AND INTERNAL COUNSEL TO THE NHRC;

COUNSEL TO THE FIRST RESPONDENT- C.B.N NZEH;

COUNSEL TO THE 2ND AND 3RD RESPONDENT - OMOOSAGIE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

COUNSEL TO THE FIRST RESPONDENT - The matter started on the 25th of July, 2019, before a magistrate court on charge number 26c 2019 before the family Court [Magistrate Court Imo State]. His lordship declined jurisdiction over the matter and ordered for the matter to be transferred to the DPP for direction and remanded the accused in prison custody and he was still in prison custody on the day of the Panel sitting. The Counsel applied for bail for the accused under section 118 of the criminal procedure laws [Laws of Eastern Nigeria] 1963, The motion was dated 4th November, 2019. The matter came up first at court 5 before Hon Justice Nze Ukwu; it was there the State Counsel informed the court that they had filed an information before High Court 2 without serving the other party any notice and the court asked the Counsel to get the information, which he did.

The Counsel said he wished for the matter to continue with High Court 2 with the next hearing slated for 14th of February, 2020.

DECISION OF THE PANEL

The ES held that the case be struck out so that it can continue in court.

18. CASE NUMBER: NHRC/SGBV/IMS/25
COMPLAINANT: MR AJIE CHINONSO
RESPONDENT: MRS JUSTINE CHUKWUJEKWU UWAKA
COMMISSIONER OF POLICE IMO STATE,
INSPECTOR GENERAL OF POLICE

SUBJECT MATTER: ALLEGED ASSAULT LEADING TO
VIOLATION OF RIGHT TO DIGNITY OF
HUMAN PERSON AND DEATH OF AN
UNBORN CHILD

APPEARANCES: ENTERED BY BOTH INTERNAL AND
EXTERNAL COUNSEL TO THE NHRC

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The case was already in court; however, the lawyer of the NHRC will keep a watch brief on the case in court. The case was thereby struck out by the ES.

19. CASE NUMBER: NHRC/PSGBV/IMS/3
COMPLAINANT: PEACE IFEANYICHUKWU ON BEHALF OF
KELECHI IFEANYICHUKWU [PRESENT]
RESPONDENT: MATTEW OGU [ABSENT]
SUBJECT MATTER: ALLEGED SEXUAL ABUSE AND RAPE OF A
MINOR

APPEARANCES: ENTERED BY BOTH INTERNAL AND
EXTERNAL COUNSEL TO THE NHRC

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The case bordered on the sexual violation of a 9-year old child.

The Complainant said that she is from Umoka and on the 16th of March, 2019, the case was filed and was currently in family court [High Court 2] Owerri. She said the police were prosecuting the matter in court, but she was not satisfied with the way the court was handling the case.

The NHRC lawyer was mandated to assist the Complainant and watch over the

brief. Due to the fact that the case was in court, it was struck out.

20. CASE NUMBER: NHRC/PSGBV/IMS/28

COMPLAINANT: ZOTA UNIVERSAL HUMAN RIGHTS AID INITIATIVE

RESPONDENTS: JUDE OSUIGIDI [PRESENT], OLUCHI AGUNOBI [PRESENT]; ANAYO EZIUKWU [PRESENT], MARCELLINUS OGUBUIKE [ABSENT], IFEANYI AGUNOBI [ABSENT]; AGATHA AGUNOBI [ABSENT]; ANYAEHIE AGUNOBI [ABSENT] IKENNA ARICHE [PRESENT] HARRISON OLUMBA [PRESENT] COP IMO STATE, IG OF POLICE

SUBJECT MATTER: ALLEGED INHUMAN AND DEGRADING TREATMENT OF A WIDOW, ALLEGED CRUEL, INHUMAN AND DEGRADING TREATMENT AND VIOLATION OF WIDOW'S RIGHTS, DISCRIMINATION AGAINST WOMEN AND VIOLATION OF RIGHT TO ACQUIRE AND OWN PROPERTY

APPEARANCES: HARRY OBE, AFOLABI OLAWOLE [NHRC INTERNAL COUNSEL], AWA KALU [NHRC EXTERNAL COUNSEL], LEGAL AID COUNCIL-LINDA MOGEKWU, AMANAMBA OLUOMACHI, TOLULOBE AWOLOWO [FOR THE RESPONDENTS]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainants, Mrs Chinyere Asota and her son, Godson Asodike, affirmed their statement. The son added that some members of the community dropped the corpse of the deceased in their compound during the rampage. They also destroyed the roof of their building using stones and some members of the Agunobi family ran their family business [farm produce] down through thefts.

The second son added that the Agunobi family and the Umudioma youths destroyed his motorcycle [Qlink 125], two mobile phones [Nokia 225], and his sister's mobile phone [smartphone] too, because she was using it to record what they were doing that fateful day [the sisters name is Amarachi Obiagu]. The Qlink motorcycle was purchased by their father at the cost of N160,000; the Nokia phone 225 was purchased at N8,000 and the sister's phone was purchased at N25,000. all the items were still in the possession of the Respondents, he told the Panel.

The second son listed damages to the motorcycle and presented a medical report which was accepted. The medical report was dated over a week after the incident occurred. Photographs of the damaged motorcycle were also presented and accepted as evidence.

However, an objection was raised by Miss Moge kwu, one of the Counsels from Legal Aid Council representing the Respondents, because one of the photographs was taken two days prior to the said incident. This objection was sustained and that photograph of the complainant's son in which his clothes were ripped was not admitted as evidence.

Mrs Chinyere Asota said that on the fateful day, some members of the community dropped the corpse of one Nkechi in her compound, citing a statement she allegedly made about how dead people should be buried. She also alleged persecution and incursion on her land by members of the community and extended family.

DECISION OF THE PANEL

The ES ruled that the case was hereby referred to chief Edmond Orumba, the chief of the village, to resolve the issue amicably and report was to be made to the NHRC in one month. The Complainant, Mrs Chinyere Asota, was to be compensated for her medical expenses. She should be reimbursed and the matter was stood down for Chief Edmond to mediate on the issue and report

back to the Commission.

21. CASE NUMBER: NHRC/PSGBV/IMS/34
COMPLAINANT: NGOZI NKWOCHA
RESPONDENTS: MR DENNIS ADIKWURU, DIVISIONAL POLICE OFFICER URBAN POLICE STATION, OWERRI IMO STATE; COMMISSIONER OF POLICE IMO STATE; INSPECTOR GENERAL OF POLICE
SUBJECT MATTER: ALLEGED SEXUAL HARASSMENT AND INCESSANT INTIMIDATION
APPEARANCES: ENTERED BY BOTH INTERNAL AND EXTERNAL COUNSEL TO THE NHRC
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The 1st Respondent's lawyer was notified on the day of the sitting since the first Respondent wanted his lawyer to represent him. The case was adjourned to the next day, 29th of January, 2020.

29th January, 2020

A letter was received from the Respondent's lawyer stating that the NHRC should stay away from the case as the case was already in court. A staff of the NHRC initially handling the case was threatened so the case was reassigned to another staff. The ES said that a letter will be written to the COP for police protection. Also, in the letter written by the 1st Respondent's Counsel an issue of bias was raised on personal relationship between the staff of NHRC handling the case and the Complainant. The staff said there was no family ties or relationship between her and the Complainant.

The ES held that the issue of bias raised in the letter by the Respondent had to be dealt with and therefore the case was adjourned to Thursday, 30/1/2020 by 1:00pm to enable the staff in question swear an affidavit explaining/rebutting

the bias allegation raised and the existence of any relationship between her and the Complainant.

30th January 2020- The affidavit had been filed, the deponent denied every relationship with the Complainant on the allegation of bias.

DECISION OF THE PANEL

The ES admitted the affidavit as exhibit E1. The Panel directed that a copy of the affidavit be served on the Respondent's Counsel and that the matter be adjourned to the Abakiliki sitting of the Panel for continuation. The NPF was asked to liaise with the secretariat of the Panel to ensure that all necessary measures were put in place to ensure the attendance of the Respondent at the Abakiliki sitting of the Panel.

22. CASE NUMBER: NHRC/PSGBV/IMS/5

COMPLAINANT: MRS GRACE OPARAKU [PRESENT]

RESPONDENTS: EDDY OPARAKU
EZE OPARAKU KINGSLEY OPARAKU
VINCENT CHIKWEM OPARAKUNWOJINMA
OPARAKU AZUNNA OPARAKU NWAYINMA
OPARAKU SENATOR [POLICE MAN], COP
IMO STATE INSPECTOR GENERAL OF
POLICE

SUBJECT MATTER: ALLEGED CRUEL, INHUMAN AND
TREATMENT VIOLATION OF WIDOWS
RIGHTS, DISCRIMINATION AGAINST AND
VIOLATION OF RIGHT TO INHERITANCE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The Respondents were present, the Police was represented by Omo Osagie Esq.

FACTS

The ES advised the Complainant to be of good behaviour after hearing from both parties and stressed the importance of maintaining peace in the family. The family members were made to sign pledges [undertakings] to be of good

behaviour. The NHRC was asked to monitor progress.

On 30th January, 2020, the Complainant returned to the Panel to state that peace has returned to the family and everything was fine so she came to pick up the terms of settlement. The internal Counsel to NHRC, Mr Harry Obe, said that the terms of settlement were ready, but since the Respondents were not present to sign their own parts, the NHRC Imo State office was put in charge to follow up and ensure that all parties signed the Memorandum of Understanding.

23. CASE NUMBER: NHRC/PSGBV/IMS/16
COMPLAINANT: ROSE EKEH [PRESENT]
RESPONDENT: MESHACH NKWOCHA, ONYEMUCHE
NKWOCHA, EZEKIEL NKWOCHA, KINGLEY
EKEH, ANTHONYEKEN [ALL ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE
AND RIGHT TO FREEDOM FROM
DISCRIMINATION
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Respondents were not present and there was no proof of service on them, in order to uphold the principle of fair hearing the case was adjourned until service on the Respondents.

On 29th January, 2020, a letter was served on the Panel by the Eze of the village acknowledging service by the Eze on the Respondents. As a result of the failure of the Respondents to appear before the Panel on the adjourned date a letter was to be written to the Commissioner of Police Imo state to facilitate the appearance of the Respondents at the Panel.

30th January, 2020

The Respondents were still not present; however, one was present [Anthony Ekeh]. The Complainant was given audience to state her case. She complained of encroachment on her property, a threat to burn down her house not allowing

her grand nephew who is a part of the family to be treated as family. She tendered photographs of where she was macheted by Ezekiel as well as the initial meeting resolution. The photographs were admitted as exhibits D1,D2 and D3. Exhibit D1 was the photograph showing the injuries on her back; Exhibit D2 were photographs of the economic trees cut down without her authorisation and Exhibit D3 were photographs showing an attempt to build in front of her house. According to Rose Ekeh, the economic trees in front of her house were cut down and the oranges sold by Meshach and his wife.

Mr Anthony Ekeh, one of the Respondents, pointed out that some of her complaints arose from honest mistakes and not attempts to destroy her property. He suggested a way to settle the dispute which was that the two Ezes, the police, and an official of the NHRC should be invited and a peace resolution drafted and signed by all parties like an undertaking.

The Complainant doubted the effectiveness of such a solution.

Rose Ekeh's brother, Solomon Nkwocha, who was also present said that mediation will help resolve the issue.

DECISION OF THE PANEL

The Panel accepted that there should be mediation between the families and it should be done in the presence of the Ezes, NHRC and Omo Osagie Esq. [representing the NPF]. The terms of settlement should address respect for boundaries, the return and acceptance of Arochukwu Caleb [the grandnephew of the complainant], an end to domestic violence and prosecution of anyone that physically assaults the Complainant.

The state coordinator was asked to file a report of the mediation within one month with the terms of settlement also filed in her office.

24. CASE NUMBER: NHRC/PSGBV/IMS/29

COMPLAINANT: BEATRICE EMENALOM

RESPONDENTS: MR MATTEW EMEKALAM, CHINEDU EMEKALAM, CHINEDU EZEKWEM, COP IMO STATE, IG POLICE

SUBJECT MATTER: ALLEGED ASSAULT, CRUEL, INHUMAN AND DEGRADING TREATMENT AND THREAT TO LIFE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

Counsel to the Police, Barr. Omo Osagie, addressed the Panel, stating that the Complainant reported to the Police that the tenants refused to pay rent. The Respondents (all absent) were served notices of the hearing. The case was adjourned to the 29th of January, 2020, so that the Respondents served will be mandated to be present at the Panel and the issue addressed with both parties present.

29th January, 2020

The Counsel to the police, Omo Osagie Esq, assured the Complainant that the Respondents will be arrested and prosecuted and there will be an undertaking that she will not come to any harm.

Barr Omo Osagie (Counsel to the police) addressing the Panel on record stated that the Respondents could not be arrested or brought to the sitting by the Police due to logistic problems. He assured the Panel that the Police was keen on handling the matter and had already concluded investigations and will proceed with the prosecution of the Respondents. He assured the Panel that the Police will offer adequate protection to the Complainant.

DECISION OF THE PANEL

The ES commended the Counsel, asked the COP to provide protection for the Complainant, and immediately charge the matter while the Respondents should write undertakings to be of good conduct.

25. CASE NUMBER: NHRC/PSGBV/IMS/31

COMPLAINANT: UBA ROSEANN CHIENYENWA

RESPONDENT: UBA TIMOTHY

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND DENIAL OF PARENTAL CARE, PROTECTION AND MAINTANANCE

APPEARANCES: HARRY O. OBE ESQ AND OLAWOLE AFOLABI [NHRCINTERNAL COUNSEL]; AWA KALU, SAN [NHRC EXTERNAL COUNSEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Respondent refused service

The Executive Secretary of NHRC instructed that a letter should be written to the Commissioner of Police Imo State to ensure the appearance of the Respondent before the Panel the following day, 30th January, 2020. The case was therefore adjourned to 30th January, 2020.

30th January, 2020.

Both parties were present

BRIEFING BY MR HARRY OBE- The Respondent initially refused to appear before the Panel prompting the Panel to invoke the Establishment Act Section 5 and 6 by directing the Commissioner of Police Imo State to effect the production and arrest of the Respondent before the Panel and following that directive, the Commissioner of Police brought the Respondent before the Panel this evening [5:30pm]. The Complainant prays the Panel for the full custody of all her children while the Respondent should be responsible for their welfare.

Respondent's response—He is a senior citizen and retired from civil service in 2018, that Roseann Uba is his ex-wife and that he lives on pension but was willing to train his childrento university level.

DECISION OF THE PANEL

The Respondent will pay the school fees of all the children to university level; the Complainant [the mother] will feed and clothe the children and also provide them shelter since she has accommodation and she is working. The Respondent will also support her.

During the holidays, the children can stay with either parties on rotational basis, both parties are given unfettered access to all their children. There should be no violence between both parties. The NHRC will monitor these terms of settlement and any disobedience and non-compliance will be reported to the NHRC to enforce the repercussions according to the provisions of the Act.

26. CASE NUMBER: NHRC/PSGBV/2019/IMS/5

COMPLAINANT: CHIOMA IGBOANUGO [PRESENT]

RESPONDENT: IFUNANYA IGBOANUGO [ABSENT]

SUBJECT MATTER: ALLEGED THREAT TO LIFE AND VIOLATION OF RIGHT TO PROPERTY

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant was present and Respondent absent and there was a letter from the Respondent's lawyer stating that the case be taken to court. The case was adjourned to the 30th of January, 2020 for the Respondent to be coerced to appear so as to uphold the principle of fair hearing.

30th January, 2020

The case was adjourned to the Panel sitting in Abakiliki, Ebonyi State as the Respondent also failed to appear before the Panel on the adjourned date. The Complainant also preferred to appear before the Panel in Abakiliki rather than have the NHRC Imo State branch handle the case. The ES also said that the

Commissioner of Police be briefed so as to facilitate the appearance of the Respondent during the Panel sitting in Abakiliki.

DECISION OF THE PANEL

The case was adjourned to the Abakiliki sitting.

27. CASE NUMBER: NHRC/PSGBV/IMS/17
COMPLAINANT: CORDELIA OGBENNA [PRESENT]
RESPONDENT: MRS CATHERINE AKAMIRO [ABSENT]
SUBJECT MATTER: ALLEGED DENIAL OF ACCESS TO INHERITANCE OF A WIDOW
APPEARANCES: HARRY OBE AND OLAWOLE AFOLABI [NHRC INTERNAL COUNSEL]; AWA KALU, SAN [NHRC EXTERNAL COUNSEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Respondent refused service, according to the Imo State coordinator of the NHRCMR HARRY OBE'S SUBMISSION TO THE PANEL- It is our submission that the Panel is capable of seeking the support of the relevant government agencies, for example, the police in order to facilitate the appearance of the Respondent and every other relevant party before this Panel. We therefore urge this Panel to formally request the police to bring the Respondent/alleged violator either here or any other place the Panel may wish to.

The ES. Adjourned the case to 30th January 2020 so that the police can arrest and bring the Respondents before the Panel.

30th of January, 2020

Appearances were entered by both internal and external Counsel to the NHRC. Parties were present

Mr. Harry Obe, briefing the Panel, suggested that the Imo State office of the NHRC, the COP and some elders engage in mediation at the NHRC office in Imo State so that a decision can be made.

DECISION OF THE PANEL

There shall be a mediation toward an amicable settlement, it must be in the presence of the traditional ruler of the autonomous community, members of the NHRC and the COP Imo State. A mediation report should be forwarded to the Panel within one month by the state coordinator, the traditional ruler is to preside over the mediation. Terms of settlement should include putting measures in place to restore peace among the parties, the seven plots of land given to the rightful owner and a portion released for the burial of the widow's son. There should also be a discontinuation of the threat to the widow's life and any other issues directed by the commission.

28. CASE NUMBER: NHRC/PSGBV/IMS/35

COMPLAINANT: NHRC ON BEHALF OF MISS REJOICE
NJIDEKA [PRESENT]

RESPONDENTS: ADAKU UGO [ABSENT], AREA
COMMANDER LAWALSHINKAFI, [ABSENT],
COP IMO STATE, IG OF POLICE

SUBJECT MATTER: ALLEGED CRUEL, INHUMANE AND
TREATMENT

APPEARANCES: ENTERED BY BOTH EXTERNAL AND
INTERNAL COUNSEL TO THE NHRC;
OMO OSAGIE ESQ [APPEARED FOR THE 2ND
– 4TH RESPONDENTS]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant stated that when she was brutalised, she was first taken to a pharmacy [Ijeoma medical Pharmacy] Ogboku in Aboh Mbaise she took pictures with her mobile phone, the pictures were tendered as evidence. She

spent 9,000 naira at the pharmacy but no receipt was issued. She wanted the panel to help her mother get a reimbursement for the monies spent treating her. The mother of the Complainant, Mrs Stella from Ehurukwu, narrated the sequence of events that led to the brutalising of her daughter by Adaku.

DECISION OF THE PANEL

The ES ruled that as a result of the fact that the Counsel to the Respondents were just briefed and had not heard from his clients for their own side of the story the case would be adjourned to the next hearing in Ebonyi State. A letter would be written to the COP for the transportation of the lawyer and availability at the next hearing in Ebonyi State.

C **CHAPTER 4**

SOUTH WEST

LAGOS STATE

8th - 9th of February, 2021 in Ikeja, Lagos State

The hearing started with a welcome address by the Executive Secretary of NHRC who was duly represented by Mr. Abdulrahman Yakubu.

There were a total number of 15 cases in Lagos state for the NHRC Panel to handle.

All the Panelists gave their goodwill messages, as well as various NGOs and a representative of the NSCDC.

A vote of thanks was given by Mr. Harry Obe, the Internal Counsel of NHRC.

The Panel sat in Lagos State for two days.

- 1. CASE NUMBER:** **NHRC/PSGBV/2019/LG/5**
- COMPLAINANT:** ROSE IFEOMA KAMUCHE
- RESPONDENT:** GODWIN CHIEDOZIE KAMUCHE
- SUBJECT MATTER:** ALLEGED DOMESTIC VIOLENCE; PHYSICAL ASSAULT; MENTAL ABUSE; THREAT TO LIFE AND RIGHT TO PARENTAL CARE, PROTECTION AND MAINTENANCE
- APPEARANCES:** HARRY OBE, AFOLABI OLAWALE, ARINZE OKORO
(INTERNAL COUNSEL TO PANEL)
AWA KALU (SAN), CHUKA OBIDIKE AND D. E IDANG (EXTERNAL COUNSEL TO PANEL)
- PANEL:** ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE
NHRC EXECUTIVE SECRETARY [PRESIDING]

FACTS

The Internal Counsel of the Commission, Mr. Harry Obe read the facts of the case. The complainant was absent at the time the matter was called. The Respondent was present. On the prompting of the Panel, the Respondent proceeded to make his defense. In his narrative, he denied all and every allegations of the complainant. He stated that he did not beat the Complainant on any occasion. He said that contrary to what the Complainant stated in her Complaint to the Panel, the Complainant did not lose their first baby as a result of any physical assault from him against the complainant but that rather the miscarriage occurred as a result of the strain of planning and executing their wedding and the stress and trauma of immediately travelling back to their base after the ceremonies as the Complainant had been pregnant all the while.

He stated that he was set up by some business interests and was thrown into prison and that the Complainant abandoned him during his dark days in the prison after making preliminary visits. He alleged that the Complainant was in consort with other men after he had spent so heavily and lavishly on her and had run out of financial power. He alleged that there were several unexplained mails and messages which he had stumbled upon in the email address of the complainant after he returned from the prison. He proceeded to read some of the mails which in his view were compromising and stated that he could forward same to the Panel.

He stated that he did not provide for and take care of his children because he had spent several years in prison and was financially bare and that moreover the complainant deserted him after he returned to their matrimonial home from prison and that she took the children with her and had prevented him from seeing them or having any access to or dealings with them thereafter.

In the course of his lengthy counter-narrative, the Complainant, who was a school teacher, arrived at the Panel. The Panel gave her the opportunity to make

any oral presentation of her case in addition to her written statements.

She affirmed her written statement and reiterated that the Respondent was a violent man who was given to quick fits of anger and who started beating her few weeks into their marriage and had continued with the practice up till the time she decided to leave him in order to preserve her life and that of her children. She insisted that the respondent beat her during her first pregnancy and she lost the pregnancy; she stated that on various occasions, the respondent would ask her to kneel down in her matrimonial home and hands up and would flog her with a cane in his words to 'discipline her.'

She stated that she was not in consort with any man and that the emails which the respondent alleged were messages from the lawyer whose services she had retained when she had rent issues.

She alleged further that the Respondent, in collusion with his sister, beat her up in their matrimonial home upon his return from prison prompting her to abscond from the matrimonial home and taking the children along.

She stated that she had been the one taking care of the welfare and education of the children all the while the Respondent was in Prison and that even before the respondent got into Prison, she was in the habit of handing over all her earnings and salaries to the Respondent as he would demand same from her anytime she received her salaries. She alleged that the Respondent got into Prison as a result of his violent and cantankerous nature as he was a notorious fighter in the neighborhood where they had lived. She alleged that the business of the Respondent was picking up and that he could afford to cater for his children's upkeep.

She produced some hospital receipts and documents to back up her assertions.

The Panel adjourned and directed that the parties should return to the Panel on the next day and that the complainant should bring their three children along

with her.

On the next day, the Panel duly counseled both parties on the need and importance of peace and mutual respect to the survival of a marriage and the welfare and total well-being of the children of the marriage. The Panel held that the children would continue to stay with their mother considering their age and best interest and encouraged the parties to begin a process of supervised reconciliation in the interest of the children of the marriage.

The Panel also emphatically counseled the respondent to desist from the practice of assaulting his wife as he had no moral or legal entitlement to do so and that his actions of wife battery amounted to a crime that could earn him a prison sentence.

The Panel further held that the Respondent was to take over the education of his three boys and ensure that their school fees are always paid upon receipt of the bills from the school. The respondent would also bear the cost of annual rent for the complainant and the children; their clothing and medicals {should the need for that arise}; while the complainant would see to their daily needs like food and other upkeep.

The Panel also held that the respondent could visit the children and interact with them in safe social settings provided the Complainant is duly notified of his intention and visit; while the children were at liberty to visit their father during school holidays and spend days with him until such a time as the parties were fully reconciled and deem it fit to continue with the marriage under the same roof and physical space.

DECISION OF THE PANEL

The Panel held that the above terms were to be contained in a written memorandum which the legal team of the commission would immediately prepare and directed that the parties wait and execute the Terms of Settlement. The Parties hugged and the Respondent took pictures with the children.

2. CASE NUMBER: NHRC/PSGBV/2019/OY/6

COMPLAINANT: PASTOR E.A FASHANU [PRESENT]

RESPONDENT: MR. ADELAWO SHINA, COMMISSIONER OF POLICE, OYO STATE [PRESENT]

SUBJECT MATTER: ALLEGED SEXUAL ABUSE OF A MINOR

APPEARANCES: HARRY OBE, OLAWALE AFOLABI, ARINZE OKORO [NHRC INTERNAL COUNSEL], AWA KALU (SAN), CHUKA OBIDIKE, Esq AND D.EIDANG [EXTERNAL COUNSEL]

PANEL: ALL PRESENT, MR. YAKUBU ABDULRAHMAN REPRESENTING THE NHRC EXECUTIVE SECRETARY[PRESIDING]

FACTS

The Complainant made out the complaint on behalf of his daughter, Alabi Victoria. In addition to adopting the written testimony submitted by him, he testified that the 1st Respondent, who is their neighbor, attacked his daughter while she was cooking at the backyard of their home in Igbeti, Oyo State. Using a wet towel, the 1st Respondent covered the mouth of his daughter and raped her and that his daughter became pregnant. The Complainant reported the incident to the 1st Respondent's parents, wherein the 1st Respondent was summoned and questioned. He thereafter admitted to raping Miss Alabi Vitoria. The Complainant testified that he entered a complaint at the Police Station in Igbeti following which the 1st Respondent was arrested and interrogated. The 1st Respondent confessed to the crime and was detained. However, to the surprise of the Complainant, the 1st Respondent was released the next day instead of being charged to court. The Divisional Police Officer (DPO) urged the parties to go and settle at home. The Complainant stated that the parents of the 1st Respondent summoned a reconciliatory meeting where they pleaded with the Complainant and undertook to pay N3,000.00 (Three Thousand Naira) monthly for the upkeep of the child. That owing to the 1st Respondent's notoriety within the community for been nefarious, the Complainant's wife prevailed over him

to accept settlement and avoid reprisal attacks on his family. That he thereafter accepted. Consequently, the Complainant's daughter gave birth but neither the 1st Respondent nor his family showed care or took responsibility as promised. As a result, the Complainant moved his family to Ilorin, Kwara State for their safety before making out the instant complaint. The Complainant wants the Panel to prosecute the 1st Respondent.

DECISION OF THE PANEL

The Chairman of the Panel put a call through to the DPO who denied knowledge of the case. The Panel thereafter directed that an official letter shall be written by the State Office of the Commission to the Assistant Inspector General of Police copying the Commissioner of Police and the DPO. Also the State Office should follow through and report progress to the Panel.

3. CASE NUMBER: NHRC/PSGBV/2019/LAG/7

COMPLAINANT: DR. OMOLOLA FAMUYIWA

RESPONDENTS: OLUBUNMI ADEDOTUN; OMOTESO ADELEKE; ADEWALE ISEOLUWA; OMOLAJA ABIODUN- JOHNSON; ADEDOTUNDAY SPRING ADENUSI

SUBJECT MATTER: CASE OF ALLEGATION OF DISCRIMINATORY PRACTICES FLOWING FROM WIDOWHOOD AND RIGHT OF WIDOW TO DECEASED HUSBAND'S PROPERTY

APPEARANCES: HARRY OBE AND AFOLABI ADEWALE; AWA KALU (SAN), CHUKA OBIDIKE AND VIVIAN UDORA (EXTERNAL COUNSEL TO PANEL)

PANEL: ALL PRESENT, MR. YAKUBU ABDULRAHMAN REPRESENTING THE NHRC EXECUTIVE SECRETARY [PRESIDING]

FACTS

The matter borders on discriminatory practices and inhuman treatment against the Complainant who was the widow of Bola Omotosho.

A group of persons were involved or responsible for this deprivation; chiefly the Respondents and others. The Respondents informed the Panel that they were not aware of the complaints and that they were willing to provide their email addresses for receipt of the complaints. They quickly added that the matter was in court and that their lawyers would respond accordingly.

Thereafter, the Chairman directed the Complainant, Dr. Omolara, to present her case.

In her narrative, she stated that the issues started since February 2017 with the death of her husband, Bola Omotosho, who was a staff of the Presidency.

She stated that the cause of her husband's death was shrouded in confusion; she however alleged medical negligence from the hospital and that his brothers (the respondents) were also complicit. She pointed out that in all transactions after her husband's death, his brother, Adeleke Omotosho, had been posing as the 'next-of-kin' thereby sidelining her in the scheme of things. She further alleged fraud and family conspiracy and stated that her husband's death certificate was collected fraudulently by the family. She added that the family also lied that the deceased, Bola Omotosho, had no family in the U.S. She stated that she would provide electronic tapes to the Panel to buttress her points. She alleged that they used the death certificate to process Letters of Administration over her husband's property without her consent or knowledge which empowered them to deplete and sell her husband's assets including landed properties valued at #55,000,00 (Fifty Five Million Naira), Mercedes Benz and other belongings valued at \$25,000 (Twenty Five Thousand Dollars). She stated that all through the pillage of her husband's property, the 3rd Respondent impersonated her lawyer, forging several documents purported to have come from her.

She further alleged that she was disallowed by the Respondents from being part of the planning of her husband's funeral and on one occasion, she was invited only for the Respondent to take turns in verbally assaulting her.

She noted that on account of the Respondents' fraudulent conducts and deprivation meted against her, she lost her home and her inheritance which has left her out of pocket. She sought the intervention of the Commission in asserting her human right. Finally, she revealed that the matter is still pending before the Lagos State High court.

The Panel was informed by an officer of the State Office that the Respondents had requested that a copy of the complaint be mailed to them to enable them respond.

DECISION OF THE PANEL

The Panel noted that the matter was before the Lagos State High Court and as such it cannot entertain the complaint at this time. The case was struck out.

4. CASE NUMBER: NHRC/PSGBV/2020/LAG/9

COMPLAINANT: ODALO BENEDICTA [PRESENT]

RESPONDENT: OBINNA HARRISON [ABSENT]

SUBJECT MATTER: ALLEGED ABANDONMENT OF PARENTAL RESPONSIBILITIES

APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL]; AWA KALU (SAN), CHUKA OBIDIKE, DAVID IDANG [EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, MR. YAKUBU ABDULRAHMAN REPRESENTING THE NHRC EXECUTIVE SECRETARY [PRESIDING]

The NHRC coordinator said that the Respondent was served a hearing notice which was received by his mother, stating that the Respondent was out of town.

FACTS

The Complainant had a relationship with the Respondent and got pregnant for him. The Complainant alleged that although the Respondent never denied paternity of the child, he deserted her to go through the pregnancy alone. That

when she became due, pursuant to medical advice, she gave birth via a Caesarean Section which amounted to N205,000 (Two Hundred and Five Thousand Naira). That noting her illiquidity, she took out a loan of N200,000 (Two Hundred Thousand Naira) from NIRSAL Microfinance bank to settle her medical bills and cater for the child. The Complainant alleged that the Respondent was only able to provide N10,000 (Ten Thousand Naira) as his contribution. She stated that in November, 2020 the Respondent got married to another woman and has since neglected their child, leaving his care entirely to her.

She prayed the involvement of the Panel to get the Respondent to pay off the loan she took to settle the medical bills and to cater for their child.

DECISION OF THE PANEL

After speaking with the Respondent over the telephone and having had due consideration of the Complainant's plight, the Panel held that the Respondent is to pay the sum of N20,000 (Twenty Thousand Naira) monthly for the maintenance of the child. Also, the Respondent shall be responsible for paying the school fees and medical bills of the child. The Complainant should in succinct details state the amount she has spent so far with evidence, especially that of the loan, so that the Respondent can pay that off. That the Commission's Lagos State Office shall prepare Terms of Settlement for execution by the parties and monitor compliance.

5. CASE NUMBER: NHRC/PSGBV/2020/LAG/10

COMPLAINANT: MRS CYNTHIA ECHENDU [PRESENT]

RESPONDENT: MR C. OKECHUKWU ECHENDU [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND DENIAL PERSONAL PROPERTY

APPEARANCES: HARRY OBE, SALOME LOKO [NHRC INTERNAL COUNSEL],

AWA KALU (SAN), CHUKWUDI OBIDIKE
[EXTERNAL COUNSEL]

PANEL: ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE
NHRC EXECUTIVE SECRETARY [PRESIDING]

Hearing notices could not be served on the Respondent because he traveled out of jurisdiction and went to Enugu.

FACTS

The family was without light for about two days because the Respondent refused to recharge the prepaid meter. She went to bed that night and her husband came to wake her up by 10pm and demanded for her mobile phone which she refused to give him because he had blocked her SIM card in the past making her lose some vital phone contacts and this negatively affected her business.

She wants the Commission to intervene in the matter and also point out her rights to her.

The Complainant further elaborated on the issue after being asked by the Panel. She stated that the Respondent physically assaults her, he attempted suffocating her to a point she could not breathe in March 2020. She reported at the police station in December 2020 that the Respondent pinned her to the wall to a point where she almost passed out. The Respondent usually confiscated her mobile phones and stops her from bringing things she purchased into the house.

She wants the Respondent to take responsibility for the children (three children between the ages of 10 and 4). The Respondent was not gainfully engaged, while she, the Complainant, does agency banking (POS services).

The Panel asked her if she had any medical report to prove she was physically assaulted by her husband and she said no.

The Panel also asked what the Complainant wants the Panel to do for her and

she stated that the Respondent should take care of the children financially.

The Respondent was called on the telephone and was asked to state his own side of the story; he said that he had never physically assaulted the Complainant, that she is promiscuous and has been having an extra marital affair. He said she also confiscated his clothes and other personal effects and did not allow him access to her phone and even physically assaulted him in order for him not to access her phone.

DECISION OF THE PANEL

The Panel held that the children should stay with their mother, and the Respondent should financially provide for them. Terms of Settlement will be drawn up and adhered to by both parties and the Lagos state NHRC office will monitor the implementation of the terms by both parties.

6. CASE NUMBER: NHRC/PSGBV/2020/LAG/11

COMPLAINANT: MRS. AMADIEGWU JUSTINA [ABSENT]

RESPONDENT: MR IBE JOHN OGECHI [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE, THREAT TO LIFE AND DENIAL OF PARENTAL RESPONSIBILITIES

APPEARANCES: HARRY OBE, SALOME LOKO [NHRC INTERNAL COUNSEL],

AWA KALU (SAN), CHUKA OBIDIKE AND D.E IDANG [EXTERNAL COUNSEL]

PANEL: ALL PRESENT, MR. YAKUBU ABDULRAHMAN REPRESENTING THE NHRC EXECUTIVE SECRETARY [PRESIDING]

FACTS

The Respondent had promised to marry her and had taken her to live with him. However, after three years of living together, he ask her to leave his house with nothing. The complainant had refused for her to work and does not provide for her and the baby.

She also alleged that she has eye problem due to the respondent's violence

towards her,he also continues to threaten to deal with her each time they have a misunderstanding. She requested that the Commission call the respondent to order to at least provide accommodation for the sake of her child and take up his responsibilities as a father.

DECISION OF THE PANEL

The matter was struck out on account of the non-attendance of the parties having been served

7. CASE NUMBER: NHRC/PSGBV/2020/LAG/12

COMPLAINANT: CHINYERE QUEEN ESTHER [PRESENT]

RESPONDENT: MR CHINEDU EMMANUEL AJAH
[PRESENT]

SUBJECT MATTER: ALLEGED DENIAL OF PARENTAL
RESPONSIBILITIES

APPEARANCES: HARRY OBE, SALOME LOKO [NHRC
INTERNAL COUNSEL];
AWA KALU (SAN), CHUKA OBIDIKE
[EXTERNALCOUNSEL]

PANEL: ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE
NHRC EXECUTIVE SECRETARY[PRESIDING]

FACTS

The Complainant stated that the marriage between her and the Respondent has broken down irretrievably, that since the breakdown of the marriage, the Respondent has refused to take responsibility of their two children (7 and 5 years old). She calls on the Commission to helper to get the Respondent to shoulder his responsibilities.

She further stated orally upon being asked by the Panel to elaborate on her written statement that he has not been sending her money, that even when the children told him that they were hungry he gave them 10 packets of noodles and a small tuber of yam and that was months ago and since then he has not given them anything else. That on 20th December, 2021, the Respondent requested her to

come to his house to get food stuffs for the kids but owing to his prior instruction that she should not come to his house, she did not go and as such, the items were delivered to her through the children's school proprietor. Since the current year the Respondent resolved never to send money to the Complainant for their upkeep. He will rather have them come to his house to eat. She wants the Panel to help her get the Respondent to cater financially for the children, their feeding, school fees, health care and general welfare.

The Respondent: His name is Chinedu Ajah, he is an auto spare parts dealer, he lives at number 12 Olubukola street in Ikotun Lagos. He said that when he returned from work on 18th February, 2020 he did not see his children, he saw a written note (which he brought forward as an evidence and was admitted by the Panel). He called the mother and brother to his wife and reported the disappearance, and this was after he had paid their school fees. The Complainant sent him a text message that he should send her money for school fees and he refused stating that any school she should send him the name of the school so he can go there himself, make inquiries and pay. In December, he called her to come to his house and take food items and clothes for the children but she never showed up. On 20th January, 2021 she sent a text message that she has gotten a school for the children and on the 25th of January, 2021, he paid the school fees. He further stated that he will be directly in charge of their schooling and will be paying their school fees and be sending them money for feeding.

DECISION OF THE PANEL

The Panel having listened to both parties directed the Commission's Lagos State Office to draw up a Terms of Settlement which should include that the Respondent shall provide a monthly sum of N20,000 (Twenty Thousand Naira) for the upkeep of the children, pay their school fees and also for medicals. The Lagos State Office of NHRC will monitor them for a month and report back to the National Secretariat on the progress.

8. CASE NUMBER: NHRC/PSGBV/2020/LAG/14
COMPLAINANT: OKOLIE EUNICE IJEOMA [ABSENT]
RESPONDENT: EGBE ISAAC [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND DENIAL OF ACCESS TO CHILD
APPEARANCES: HARRY OBE, SALOME LOKO [NHRC INTERNAL COUNSEL];
AWA KALU (SAN), CHUKA OBIDIKE [EXTERNAL COUNSEL]
PANEL: ALL PRESENT, MR. YAKUBU ABDULRAHMAN REPRESENTING THE NHRC EXECUTIVE SECRETARY [PRESIDING]

FACTS

The Complainant in her written statement said that she got married to the Respondent on the 10th of December 2017, that the Respondent beats her up, strips her naked, chases her around with a knife, and there is a scar on her shoulder as a result of these physical assaults. She said that on one of such occasions he beat her up from 12am to 3am and threw her and her children out of the house, which made them to start sleeping on the floor in a church. The complainant stated that she travelled to the village with her kids to report the incident to the Respondent's mother who promised to speak with the Respondent. That her mother-in-law, in collusion with the Respondent, denied her access to her children even after she repeatedly pleaded with the Respondent's family.

The Panel was informed by the Coordinator that the Respondent was not served at his office as he could not be identified by the name given. He was called on the telephone and he promised to attend the hearing. He was in attendance at the early part of the hearing but had to leave at noon time as he was billed to resume work at that time. The complainant could not be reached at her home address. She was called on the telephone and she informed the Commission that

she is in Ibadan and the children were with her father-in-law at Warri.

The NHRC officer further informed the panel that she met with both parties after receiving the complaint. The Complainant alleged that her two kids were kept at Calabar away from her by the Respondent. The Complainant was reunited with her two kids but has refused access to the Respondent. The Respondent also expressed concern that he was not comfortable with his children being with the grandparents of either one of them but wanted that either the Complainant directly takes care of the children or the Respondent be allowed to physically and directly take care of them.

DECISION OF THE PANEL

Panel directed that primary custody of the children shall remain with their mother and not through proxy. If she is unable to, she should hand over the children to the Respondent who must personally take care of them. There shall be a Terms of Settlement to aid the couple in financial and visitation rights. The implementation of the Terms of Settlement is to be closely monitored by the NHRC office in Lagos State.

9. CASE NUMBER: NHRC/PSGBV/2020/LAG/15

SUBJECT MATTER: ALLEGED FORCEFUL MARRIAGE,
DOMESTIC VIOLENCE, THREAT TO LIFE.

COMPLAINANT: AISHA MOHAMMED [ABSENT]

RESPONDENT: HASSAN MURITALA [ABSENT]

APPEARANCES: HARRY OBE, SALOME LOKO [NHRC
INTERNAL COUNSEL];
AWA KALU (SAN), CHUKA OBIDIKE, Esq
AND D.EIDANG [EXTERNAL COUNSEL]

PANEL: ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE NHRC
EXECUTIVE SECRETARY [PRESIDING]

FACTS

The Complainant alleged that she was forced into marrying the Respondent by her father when she was 16 years old. She has been married to the Respondent

for three years and in all these years, the Respondent has constantly assaulted and threatened to kill her. On one of the Respondent's bouts of violence, he broke her teeth. The Complainant wishes to divorce the Respondent.

DECISION OF THE PANEL

The matter was struck out on account of the non-attendance of the parties having been served.

10. CASE NUMBER: NHRC/PSGBV/2020/LAG/16

COMPLAINANT: JAMES UDU ON BEHALF OF HIS WIFE
[PRESENT]

RESPONDENT: MAMA IFE AND 3 OTHERS; SGT FRIDAY OF
ADDOFF POLICE STATION, SGT PATIENCE,
DPO ADDOFF POLICE STATION. [ALL
ABSENT]

SUBJECT MATTER: ALLEGED RAPE AND EXTORTION BY THE
POLICE

APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC
COUNSEL];
AWA KALU (SAN), CHUKWUDI OBIDIKE
DAVIDIDANG [EXTERNAL COUNSEL]

PANEL: ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE
NHRC EXECUTIVE SECRETARY [PRESIDING]

Hearing notices were served on both parties.

FACTS

The Complainant said his wife, who sells *abacha* (African Salad) at the 1st Respondent's tavern, was drugged, taken to an unknown location by three friends and raped severally on 28th December, 2019. That following the incident, he took his wife to the Solid Rock Hospital for medical examination and also lodged the complaint at Addoff Police Station, Ojo, Lagos State but that the police was compromised. The Complainant said he was extorted by Sgt. Mercy and Sgt. Patience as a precondition to making his complaint, as well as, to

accompany him to the suspect's address to effect arrest. Although the suspects were invited, they were released immediately and that instead of carrying out investigation in view of possible prosecution, Sgt. Friday accompanied the suspects to the Complainant's house to threaten him to keep the peace and discontinue his complaint.

The victim, Ogechi Udu, 30, and a mother of five children, confirmed the facts presented by the complainant while adding that it was the 1st Respondent, together with the three suspects, who insisted that she took a sip from a drink; which unknown to her, had been contaminated with drugs. That once she took the sip, she lost her will and passed out.

At the close of her testimony, a panel member, Mrs Itoro Ezeanaba, advised the victim to go to the Mirabel Center where she will receive specialised counseling that will assist to help her heal properly.

DECISION OF THE PANEL

The Panel held that the Complainant and the victim should go back to the Mirabel center to help them make progress in the case, while the Panel will write a letter to the Commissioner of Police of Lagos State and the Attorney General of Lagos State that a thorough investigation should be done on the case. The Lagos State NHRC office should give a weekly update on the progress of the case.

11. CASE NUMBER: NHRC/PSGBV/2020/LAG/18
COMPLAINANT: MRS NEYE-AKOGO BENEDICTA MARY
[PRESENT]
RESPONDENT: MR NEYE-AKOGO [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
DENIAL OF PARENTAL RESPONSIBILITIES.
APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC
INTERNAL COUNSEL];
AWA KALU (SAN), CHUKA OBIDIKE, DAVID
IDANG [EXTERNAL COUNSEL]

PANEL:

ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE
NHRC EXECUTIVE SECRETARY[PRESIDING]

FACTS

The Complainant got married to the Respondent on the 10th of December, 2017 and they both have two children. Her complaint centred on the violent assaults by the Respondent who beats her up whenever he is confronted on his infidelity or whenever there is an argument. Whenever confronted, the Respondent beats, threatens with knife, and brutalises the Complainant even while pregnant. In November 2019 she was admitted in the hospital due to his beatings. The Respondent rarely gives her money for upkeep and also, he prevented her from working as a result of which the Complainant and their children are entirely dependent on him for their upkeep. The Complainant also noted that she gave birth to their second child before term as a result of one of the Respondent's many assaults. More recently, the Respondent pushed the Complainant's mother who was visiting off the staircase and has since been away from the house.

It was confirmed that Respondent was served and he indicated he will be in attendance but never showed up. When reached over the telephone by the Chairman of the panel, the Respondent stated that he was indisposed but willing to be bound by whatever decision the Panel makes.

The Panel asked the Complainant if she had anything more to say in addition to her written statement. The Complainant further elaborated on the written statement by stating that the Respondent physically assaults her even with the fact that he is committing adultery.

The Respondent is an engineer in a private law firm while the Complainant is a full time house wife because the Respondent stopped her from working. The Complainant said she had reported at the police station, he was invited to the police station but never showed up.

The Complainant said that she still wants to continue with the marriage for the

sake of her children. The Complainant also said Budo Specialist hospital has her medical report of the beatings she received from the Respondent.

DECISION OF THE PANEL

Harry Obe, Esq. Prayed, in addition to its decision, that appropriate protective Order to the appropriate Police Station covering the Complainant's domicile be made to ensure that any subsequent domestic violence by the Respondent on the Complainant is prosecuted to conclusion.

The Panel decided that Mr. Neye-Akogo should desist from physically assaulting the wife and the Lagos State NHRC office should prepare an appropriate Terms of Settlement for both parties to sign, while the Complainant should be allowed to work or start a business of her choice, and the Respondent should enroll their children in school and pay for their health care and welfare. It was concluded that the implementation of the Terms of Settlement should be monitored by the Commission's State Office.

12. CASE NUMBER: NHRC/PSGBV/LAG/21

COMPLAINANT: AMUGHE FRANCISCA ODINAKA CHUKWU
[ABSENT]

RESPONDENT: MR. EMEKA AMUGHE [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE

APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC
INTERNAL COUNSEL];
AWA KALU (SAN), CHUKA OBIDIKE, DAVID
IDANG [EXTERNAL COUNSEL]

PANEL: ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE
NHRC EXECUTIVE SECRETARY [PRESIDING]

FACTS

This complaint is on alleged domestic violence spanning over 16 years, threat to life and abandonment. The parties failed to appear before the panel despite being served with notices.

PANEL DECISION

The matter was struck out on account of the non-attendance of the parties.

- 13. CASE NUMBER:** NHRC/PSGBV/LAG/22
- COMPLAINANT:** MRS DIANA ESE CHUKWURA [ABSENT]
- RESPONDENT:** MR ANTHONY OSADEBECHUKWURA
[ABSENT]
- SUBJECT MATTER:** ALLEGED DOMESTIC VIOLENCE, THREAT
TO LIFE AND ABANDONEMENT
- APPEARANCES:** HARRY OBE AND SALOME LOKO [NHRC
INTERNAL COUNSEL];
AWA KALU (SAN), CHUKA OBIDIKE, DAVID
IDANG[EXTERNAL COUNSEL]
- PANEL:** ALL PRESENT, MR. YAKUBU
ABDULRAHMAN REPRESENTING THE
NHRC EXECUTIVE SECRETARY[PRESIDING]

FACTS

The matter bordered on alleged domestic violence, threat to life and abandonment. The case was adjourned from 8th to 9th February, 2021 because the respondent had not been served on account of his whereabouts being unknown. The Complainant said that the Respondent had moved from his former address and even if she knows his whereabouts she does not want to have anything to do with him. Both parties were absent.

DECISION OF THE PANEL

The matter was struck out.

C **HAPTER 5**

SOUTH-SOUTH

(A) RIVERS STATE

In the performance of its mandate, the Special Investigation Panel on Sexual and Gender-Based Violence held private hearing at the Dmatel Gold Hotel, 9 Stadium Road, Rumomasi, Port Harcourt, in Rivers State, on the 8th and 9th day of March, 2021. The Panel was slated to hear 34 cases, however, only 15 cases were held and determined.

A common denominator of the cases at Rivers State is that, majority of them bordered on alleged domestic violence and neglect of parental responsibilities. Also worthy of note, as indicated earlier, is that more than half of the cases slated for hearing were struck out by the Panel in line with the rules of the National Human Rights Commission. The Parties in the cases that were struck out had either voluntarily settled their dispute amicably within themselves or the Parties could not be contacted for one reason or the other.

What follows, is a report of the cases heard in Rivers State:

- 1. CASE NUMBER:** **NHRC/PSGBV/2020/RVS/17**
- COMPLAINANT:** MRS. AUGUSTINA OKEKE [ABSENT]
- RESPONDENT:** MR. KINGSLEY OKEKE (ABSENT)
- SUBJECT MATTER:** DOMESTIC VIOLENCE
- APPEARANCES:** HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
[EXTERNAL COUNSEL TO PANEL]
- PANEL:** ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Mrs. Augustine Okeke, in her written submission, pointed out that she was married to the Respondent, Mr Kingsley Okeke, and they have four (4) children. The Complainant alleged that the Respondent was in the habit of physically assaulting and abusing her, up to the point she sometimes loses consciousness. More specifically, the Complainant stated that while she was pregnant with their fourth child, the Respondent physically assaulted her by hitting her with electric extension until she became unconscious. The Complainant also alleged that the Respondent also physically assaults their daughter whenever she tries to prevent or stop him from abusing or beating the Complainant.

As a result of the latest abuse, the Complainant visited the hospital, and when prompted, the Respondent refused to pay any of her medical bills. The Complainant approached the National Human Rights Commission to intervene and impress upon the Respondent to put an end to the incessant assault on her and their daughter.

DECISION OF THE PANEL

In line with the rules of the National Human Rights Commission, the panel struck out the matter due to the absence of both parties.

2. CASE NUMBER: NHRC/PSGBV/2020/RVS/15
COMPLAINANT: IBITOYE MICHAEL [ABSENT]
RESPONDENT: TONY MICHAEL (ABSENT)
SUBJECT MATTER: DOMESTIC VIOLENCE
APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
[EXTERNAL COUNSEL TO PANEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ

[PRESIDING]

FACTS

The Complainant, Mr Ibitayo Michael, is the son of the Respondent, Mr Tony Michael. The Complainant alleged that his father persistently physically assaults his mother with items such as pestle, kitchen knives, *et cetera*. The Complainant stated strongly that as a result of the incessant assaults, his mother sustained several injuries and health challenges. The Complainant believes that the Respondent plans to murder his mother. The Complainant prayed the panel to intervene and save his mother from further suffering, especially as she is the breadwinner of the family.

DECISION OF THE PANEL

In line with the rules of the National Human Rights Commission, the panel struck out the matter.

3. CASE NUMBER: NHRC/PSGBV/2020/RVS/12

SUBJECT MATTER: DOMESTIC VIOLENCE, DENIAL OF ACCESS TO CHILDREN

COMPLAINANT: JOY OKU [ABSENT]

RESPONDENT: JOSEPH OKU (ABSENT)

APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE [INTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant, Mrs. Joy Oku, is married to the Respondent, Mr. Joseph Oku. The Complainant alleged that the Respondent physically assaulted her when she questioned him about giving out the cooking pots to his friend. The Complainant further alleged that the Respondent thereafter threw her out of their matrimonial home, as a result of which she went to stay with the Respondent's father. The

Complainant stated that since the incident, she has been unable to go home to see her children. The Complainant approached the National Human Rights Commission to intervene and reunite her with her children.

DECISION OF THE PANEL

In line with the rules of the National Human Rights Commission, the panel struck out the matter.

4. CASE NUMBER: NHRC/PSGBV/2020/RVS/19

COMPLAINANT: NGOZI ODINAKA

RESPONDENT: KINGSLEY ODINAKA

SUBJECT MATTER: DOMESTIC VIOLENCE

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Ngozi Odinaka, is married to the Respondent, Kingsley Odinaka. The Complainant alleged that the Respondent contacted her via Facebook using the alias Chukwunonso Emma. The Complainant knowing it was her husband she gave him her Whatsapp number. The Complainant stated that the Respondent accosted her the next day, accused her of being a prostitute and assaulted her and their daughter physically. The Complainant also alleged that the Respondent seized all her property. The Complainant approached the National Human Rights Commission to intervene, by ensuring the return of her properties and to grant her custody of their daughter as she was no longer interested in the marriage.

DECISION OF THE PANEL:

In line with the rules of the National Human Rights Commission, the panel

struck out the matter.

5. CASE NUMBER: NHRC/PSGBV/2020/RVS/20
COMPLAINANT: MERCY CHUKWU
RESPONDENT: CHRISTIAN CHUKWU
SUBJECT MATTER: DOMESTIC VIOLENCE, ALLEGED
FORCEFUL EVICTION FROM
MATRIMONIAL HOME.
APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Mrs. Mercy Chukwu, was married to the Respondent, Mr Christian Chukwu, and they have children. The Complainant alleged that the Respondent suddenly became hostile towards her, assaulting her physically to the point she sustained grievous injuries. She also complained that the Respondent once got her arrested under the allegation of conspiracy to kidnap him and that the police officers stationed at Omudioga community also beat her up, and she only secured her release by paying for bail.

In addition, the Complainant alleged that the Respondent also abandoned his responsibilities to her and their children. The Complainant alleged that the Respondent plans to bring in his mistress into their home. The Complainant approached the National Human Rights Commission to intervene by calling her husband to order.

DECISION OF THE PANEL

In line with the rules of the National Human Rights Commission, the panel struck out the matter.

6. CASE NUMBER: NHRC/PSGBV/2020/RVS/21
COMPLAINANT: MRS. BURABARI MIIDON
RESPONDENT: FRANCIS VITA
SUBJECT MATTER: INHUMAN AND DEGRADING TREATMENT
APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
(EXTRNAL COUNSEL TO PANEL)
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Mrs. Burabari Miidon, is a widow saddled with the responsibility of catering for three (3) young children. The Complainant cultivates and sells watermelon to feed herself and her children. The Complainant alleged that on the 15th of June, 2020, her two older children went to work at the farm but were attacked and beaten up by the Respondent, Mr. Francis Vita's son. The Complainant further stated that on the 18th of June, 2020, the same boy beat up her first son and seized his farming tools, and that upon hearing about the incident she went over to intervene and in the process also seized the boy's belongings. The Respondent's son reported to the Respondent, upon which the Respondent arrived at her house with a machete, occasioning severe bodily harm to her and her properties. As a result of the beating she sustained a broken arm. The Complainant reported the incident to the Nigerian Police Force and the respondent was detained for a day and released. The Complainant approached the National Human Rights Commission to look into the matter, complaining that she was still in pains, and that the Respondent should pay for her treatment.

DECISION OF THE PANEL

In line with the rules of the National Human Rights Commission, the panel struck out the matter.

7. CASE NUMBER: NHRC/PSGBV/2020/RVS/22
COMPLAINANT: BEATRICE WOPARA
RESPONDENT: MR WOPARA
SUBJECT MATTER- THREAT TO LIFE AND ABANDONMENT
APPEARANCES: HARRYOBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Beatrice Wopara, alleged that she started living with the Respondent, who is the father of her children, sometime in 2003 because the Respondent had promised to marry her and take care of her. That the Respondent became hostile to her, reneging on his promises to marry and take care of her and their children. He often sends her out of the house, only to come back begging, and that each time she forgives him, he turns right around and abandons her all over again. The Complainant further alleged that the Respondent has threatened to poison her if she does not leave his house. The Complainant alleged that she has sold some of her properties to keep the peace. The Complainant is without a job and is saddled with the responsibility of looking after their four children. The Complainant approached the National Human Rights Commission to intervene because she fears for her life and for the Respondent to take care of their four children.

DECISION OF THE PANEL

The matter had been resolved, in light of which the Panel proceeded to strike out the matter, in line with the rules of the National Human Rights Commission.

8. CASE NUMBER: NHRC/PSGBV/2020/RVS/23
COMPLAINANT: PRINCESS UKAEGBUGABRIEL
RESPONDENT: LUKE ABANDONMENT
SUBJECT MATTER: HARRY OBE AND SALOME
APPEARANCES: LOKO [INTERNAL COUNSEL TO PANEL
AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Princess Ukaegbu, is engaged in a romantic relationship with the Respondent, Gabriel Luke. The Complainant was already a single mother when the Respondent approached her and asked for her hand in marriage. In the course of their relationship she got pregnant and birthed a child for the Respondent. As a result of the pregnancy the marriage rites were suspended. After the child was born, the Respondent started physically assaulting the Complainant. The Complainant further alleged that the day she caught the Respondent with another woman at his friend's house, she confronted him on the alleged infidelity, which earned her another round of beating. The Complainant further alleged that the Respondent had asked her to transfer ₦48,000.00 (Forty Eight Thousand Naira) out of the money he had given her for safe keeping, and she refused, owing to his constant infidelity. The Complainant stated that later that evening the Respondent came back to the house, poured kerosene into the gari she sells, confiscated the recharge cards she sells, her mobile phone and proceeds from her sales and left. That since that day, the respondent had not returned to the house. The Complainant has approached the National Human Rights Commission to intervene by:

- i. Enquiring from the Respondent if he still wants to continue with the marriage, if yes, then he should pay her bride price before the end of August 2020.

- ii. That the Respondent should undertake never to physically assault her again.

IN THE ALTERNATIVE

- i. If the Respondent does not want to continue with the marriage, he should rent an apartment for her and her children. The Respondent should be paying for the apartment, the child's school fees, feeding and a monthly allowance of ₦100,000 (One Hundred Thousand Naira) only.
- ii. The Respondent should pay her for the time wasted or for breach of promise to marry.

DECISION OF THE PANEL

The matter had been resolved, in light of which the Panel struck out the matter in line with the rules of the National Human Rights Commission.

9. CASE NUMBER: NHRC/PSGBV/2020/RVS/24

COMPLAINANT: MRS. NNEKA ROBERT

RESPONDENT: ROBERT UZONNA ISIEKE

SUBJECT MATTER: ABANDONMENT, DOMESTIC VIOLENCE

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
[EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Mrs. Nneka Robert, is married to the Respondent, Mr Robert Uzonna Isieke. The Complainant alleged that the Respondent has been physically assaulting her for over six years. She stated that she has gone through various forms of humiliation and maltreatment by the Respondent, who happens to be a Police officer. That the Respondent also abuses her verbally, calling her names like cheap harlot, prostitute, *et cetera*.

That in addition to the abuse, the Respondent has also abandoned his responsibility to her and their children. The Respondent has left them without money for food and medication. The Complainant further alleged that the Respondent is currently pressuring her to leave their matrimonial home and has threatened to kill her if she does not leave of her own accord. The Complainant has pleaded with the Respondent to let her stay until she is financially stable to secure another accommodation, a proposal the Respondent flatly rejected.

The Complainant approached the National Human Rights Commission to intervene by calling the Respondent to order.

DECISION OF THE PANEL

The Complainant informed the Panel that the Respondent was involved in a car accident and is unable to appear before the Panel. On that note, the Panel directed that the Complainant inform the State Commission when the Respondent is better and fit, so the State Commission could further manage the case.

10. CASE NUMBER: NHRC/PSGBV/2020/RVS/27
COMPLAINANT: DEBORAH OHOLI PRINCESS
RESPONDENT: OBIOHA BEN-OKORO
SUBJECT MATTER: SEXUAL ASSAULT, RAPE AND THREAT TO LIFE
APPEARANCES: HARRYOBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Deborah Oholi Princess, who was 15 years old at the point of lodging the complaint, alleged that her uncle, the Respondent, Obioha Ben-

Okoro, sexually assaulted and raped her. The Complainant stated that her father sent her to live with his sister and that the Respondent is married to her father's sister (aunt). The Complainant alleged that when she went to live with her aunt, all was well until her husband, the Respondent, started making unwanted advances at her, which she rebuffed. The Complainant continued to rebuff the sexual advances from the Respondent until the day the Respondent trapped her within the house and raped her. That the Respondent raped her continuously, with each incident accompanied with the threat that he will kill her if she said anything to anyone. The Complainant alleged that she got pregnant for the Respondent, and that upon informing the Respondent the Respondent forced and cajoled her to get rid of the pregnancy using unorthodox means. When all such means failed, the Respondent took her back to her sister who resides at Port Harcourt and instructed her to lie that she was raped and impregnated by a senior student at her school. The Respondent then gave her the sum of ₦7,000 to pay for an abortion. The Complainant approached the National Human Rights Commission get justice for her.

DECISION OF THE PANEL

In line with the rules of the National Human Rights Commission, the panel struck out the matter.

11. CASE NUMBER: NHRC/PSGBV/2020/RVS/28

COMPLAINANT: MRS. ONUOHA BRIDGET

RESPONDENT: MR. KELECHI ONUOHA

SUBJECT MATTER: DOMESTIC VIOLENCE AND CHILD
MALTREATMENT

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];

AWA KALU (SAN), CHUKAOBIDIKE
[EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ

[PRESIDING]

FACTS

The Complainant, Mrs Bridget, is married to the Respondent, Mr Kelechi Onuoha. The Complainant alleged that the Respondent had formed the habit of physically assaulting her and their children. The Complainant stated that the Respondent makes use of any item at his disposal to assault her, including but not limited to cutlass, and that their children are not spared from the assault, as they too suffer due to his rage and violence. The Complainant approached the National Human Rights Commission to intervene. The Complainant prays the panel that: the respondent should undertake not to physically assault her and their children.

DECISION OF THE PANEL

In line with the rules of the National Human Rights Commission, the panel struck out the matter.

12. CASE NUMBER: NHRC/PSGBV/2020/RVS/31

COMPLAINANT: MR. IBEDIWEI ALUZU

RESPONDENT: JOY ALUZU

SUBJECT MATTER: FORCEFUL REMOVAL AND DENIAL OF ACCESS TO CHILDREN, MALTREATMENT

APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL];

AWA KALU (SAN), CHUKAOBIDIKE (EXTERNAL COUNSEL TO PANEL)

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant, Mr Ibediwei Aluzu alleged that the mother of his seven children forcefully removed his son and has denied him access to the said son. The Complainant stated that his son was without his consent taken to an

unknown location, and he later found out that the boy was taken to his maternal grandfather's house. The Complainant further alleged that on the 1st of November, 2020, the mother to his children attempted to give out their daughter, Deborah Aluzu, for child labour, but he intervened. He complained that their mother deprived some of the children, particularly his first and second daughter, of school attendance. The Complainant approached the National Human Rights Commission to intervene by calling the Respondent to order.

DECISION OF THE PANEL

The panel held that the Complainant should pay the bride price of the Respondent as well as continue to provide financial support to the Respondent. Equally, it was held that the Respondent should endeavour to relocate from her current residence. It was further held that the Respondent should continue to support the children of the marriage and should also start up a business of her own. In regards to their son, the Panel held that the Complainant is to have unfettered access to their son.

13. CASE NUMBER: NHRC/PSGBV/2020/RVS/31

COMPLAINANT: MRS. ALPHONSUS AMARACHI

RESPONDENT: PRINCE ALPHONUS

SUBJECT MATTER: DOMESTIC VIOLENCE

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];

AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Mrs. Alphonsus Amarachi, is married to the Respondent, Prince Alphonus. The Complainant alleged that since she got married to the Respondent, the Respondent has cultivated the habit of physically assaulting

and maltreating her. The Complainant stated that the Respondent had asked her to withdraw her business from PortHarcourt to Oyigbo where they live, with the promise to pay the rent for the new shop at Oyigbo. The Complainant stated that she was not pleased with the idea, but complied to keep the peace. The Respondent initially reneged on the promise to pay the rent for a shop, and when he eventually paid, he made the payment in his name. When the Complainant questioned this act, he got very angry and asked for a refund of money paid to rent the shop.

It was further alleged by the Complainant that the Respondent asked her to prepare the children to go to his mother's, while he instructed the Complainant to pack and go to her own mother's house. The Complainant stated that the respondent hired a nanny to take care of the children at his mother's place without her knowledge. The Complainant pointed out that she initially refused to go to her mother's place, which infuriated the Respondent. When it was clear that she might suffer another physical abuse, the Complainant stated that she left to the Respondent's mother's house. When the Respondent met her at his mother's place he physically assaulted her and threw her out of the house, despite the curfew imposed in the region at the time. The Complainant approached the National Human Rights Commission to intervene.

The Respondent admitted to owing the Complainant the sum of ₦800,000 [Eight Hundred Thousand Naira] only.

DECISION OF THE PANEL

The Panel was convinced by the testimony of the Complainant that she had suffered domestic violence and found that the testimony of the Respondent's mother was untrue. The Panel held that the Respondent was to apologise to the Complainant, pay the medical bills of the Complainant, which amounted to ₦18,000 (Eighteen Thousand Naira) only and the Respondent was to further pay the sum of ₦50,000 (Fifty Thousand Naira) only to the Complainant as general

damages. In regards to the complaint of invasion of privacy, the Panel also instructed the Respondent to cease and desist from invading the Complainant's right to privacy.

In regards to the shop which was wrongly taken out in the name of the Respondent, the Panel held that the name of the shop holder should be altered to now reflect the name of the Complainant. The Panel further admonished and enjoined both parties to respect their respective right to dignity of human person and to avoid the interference of 3rd parties. The Panel further ordered the Respondent to pay back the sum of ₦800, 000 (Eight Hundred Thousand Naira) only, having admitted to owing the Complainant the said sum.

A Memorandum of Understanding will be drawn up to cover the decisions of the Panel.

14. CASE NUMBER: NHRC/PSGBV/2020/RVS/33

COMPLAINANT: OLUCHI OKOROAFOR

RESPONDENT: CHINEDU MARK

SUBJECT MATTER: ALLEGED THREAT TO LIFE

APPEARANCES: HARRYOBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];

AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Miss Oluchi Okoroafor, was in a relationship with the Respondent, Mr Chinedu Mark, which resulted in the birth of three children; two sons and a daughter. The Complainant alleged that the Respondent fraudulently obtained the cumulative sum of ₦400, 000 (Four Hundred Thousand Naira) from her, by lying to her that he owned a shop in Lagos which needed the injection of more capital.

In addition, that in 2013 he also gave the Respondent some money to assist him carry out the necessary traditional marriage rites. She also alleged that in 2015, when she was pregnant with her second baby, the Respondent physically assaulted her and rendered her unconscious, she woke up later to find herself in the hospital. She further alleged that the assault persisted, that in the haze of violence that the Respondent sometimes steps on her chest and makes use of a knife to threaten her life. The Complainant further stated that the respondent also engages cult boys to threaten her and anybody who comes to her rescue.

More recently, the Respondent took her N150,000 (One hundred and Fifty Thousand Naira) only, and absconded for weeks. The Complainant is convinced that the Respondent intends to kill her, and approached the National Human Rights Commission to intervene. The Complainant is no longer interested in the relationship and wants the Commission to aid in the separation.

DECISION OF THE PANEL

In line with the rules of the National Human Rights Commission, the panel struck out the matter.

15. CASE NUMBER: NHRC/PSGBV/2020/RVS/34
COMPLAINANT: CHRISTABEL HARUNA; JENSEN HARUNA (ABSENT)
RESPONDENT: CLARA ENOBUN HARUNA (ABSENT)
SUBJECT MATTER: ALLEGED ABANDONMENT AND DENIAL OF PARENTAL RESPONSIBILITIES
APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE [EXTERNAL COUNSEL TO PANEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The 1st Complainant, on behalf of both Complainants, asserted that they are both siblings (female and male aged 18 and 15 years). She stated that in 2020, during the pandemic, they were brought to Port Harcourt following information from the Respondent (their mother)

that she was ill. Additionally, she explained that the Complainants both dropped out of school and were left in a secluded home with uninhabitable conditions. That following this discovery by their aunt, they were taken to live in their uncles' house. The 1st Complainant alleged that the Respondent is in possession of ₦65,000,000 (Sixty Five Million Naira) given to her by their father's former employer Exterran to take care of the family. They sought the Commission's help in retrieving some of the money for their upkeep and school fees.

DECISION OF THE PANEL

Parties were absent and in line with the rules of the National Human Rights Commission, the panel struck out the matter.

16. CASE NUMBER: NHRC/PSGBV/2020/RVS/36

COMPLAINANT: JONATHAN PUMA HART [ABSENT]

RESPONDENT: SOPU POLLYN; SARAH HART [ABSENT]

SUBJECT MATTER: ALLEGED DENIAL OF PATERNITY

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];

AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The issue in this case revolves around the denial of paternity. The Complainant alleged that he had a relationship with Sarah Hart and broke up with her without knowing she was pregnant. He further asserted that in 2013, when he saw her,

she told him that she was pregnant for him but later said she was joking. However, later in January 2020, he found out that she had a child for him but gave the child to another man, Mr Sopus Pollyn. He pleaded for the Commission to intervene in the matter.

DECISION OF THE PANEL

The parties are in the process of trying to settle the matter, the file officer said that the parties were making arrangements for handing over the child to the mother and that was to be done in a few days, the matter was therefore adjourned for the NHRC Port Harcourt office to follow up and make a report back to the Secretariat.

17. CASE NUMBER: NHRC/PSGBV/2020/RVS/35

COMPLAINANT: MADU NGOZI

RESPONDENT: MADU CHINEDU

**SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE,
ABANDONMENT AND NEGLECT OF
PARENTAL RESPONSIBILITIES**

**APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];**

**AWA KALU (SAN), CHUKAOBIDIKE
[EXTERNAL COUNSEL TO PANEL]**

**PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]**

FACTS

The issues in this case bordered on alleged domestic violence, inhuman and degrading treatment and lack of parental responsibility. The Complainant alleged that she was married to the Respondent. However, less than a year into their marriage he became violent towards her despite being pregnant with their child. She alleged that all through her pregnancy and even after the birth of their son, he was violent towards her. She stated that he financially supports his

parents and other members of his family and they support him in anything he says.

She further stated that the Respondent did not care for her when she was seriously ill with complications resulting from her pregnancy and her son's jaundice at birth. According to her, she was emotionally abused by the Respondent and his family.

She also stated that the police got involved when the Respondent attempted to forcefully remove her child. According to her, the Police warned him not to be violent towards her and in addition send her money for her transport back to her parents' home in Lagos. Here refused and as such, she managed to raise funds from her friends and paid her fare to Lagos.

She sought this Commission's intervention in compelling the Respondent to contribute in taking care of their son.

DECISION OF THE PANEL

The panel directed that a Terms of Settlement be drawn for the parties to sign. The respondent is to provide N20,000 monthly to the complainant as upkeep, he is also to cover all ancillary costs without prejudice to other assistance. The complainant is to grant the respondent unfettered access to the baby and the baby will continue to use the respondent's HMO.

18. CASE NUMBER: NHRC/PSGBV/2020/RVS/37

COMPLAINANT: NGOZI NJOKU

RESPONDENT: MR. NNAMDI NJOKU; MRS NNAMDI NJOKU
LAZARUS UKAEGBU

SUBJECT MATTER: ALLEGED THREAT TO LIFE

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Ngozi Njoku, was married to her husband until his death in 2005. The complainant stated that since her husband's death, the Respondents have been harassing her, to the extent that they collected all her properties and destroyed her farm, leaving her with nothing. The Complainant alleged that she has been living under constant threat to her life. The Complainant approached the National Human Rights Commission to intervene and put an end to the harassment.

DECISION OF THE PANEL

There was lack of proof of service on the Respondents. Therefore, the Panel referred the case to the State office to further appraise and manage same. The Panel held that the complaint be adjourned for proper service of the processes on the Respondents in order to promote the rule of fair hearing and the Port Harcourt office would handle the case.

19. CASE NUMBER: NHRC/PSGBV/2020/RVS/14

COMPLAINANT: MARY UDOFIA

RESPONDENT: CHIGOZIE AMADI

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
DENIAL OF UPKEEP

APPEARANCES: HARRYOBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Mary Udofia, is married to the Respondent, Mr Chigozie Amadi. The Complainant alleged that since the inception of their marriage, the

Respondent has been physically assaulting her as well as their children, and also destroying her properties such as her mobile phone, wrist watch and even clothes. The Complainant alleged that the Respondent often uses a cutlass to assault her and their children. The Complainant further asserted that the Respondent smokes Indian hemp. In addition, the Respondent forbade her from working yet he has been unable to feed the family since the start of Covid-19.

DECISION OF THE PANEL

In line with the rules of the National Human Rights Commission, the panel struck out the matter.

20. CASE NUMBER: NHRC/PSGBV/2020/RVS/13

COMPLAINANT: SHOLA ADIGUN

RESPONDENT: BISI ADIGUN

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
DENIAL OF UPKEEP

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
[EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Shola Adigun, is married to the Respondent, Bisi Adigun. The Complainant has alleged that the Respondent has cultivated the habit of physically assaulting her and throwing her out of their matrimonial home. The Complainant stated the Respondent accuses her of sleeping with other men and that since the nationwide lock down, the Respondent has refused to provide for her upkeep. The Complainant alleged that she is denied food in her matrimonial home. The Complainant approached the National Human Rights Commission to intervene by ensuring that the Respondent takes care of his children's school

fees, feeding and rent for her and their children since he no longer wantsthem under his roof.

DECISION OF THE PANEL

In line with the rules of the National Human Rights Commission, the panel struck out the matter.

21. CASE NUMBER: NHRC/PSGBV/2020/RVS/18

COMPLAINANT: JENIFER LEWIS

RESPONDENT: IFEANYICHUKWU LEWIS

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
THREAT TO LIFE

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Jennifer C. Lewis, is married to the Respondent, Ifeanichukwu Lewis. The Complainant alleged that the Respondent cultivated the habit of physically assaulting and threatening her life. More specifically, that the Respondent physically assaulted her after her C-Section, causing the stitches to rip open. In addition, that the Respondent has threatened her life with a knife. The Complainant approached the National Human Rights Commission to intervene to save her life and for the Respondent to take up responsibility for the children's upkeep.

DECISION OF THE PANEL

In line with the rules of the National Human Rights Commission, the panel struck out the matter.

22. CASE NUMBER: NHRC/PSGBV/2020/RVS/38
COMPLAINANT: MERCY ANUREME
RESPONDENT: STEVEN ANUREME
SUBJECT MATTER: ALLEGED ABANDONMENT AND PARENTAL RESPONSIBILITIES
APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL]; AWA KALU (SAN), CHUKAOBIDIKE (EXTERNAL COUNSEL TO PANEL)
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

That the Complainant, Mercy Anureme, is married to the Respondent, Steven Anureme. The Complainant alleged that sometime in June 2018, the Respondent asked the Complainant to leave their marital home along with their children. The Complainant stated that since she left the home with the children, the Respondent has not contributed anything towards the welfare of the children.

In addition, the Complainant also alleged that the Respondent sold the land and building they jointly purchased without her consent. The property was to be paid for in two instalments. That the first instalment in the sum of ₦240,000.00 was paid and he did not give her any portion of it and that the second instalment in the sum of ₦610,000.00 was due to be paid on the 15th of December, 2020, hence the Complainant approached the National Human Rights Commission to assist her in impressing on the Respondent to give her the balance of the sum due to her, to enable her look after the children.

DECISION OF THE PANEL

The Panel held that the Respondent should pay the school fees of the children, in addition to their upkeep as well as their accommodation.

23. CASE NUMBER: NHRC/PSGBV/2020/RVS/39
COMPLAINANT: COMFORT OGURU
RESPONDENT: ALLEN NYECHE
SUBJECT MATTER: ALLEGED INHUMAN AND DEGRADING TREATMENT
APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE (EXTERNAL COUNSEL TO PANEL)
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant, Comfort Oguru, is the mother to the Respondent, Allen Nyeche's wife. The Complainant alleged that the Respondent was in the habit of physically assaulting his wife to the extent of causing her injuries on several occasions. That due to the prolonged period and nature of the domestic abuse, her daughter now suffers from mental issues such as panic attacks and depression. The Complainant approached the National Human Rights Commission to intervene and stop the Respondent from assaulting her daughter.

DECISION OF THE PANEL

Parties were absent and in line with the rules of the National Human Rights Commission, the panel struck out the matter.

24. CASE NUMBER: NHRC/PSGBV/2020/RVS/41
COMPLAINANT: DR. EBIRERI MAGDALENE AMUZE
RESPONDENT: DR. JAMES ODION AMUZE
SUBJECT MATTER: DOMESTIC VIOLENCE
APPEARANCES: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL TO PANEL];
AWA KALU (SAN), CHUKA OBIDIKE

(EXTERNAL COUNSEL TO PANEL)

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Dr Ebireri Amuze, is married to the Respondent, Dr James Amuze. The Complainant alleged that the Respondent physically assaults her and inflicts both physical and psychological injuries on her. The Complainant alleged that on a particular occasion, the Respondent physically assaulted her and exposed her nakedness outside their marital home. That the Respondent violates her even in the presence of their children aged between 6 and 7 years.

That the Respondent destroys her properties and at a point, she bought a taser to protect herself but the Respondent also destroyed it. The Complainant approached the National Human Rights Commission to intervene and ensure the safety of her life and children.

DECISION OF THE PANEL

The Panel referred the matter to the State Office of the Commission for further attention.

25. CASE NUMBER: NHRC/PSGBV/2020/RVS/44

COMPLAINANT: BETTY EZEMONYE

RESPONDENT: NELSON EZEMONYE

SUBJECT MATTER: DOMESTIC VIOLENCE

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];

AWA KALU (SAN), CHUKAOBIDIKE
(EXTERNAL COUNSEL TO PANEL)

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Betty Ezemonye, is married to the Respondent, Nelson Ezemonye. The Complainant alleged that the Respondent is in the habit of

physically assaulting her using different objects. That the Respondent assaulted her while she was pregnant and after had a C-section to birth their child. That the Respondent was in the habit of accusing her of sleeping with different men and mentally abuses her by calling her various demeaning names like ‘ashawo’ and ‘prostitute’. That the Respondent has gone as far as threatening to kill her.

The Complainant alleged that the Respondent suffers from mental issues, which his family had knowledge of and deliberately withheld that information from her and her family. That when he is not on his medication, the Respondent becomes increasingly violent. The Complainant approached the National Human Rights Commission to intervene. She wants the Respondent to rent an apartment for her and their children and provide monthly upkeep allowance for them.

The Respondent, in reaction to the complaint, stated that he has done everything within his power to cater for his family. In regards to the issue of his mental health, he stated that he was on medication but that he had a revelation and stopped taking his medication. The Respondent further asserted that he wants to discontinue with the marriage.

DECISION OF THE PANEL

The Panel held that the Respondent will provide the Complainant with another accommodation commensurate with his earning. The Respondent is to pay the sum of ₦20,000 (Twenty Thousand Naira) monthly to the Complainant as an allowance for upkeep of the children. In addition, the Respondent is to pay the school fees of the children. In relation to his mental health, the Panel held that the Respondent should continue with his medication until he has a medical mandate to discontinue.

26. CASE NUMBER: NHRC/PSGBV/2020/RVS/45

COMPLAINANT: MRS UCHE PRICILLA NMA

RESPONDENT: MR RAPHAEL NDUBUISI UCHE

SUBJECT MATTER: DOMESTIC VIOLENCE

APPEARANCES: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL TO PANEL];

AWA KALU (SAN), CHUKA OBIDIKE
[EXTERNAL COUNSEL TO PANEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Mrs Uche Pricilla Nma, is married to the Respondent, Raphael Uche. The Complainant alleged that the Respondent was in the habit of physically assaulting her. That the Respondent has made threats to her life. More specifically, the Complainant stated that the Respondent on the 14th of February, 2007, physically assaulted her up to the point of coma in the presence of their daughter. That the same incident re-occurred on the 1st of March, 2021. The Complainant alleged that the Respondent sometimes when physically assaulting her, strips her naked in public. The Complainant has stated that she is hypertensive, diabetic and have been undergoing treatment, and that she approached the National Human Rights Commission to intervene.

DECISION OF THE PANEL

Parties were absent and in line with the rules of the National Human Rights Commission, the panel struck out the matter.

27. CASE NUMBER: NHRC/PSGBV/20/RVS/10

COMPLAINANT: MBAERI JESSICA ON BEHALF OF HERSELF
CHILDREN [PRESENT]

RESPONDENT: MBARERI EVAREST [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE,
ABANDONMENT AND NEGLECT OF
PARENTAL RESPONSIBILITIES

APPEARANCES: HARRY OBE, SALOME LOKO [INTERNAL
COUNSEL];

AWA KALU (SAN), CHUKA OBIDIKE

[EXTERNAL COUNSEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, in her written statement. alleged that she is married to the Respondent, who is an inspector of police attached to the police station at Rumuokoro, Imo State. They have six children that the Respondent beats her and has refused to cater to pay their children's school fees and provide for their feeding and general upkeep. That the commission should intervene by calling her husband to take up his responsibilities and refrain from beating her.

The Complainant affirmed her written statement.

DECISION OF THE PANEL

The Panel held that the NHRC office should serve the Respondent through his boss [office] so that he can visit the NHRC office in Port Harcourt and answer the case against him.

28. CASE NUMBER: NHRC/PSGBV/2020/RVS/11

COMPLAINANT: SUZAN IYADO ON BEHALF OF HERSELF
AND HER CHILDREN [ABSENT]

RESPONDENT: DAVID IYADO [ABSENT]

SUBJECT MATTER: ALLEGED PHYSICAL VIOLENCE,
HARASSMENT AND THREAT TO LIFE

APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC
INTERNAL COUNSEL];

AWA KALU (SAN), CHUKA OBIDIKE [NHRC
EXTERNAL COUNSEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant is married to the Respondent, they have four (4) children. The Respondent is consistently violent towards her causing her physical and

psychological injuries, he confiscates her properties and humiliates her by beating and stripping her naked on the street. The Respondent also verbally abuses the children often, he also uses the Nigerian Police to intimidate and harass her, he has threatened to kill her. She stated that due to the actions of the Respondent, she has developed high blood pressure as she is constantly in fear for her life and the well-being of the children. That the Complainant is desirous of moving out of the home pending any settlement but she presently has nowhere to go to. She was therefore asking the Panel for a quick intervention to protect her life and dignity of person.

Both parties were not present before the Panel.

DECISION OF THE PANEL

The Panel held that the case was filed in August 2020 and it was presently March 2021 and the Complainant has not followed up the case which was thereby struck out for want of diligent prosecution in accordance with rule 70 of the NHRC Act.

29. CASE NUMBER: NHRC/PSGBV/2020/RVS/26

COMPLAINANT: ONYEJIZU AMECHI [PRESENT]

RESPONDENT: GABRIEL ONYEJIZU [PRESENT] PETER EDIRIM COUNSEL TO THE RESPONDENT WAS ALSO PRESENT

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE, INHUMAN AND DEGRADING TREATMENT AND NEGLECT OF PARENTAL RESPONSIBILITIES.

APPEARANCE: HARRY OBE AND SALOME LOKO [INTERNAL COUNSEL];
AWA KALU (SAN) AND CHUKA OBIDIKE [EXTERNAL COUNSEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant, in a written statement, alleged that her husband beats her mercilessly and repeatedly even when pregnant and shortly after delivery. He used mop sticks, shoes and sometimes machete to threaten and beat her and that apart from the physical beatings, the Respondent emotionally abuses her and maltreats her to the extent of making her to buy food items after she had surgery. Both of them have shops with employees and the Respondent alongside one of the employees attacked and beat her up. She wants the Commission to intervene in order to resolve the matter.

The Complainant affirmed her written statement and further stated that she gave the Respondent the sum of N715,000 (which she had evidence for) and wanted the money back to start her own business as she does not want to return to the same shop and be embarrassed. She stated that the Respondent was threatening her life even after settlement and she wants the sales girl in their shop fired.

The Respondent stated that the Complainant is his wife and that he does not beat her, that she never gave him the sum of N715,000 that she only sent N350,000 and N205,000 when he was in Lagos alongside his business partner that what he owed her is N455,000. He stated that he knew the aforementioned sales girl Chidinma Ibelife.

DECISION OF THE PANEL

The Panel held that the Secretariat will draft an MOU for both parties to sign, the Respondent is to pay off, compensate and lay off the sales girl and the Respondent is to pay the sum of N455,000 to the Complainant as well as assist her to set up her own business. The commission is to monitor the couple for six (6) months.

30. CASE NUMBER: NHRC/PSGBV/2020/RVS/28

**COMPLAINANT: MRS. ONUOHA BRIDGET ULUMMA
[PRESENT]**

RESPONDENT: MR. KELECHI ONUOHA [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE
APPEARANCE: HARRY OBE AND SALOME LOKO
[INTERNAL COUNSEL];
AWA KALU (SAN) AND CHUKA OBIDIKE
[EXTERNAL COUNSEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The Complainant said that the case be adjourned till the Respondent returns to Nigeria. The Panel held that the case be handled by the NHRC Port Harcourt Office upon his return.

31. CASE NUMBER: NHRC/PSGBV/2020/RVS/29
COMPLAINANT: MRS. GRACE STEPHEN [PRESENT]
RESPONDENT: MR. STEPHEN KURAH [PRESENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE LEADING
TO INHUMAN AND DEGRADING TREATMENT
APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC
INTERNAL COUNSEL];
AWA KALU (SAN) AND CHUKA OBIDIKE
[NHRC EXTERNAL COUNSEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant got married to the Respondent in 2018 and has been a victim of domestic violence. He started physically abusing her seven (7) months into the marriage and even during pregnancy and after child birth. As a result of the beatings she has received injuries in her nose and mouth and suffered loss of consciousness. The Respondent has also failed to cater for her and her children in terms of food, clothing and other essentials. He has threatened to stab her and kill her and after the last beating on 17th December, 2020 she had been bleeding from her nose She reports being continuously in distress and wants the Panel to

compel the Respondent to stop beating her and respect her rights to dignity of human person.

The Complainant affirmed her written statement, further stating that the Respondent was highly temperamental and without any triggers would just flare up.

The Respondent stated that he was currently unemployed, lost his job in 2012 and he was self-employed and uses his car as a taxi.

DECISION OF THE PANEL

The Panel held that an MOU will be prepared for both parties, an undertaking is to be entered by the Respondent to never physically assault the Complainant. The familymembers of both families should give the couple space to maintain marital peace. The Respondent was mandated to provide necessities and financially cater for the Complainant and the children. The NHRC Port Harcourt was mandated to monitor the progress of the case for one year.

32. CASE NUMBER: NHRC/PSGBV/2020/RSV/35

COMPLAINANT: MMADU NGOZI [ABSENT] REPRESENTED BY HER LAWYER - E.O ADOMI ESQ.

RESPONDENT: MMADU CHINEDU [PRESENT]

SUBJECT MATTER: ALLEGED ABANDONMENT AND DENIAL OF PARENTAL RESPONSIBILITIES

APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC INTERNAL COUNSEL]; AWA KALU (SAN) AND CHUKA OBIDIKE [NHRC EXTERNAL COUNSEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant got married to the Respondent in 2019 and the marriage has been characterised by physical and verbal abuse as the Respondent and members of his family conspired to throw her and her child out of the house.

The Respondent has also failed to take care of the Complainant and her child. The family of the Respondent has failed to call him to order because he is their breadwinner. She alleged that in January he raised a false alarm that she tried to kill him with a knife and the Respondent made attempts to take the child away from her and she was asked to leave the house. He destroyed her personal effects and asked for their wedding certificate and failure to produce it led to violence. He deactivated her line from receiving the free airtime spouses of her husband's company are entitled to and the free medical services the child is entitled to made available by the Respondent's work place.

The Respondent denied the allegation of abandonment of parental responsibility, he had his bank statements to prove that he had been sending her money, he also stated that it was the Complainant that was threatening his life and she had access to free health care services for both herself and the child provided for by his company.

DECISION OF THE PANEL

The Panel held that the Secretariat prepare an MOU for the parties to sign and the Respondent would be sending the sum of N20,000 monthly for the maintenance of the child and other ancillary support as well as allow her and the child access to the free medical services provided for by his employers. The Respondent is to have access to the child whenever he wanted with prior notice given to the mother.

33. CASE NUMBER: NHRC/PSGBV/2020/RVS/43

COMPLAINANT: JANE NWATO [PRESENT]

RESPONDENT: ALFRED OGHENERO EGWUBARE

SUBJECT MATTER: ALLEGED CHILD ABUSE

APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC
INTERNAL COUNSEL];

AWA KALU (SAN) AND CHUKA OBIDIKE
[NHC EXTERNAL COUNSEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant is the aunt to the alleged victim, Oghenerukevwe Agwueare, a young male orphan. She complained of maltreatment of the boy whose mother died leaving him as the only son. He is being maltreated by the stepmother with the knowledge of the father, and all efforts by the late mother's family to stop the maltreatment has not yielded any positive result. The mother's family have requested for custody of the child but his father refused and stopped the boy's maternal family from seeing the child despite repeated demands. The stepmother also deprives him of food and on several occasions he goes to school hungry, and the little boy has complained to the Complainant's aunt who happened to be a teacher in the school he attends that the stepmother gives him very little food to eat. To confirm that the Complainant's aunt checked his lunch box and found that he was given very little food and he stays hungry. This was brought to the attention of the boy's father and the father promised it would not happen again and the stepmother was confronted on the telephone by the father and this got the boy in further trouble. The stepmother beat him calling him a gossip for reporting his maltreatment. She flogged him and threatened him that she would kill him when next he reports his maltreatment to anyone else. The boy went further to inform the aunt that his father warned him not to talk to anyone about anything that happens in the house and if he does so he would be punished.

DECISION OF THE PANEL

The Panel held that the commissioner of police should be alerted to ensure the Respondent answers to the allegations. The case should be handled by the NHRC Port Harcourt office.

43. CASE NUMBER: NHRC/PSGBV/2020/46

COMPLAINANT: LIGHT VEDEHENDE [PRESENT]

RESPONDENT: BENARD VEDEHENDE [ABSENT]
SUBJECT MATTER: ALLEGED ABANDONMENT
APPEARANCES: HARRYOBE AND SALOME LOKO
[INTERNAL COUNSEL];
AWA KALU (SAN), CHUKAOBIDIKE
[EXTERNAL COUNSEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The Respondent was served through his lawyer and he was absent at the panel. Panel held that the Port Harcourt office of the NHRC should handle the case in order to uphold the principle of fair hearing and if he still failed to show up a decision would be made without him and enforced.

(B) CROSS RIVER STATE

In fulfilling its mandate of promoting, protecting and enforcing the human rights of all Nigerians and non-Nigerians resident in the country, a Special Investigation Panel on Alleged Sexual and Gender-Based Violence (SGBV) held private hearing at Axari Hotel, Murtala Muhammed Highway, Winners Way, By Zone 6 Police Station, Calabar, Cross River State, on the 1st and 2nd of March 2021.

The mandate of the Panel encompasses the review of extant laws and regulations, to hear complainants and investigate all alleged acts of violation of human rights as protected under the 1999 Constitution of the Federal Republic of Nigeria as well as relevant treaties ratified as law in Nigeria. In furtherance of this mandate, a total of 9 cases were slated on the cause list, but the Panel only heard and determined 5 cases.

A majority of the cases heard in the State bordered on Alleged Abandonment of Parental Responsibilities; while cases bordering on Domestic Violence were in the minority.

Members of the Panel sitting in Cross River State are: Mr. Anthony Ojukwu

[Executive Secretary NHRC]; Mrs. Racheal Adejo-Andrew, Professor Joy Ngozi Ezeilo

What follows, is a report of the cases heard in Cross River State.

1. CASE NUMBER: NHRC/PSGBV/2020/CAL/1

COMPLAINANT: MRS. VERONICA ANTHONY IKPI [PRESENT]

RESPONDENT: MR ANTHONY IKPI OKON [VIA TELEPHONE]

SUBJECT MATTER: ALLEGED ABANDONEMENT OF RESPONSIBILITIES AND FALSE ACCUSATION OF INFIDELITY

APPEARANCES: HARRY OBE [COUNSEL TO THE COMMISSION];
AWA U. KALU (SAN), CHUKA OBIDIKE [EXTERNAL SOLICITORS TO THE PANEL];
NO LEGAL REPRESENTATION FOR BOTH THE COMPLAINANT AND THE RESPONDENT

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant, Mrs Veronica Anthony Ikpi, has been married to the Respondent, Mr Anthony Ikpi Okon, for over 16 years. They have three (3) children aged 13, 10 and 6 years. The Complainant alleged that since the year 2012, the Respondent abandoned her with the children, and has not taken any step to cater for the children. The Complainant also stated that the Respondent has been making false accusation of infidelity against her and has continued such fallacy publicly, thereby assassinating her character. She further alleged that the Respondent went to her place of business, a shop within jurisdiction, and confiscated 1002 (One Thousand and Two) pieces of Hi-Target and Ghana Wax which she purchased at the rate of ₦3,500 and ₦3,700 per piece, respectively.

All attempts at voluntary resolution proved abortive, as the Respondent resisted all attempts and remained resolute in his way. Despite the intervention of the Obol Lupon, his Royal Highness Chief Ofem Ubana Eteng, the Respondent has refused to return her property to her. The Complainant approached the Nation Human Rights Commission, to intervene, so as to safeguard her rights as well as that of her children. The Complainant also prayed the Commission to assist her in the recovery of the items unlawfully taken from her, to enable her provide and cater for the children.

The Respondent on the other hand via telephone call, informed the panel that he thought the panel would be sitting in Ugep, and only discovered on the day the Panel was slated to sit that the panel would be sitting in Calabar, and as a result he would be unable to appear before the Panel.

DECISION OF THE PANEL

The Panel held that the Respondent is the father of the Complainant's children, and therefore he is to cater for them. The Respondent was mandated to contribute to the payment of the children's school fees. On the issue of the seizure of the Complainant's properties, the Respondent was also mandated to release them to the Complainant, and that the Commissioner of Police of Cross River State should be intimated and or briefed on the developments. An undertaking is to be entered by the Respondent to recognise the interest of the Complainant with regards to the land jointly owned by the parties.

2. CASE NUMBER: NHRC/PSGBV/2020/CAL/6
COMPLAINANT: GLORY DANITO [PRESENT]
RESPONDENT: TAJUDEEN OLA OYEFOLARIN [VIA TELEPHONE]
SUBJECT MATTER: ALLEDGED ABANDONEMENT OF RESPONSIBILITIES
APPEARANCES: HARRY OBE [COUNSEL TO THE COMMISSION];

AWA U. KALU (SAN), CHUKA OBIDIKE
[EXTERNALSOLICITORS TO THE PANEL]
NO LEGAL REPRESENTATION FOR BOTH
THECOMPLAINANT AND THE RESPONDENT
PANEL: ALL PRESENT, ANTHONY OJUKWU,
ESQ [PRESIDING]

FACTS

The Complainant, Gloria Danito, was in a relationship with the Respondent, Tajudeen Ola Oyefolarin. In the course of the relationship, the Respondent fathered a child with the Complainant. It was alleged by the Complainant that the Respondent abandoned her with the responsibility of catering for the child. The Complainant asked the National Human Rights Commission to intervene by calling the Respondent to provide the basic needs for the child.

The Respondent was contacted through a telephone call and said he would appear on the second day of the Panel sitting as he was indisposed at the time. The case was adjourned to the 2/3/2021 for the Respondent to be present and answer his case.

2/3/2021- On the adjourned date, the Respondent was in transit from Lagos to Calabar and from a prior telephone call placed to him by the registrar to the commission he said he was willing to abide by the Panel's decision regarding the maintenance of the child.

DECISION OF THE PANEL

The panel decided that the case should be continued by the state office as this place of business has been identified and the respondent appears willing to look after the complainant

3. CASE NUMBER: NHRC/PSGBV/2020/CAL/7
COMPLAINANT: MRS BLESSINGS ALOBI [ABSENT]
RESPONDENT: MR. ALOBI OGAR [ABSENT]
SUBJECT MATTER: ALLEDGED ABANDONEMENT OF

PARENTAL RESPONSIBILITIES

APPEARANCES:

HARRY OGBE [COUNSEL TO THE COMMISSION];

AWA U. KALU (SAN), CHUKA OBIDIKE [EXTERNAL SOLICITORS TO THE PANEL];

NO LEGAL REPRESENTATION FOR BOTH THE COMPLAINANT AND THE RESPONDENT

PANEL:

ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant, Mrs Blessing Alobi, is married to the Respondent, Mr Alobi Ogar, and they have three (3) children. The complainant stated that the respondent struggled with his business, as a result of which she initially loaned him the sum of ₦450,000 (Four Hundred and Fifty Thousand Naira) only, to start up a business involving 'chemicals'. It was alleged by the Complainant that the Respondent diverted the money to other businesses unknown to her and lost all the money. The Complainant further stated that she loaned the Respondent a further sum of ₦100,000, but shockingly, upon receipt of the money, the Respondent absconded and only returned upon family intervention. The Complainant asserts that the Respondent has refused to tell her what he used the ₦100,000 (One Hundred Thousand Naira) to do or its whereabouts. It is the allegation of the Complainant that since her transfer to Calabar, the Respondent has refused to take care of the children. The Complainant approached the National Human Rights Commission to intervene, as it is their collective responsibility as parents to cater for their children and not solely that of the Complainant.

DECISION OF THE PANEL

The Complainant failed to follow up on her complaint. In line with rules 58 and 71 of the National Human Rights Commission Rules, which deems a complaint abandoned after three months of institution with no credible follow up and with

the file officer having exhausted all means to reach out to the parties, with clear evidence indicating that the parties no longer reside at the address provided in the complaint, the Panel decided to strikeout the case.

4. CASE NUMBER: NHRC/PSGBV/2020/CAL/5
COMPLAINANT: BLESSING AKAN EFFIONG [PRESENT]
RESPONDENT: A. B. UDOFIA IDORENYIN BASIL
[REPRESENTED]
SUBJECT MATTER: ALLEDGED ABANDONEMENT OF
PARENTAL RESPONSIBILITIES
APPEARANCES: HARRY OBE [COUNSEL TO THE
COMMISSION];
AWA U. KALU (SAN), CHUKA OBIDIKE
[EXTERNALSOLICITORS TO PANEL];
NO LEGAL REPRESENTATION FOR BOTH
THE COMPLAINANT AND THE
RESPONDENT
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant, Blessing Akan Effiong, 25 years of age from Itu local Government Area of Akwa Ibom State, who was in a relationship with the Respondent, A. B. Udofia, birthed a child for the said Respondent. The Complainant alleged that the Respondent only provided for and or catered for the child for the first five months of the child's birth. Since then, it was alleged that the Respondent stopped providing or catering for their child. The Complainant approached the National Human Rights Commission to intervene in the matter. The Complainant wants the Respondent to perform his duties as the father to their child.

The Complainant further stated after her written statement was read out that the Navy Academy which the Respondent is affiliated to urged him to pay the sum

of N20,000 monthly for the upkeep of the child which he had been doing. She said the money was not enough for the child and she wants the money to be increased to N30,000 monthly as well as that the Respondent will pay the school fees of the child when she is enrolled in the month of September 2021.

The representative of the Respondent stated that the Navy had earlier intervened in the matter which led to the ₦20,000 [Twenty Thousand Naira] monthly sum, which they alleged the Complainant was contented with at the time and that the said agreement was in writing. The representative further stated that the Respondent would pay the school fees of the child, but also drew the attention of the panel to the fact that the Respondent's salary was only ₦70,000 [Seventy Thousand Naira] per month.

The Complainant passionately disputed the sum of ₦70,000 (Seventy Thousand Naira), which the Respondent claimed to be his monthly salary. In making her further allegation, she stated that the Respondent was promoted sometime in year 2020 to the rank of an 'Able Seaman', and his salary had increased because prior he earned N81,000.

DECISION OF THE PANEL

The Panel held that the Respondent should make available the health privilege Card given to Navy Families, so that their child can have access to free medical care. The Panel further directed the Respondent through his representative to sign terms of settlement with the Complainant under the guidance of the Commission. The terms of settlement under reference will expressly state that the Respondent will provide educational facilities and health care for their child. The Panel further ordered that the monthly upkeep of ₦20,000 [Twenty Thousand Naira] only, persist pending when the child starts school. The settlement was to be executed by parties the following day, being the 2nd day of March 2021.

5. CASE NUMBER: NHRC/PSGBV/2020/CAL/9
COMPLAINANT: COVENANT BASSEY IRONBAR [ABSENT]
RESPONDENT: UDOM EFFIONG EDET [ABSENT]
SUBJECT MATTER: ALLEDGED DOMESTIC VIOLENCE
APPEARANCES: HARRY OGBE [COUNSEL TO THE COMMISSION];
AWA U. KALU (SAN), CHUKA OBIDIKE [EXTERNALSOLICITORS TO THE PANEL];
NO LEGAL REPRESENTATION FOR BOTH THE COMPLAINANT AND THE RESPONDENT.
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The parties were not present, there was no proof of service in the file and the NHRC file officer stated that all attempts to reach the parties proved futile. The case was filed in March 2020.

The Complainant, Covenant Bassey Ironbar, had been in a relationship with the Respondent, Udom Effiong Edet, since the year 2017. The Complainant alleged that the Respondent's attitude towards her has been acrimonious. The Complainant stated that at some point in their relationship, specifically on the 15th day of January, 2020, the Respondent tied her up and proceeded to assault her with a pestle. As a result of the assault, the Complainant alleged that she sustained injuries to her legs and to her 'back bone'. The Complainant further stated that the Respondent has refused to show any remorse for the act and has made several threats to her life. The Complainant approached the National Human Rights Commission to intervene in the matter and enforce her fundamental Human Rights.

The Commission reached out to the Respondent on the 20th of January 2020 and invited him to the Commission to answer the allegations leveled against

him. The Respondent informed the Commission that he was ill and would honour the invitation with his lawyer in two days' time. Another call was made to the Respondent on the 22nd of January, 2020, to which the Respondent responded that he was still ill and could not honour the Commission's invitation. On the 29th of January, a text message was sent to the Respondent to report to the Commission on or before the 31st of January, 2020. Again the invitation went unanswered.

The Commission could not serve the Respondent a formal letter, owing to the Complainant's failure to provide the Respondent's forwarding address in her complaint. All attempts to contact the Complainant also proved abortive.

DECISION OF THE PANEL

This Panel directed that the Nigeria Police should be notified as the case borders on domestic violence as well as threat to life. However, since the Complainant failed to show sufficient interest in following up on her complaint, the Panel struck out the case in line with Rule 70(iv) of the National Human Rights Commission.

6. CASE NUMBER: NHRC/PSGBV/2020/EBO/6
COMPLAINANT: MRS. NNENNAYA OKORIE ANOH [PRESENT]
RESPONDENT: MR. OGONNAYA OKORIE ANOH [ABSENT]
SUBJECT MATTER: ALLEDGED SEXUAL AND GENDER-BASED VIOLENCE
APPEARANCES: HARRY OBE [COUNSEL TO THE COMMISSION];
AWA U. KALU (SAN), CHUKA OBIDIKE [EXTERNAL SOLICITORS TO THE PANEL];
NO LEGAL REPRESENTATION FOR BOTH THE COMPLAINANT AND THE RESPONDENT
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The case was adjourned from Ebonyi State to Calabar, because the Respondent is a naval officer, a letter was sent and an acknowledgment copy received by the Commission. The Respondent said that all dealings should be with his lawyer and the lawyer was sent a copy of the hearing notice via email. The Respondent was also asked to provide his own personal email to be copied as well which he ignored.

The lawyer to the Commission, Mr Harry Obe, further stated that the Respondent and his lawyer were both aware of the Panel sitting in Calabar and also the dates but both chose to ignore. The NHRC officer handling the case said that the Respondent always insisted that his lawyer be told and that he had once said he would not appear before any Panel and should be charged directly to court if there was any case against him.

The Complainant, Mrs Nnennyia Okorie Anoh, alleged that on the 23rd of August, 2020, she was forcefully evicted from her home by the Respondent, who is her stepson. The Complainant alleged that the Respondent came with soldiers and demolished the bungalow she lived in. The Complainant stated that she was married as a second wife to her now deceased husband, and that since the death of her husband that she has faced all sorts of maltreatment from the first wife, whom is the mother of the Respondent and the other eight (8) children. That as a result of the maltreatment, her deceased husband built her a house outside the family house. Four months after his death, the Respondent destroyed the house, rendering her and her children homeless and she has received several death threats from the Respondent telling her to leave with her children or die.

The Complainant further stated that her late husband used her as his next of kin, but the family took all the money from the account and left her with nothing; they also destroyed her farmland. She also alleged that under mandate from the

Ebonyi State Government, the Respondent rebuilt the property that was demolished, but he warned the Complainant not to set foot in the house or she would be killed.

DECISION OF THE PANEL

The Panel held that having considered the case holistically, it was clear that the case related to sexual and gender-based violence and accordingly, the Panel directed as follows: That the Respondent should rebuild the house and return same to the Complainant. On the issue of being the next of kin, the Panel ordered that the issue be further investigated by the Ebonyi State office of the Commission. The Secretariat should draft a letter to the Ebonyi State Government, and should copy the Ministry of Women Affairs, office of internal conflict resolution and the Commissioner of peace in Ebonyi State. The Panel further directed the Respondent to apologise to the Complainant publicly, via a one page advertisement in a local newspaper in Ebonyi State. The Panel also directed that the Commissioner of police be involved to ensure the security and protection of the Complainant and her children regarding the death threats.

7. CASE NUMBER: NHRC/PSGBV/2020/CAL/2
COMPLAINANT: MISS JEMIMAH JACOB [ABSENT]
RESPONDENT: INSPECTOR MUKADDA EMMANUEL
[PRESENT]
SUBJECT MATTER: ALLEGED ABDUCTION OF CHILD, RIGHT TO
PARENTAL CARE
APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC
INTERNAL COUNSEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant is 27 years old from Zango Kataf Local Government Area in Kaduna State. In the year 2012 she was in a relationship with the Respondent

and they had a child together; she left the Respondent when the child was only four (4) years old because the Respondent was insisting on having more children and was not showing any interest in marrying her even when she approached him concerning it. That in August 2017, the Respondent appealed to her to bring the child to stay with him for the weekend, which she obliged, but when she went to pick up the child to continue with her holiday classes she was denied access to the child. That the Respondent has since then denied her access to the child who is now seven (7) years old. She has received several calls from concerned neighbours on how her daughter is being maltreated by the Respondent's new girlfriend. The day she visited, her daughter refused to talk to her or let her touch her. That the Respondent has since then been threatening her life, she wants the commission to intervene and grant her access to her child.

The Complainant was called on the phone where she stated that she was currently in Abuja and could not make it to the sitting; she confirmed her written complaint.

The Respondent stated that he met the Complainant in 2010; she got pregnant for him, gave birth in 2012 and he brought back the Complainant and the child to Calabar after his mother's funeral. He alleged that while in Calabar, he paid for the Complainant to undergo training in computer literacy and hair dressing and rented a shop for her at No. 1B Diamond Hill Road in Calabar. He further pointed out that the Complainant started making friends with single ladies and sleeping around and on one of such occasions she was arrested and taken to the Anti-kidnapping Unit of the Police Force. The Complainant then left Calabar and refused to return despite receiving cash from him to aid her return to Calabar. Meanwhile, the Respondent was getting reports that their daughter was not being cared for properly by the mother.

He said their daughter was in Kafanchan with his elder brother and he sends N25,000 every month for her upkeep and pays her school fees of N56,000 every

term.

DECISION OF THE PANEL

The Panel held that a memorandum of understanding will be prepared for both parties to sign with regards to access to the child.

- 8. CASE NUMBER:** NHRC/PSGBV/2020/CAL/3
- COMPLAINANT:** ELIZABETH ABUA [PRESENT]
- RESPONDENT:** UMO EFFIONG EPHRAIM JASPER [ABSENT]
- SUBJECT MATTER:** ALLEGED NEGLECT OF PARENTAL RESPONSIBILITIES
- APPEARANCES:** HARRY OBE AND SALOME LOKO [NHRC INTERNAL COUNSEL]
- PANEL:** ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Respondent was not present, the file officer said that he could not effect service because the neighbour told him that if the Respondent is not home he would be in the bunk with his friends taking hard drugs and out of fear he could not go there nor effect service.

The Panel held that the police would go with the NHRC officer to effect the service and ensure the presence of the Respondent before the Panel.

The Complainant got married to the Respondent in 2012 and they have (2) children between the aged six (6) and three (3). She left the marriage in March 2020 because she was repeatedly beaten by the Respondent. Since she left, he has refused to take responsibility for the children. Their second child has a health challenge which has prevented him from walking, she has been the one taking care of the medical bills of their second child and the schooling of the first one. She wants the Commission to intervene and call on her husband to take responsibility for the children especially as he was financially capable.

The Complainant further stated to the Panel that she lost the child who had health challenges and it was only one child left and she wants the Panel to tell the Respondent to write off his responsibility since he has not been handling them.

The Respondent stated that the Complainant was unfaithful in the marriage, believed a lot in fetish and spiritual houses and has spent loads of money there.

DECISION OF THE PANEL

The Panel held that the Respondent, who has a flat of one bedroom in the child's name with the rent at N150,000, was asked to deposit the rent with the Commission and the Complainant will be given the money for the upkeep and school fees of the child.

9. CASE NUMBER: NHRC/PSGBV/2020/CAL/4

COMPLAINANT: JOY OMIN [PRESENT]

RESPONDENT: LINUS OMIN [PRESENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE

APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC INTERNAL COUNSEL]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

When the case was called, the NHRC Internal Counsel, Mr Harry Obe, said that both parties were before the Panel and that they had resolved their issues and would only want a written agreement to be drawn up and signed by both parties.

DECISION OF THE PANEL

The Panel held that the NHRC will prepare an MOU for both parties to sign the following day, 2/3/2021.

11. CASE NUMBER: NHRC/PSGBV/2020/CAL/7
COMPLAINANT: THEODORA NNEDI UKPABI [PRESENT]
RESPONDENT: NKANU MICHAEL EJA [ABSENT]
SUBJECT MATTER: ALLEGED ABANDONMENT OF PARENTAL RESPONSIBILITIES
APPEARANCES: HARRY OBE AND SALOME LOKO [NHRC INTERNAL COUNSEL]
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant got pregnant for the Respondent in 2017 and gave birth to a son, he was taking care of the child until he was two (2) years old, then left them without any explanation and has refused taking calls. In 2019, he returned demanding to take the child away to give to his new wife, she refused to do that. The Respondent abandoned them since then and does not provide for the child, who was four at the time of the sitting but was not in school. She wants the Commission to intervene for the betterment of the child.

The Respondent had not been served, the Panel assigned a police officer to help effect service and the case was adjourned to 2/3/2021 in order for the Respondent to be present and answer the case against him.

The police officer spoke to the Respondent on the telephone and reported that the Respondent said he was in Bayelsa and could not appear before the Panel.

The Respondent was called on the phone to answer the case against him, he was told of the complaint against him and he stated that the Complainant was a habitual smoker. He said that he wanted a DNA test to be done to ascertain the paternity of the child. He stated that he would be in Calabar on the 23rd of March and would appear before the NHRC Commission in Calabar as there are so many underlying issues between him and the Complainant.

DECISION OF THE PANEL

The Panel held that the case would be handled by the Commission in Calabar on the 23rd of March, 2021.

(C) EDO STATE

The Panel in continuing the execution of its mandate, converged in Benin City, to hold private hearings for all the individuals who had filed their complaints to the Edo State Branch of the Human Rights Commission. In the opening ceremony, the Panel re-iterated its commitment to ensuring the protection of rights and investigation of violation of rights.

Members of the Panel sitting in Cross River State are: Mr. Anthony Ojukwu [Executive Secretary NHRC]; Prof. Isa Hayatu Chiroma (SAN), Prof. Epiphany Azinge (SAN); Prof. Joy Ezeilo; Mrs. Itoro Eze Anaba; Abdulrahman A. Yakubu and Mrs. Racheal Adejo-Andrew.

In the sitting, all the cases had the themes of domestic violence, abandonment of children and parental responsibility. Interestingly, there was a peculiar case where the Complainant and the Respondent are mother and son respectively. In this case as will be seen below, the mother complained to the Commission about the son's gross physical violence.

- 1. CASE NUMBER:** NHRC/PSGBV/2020/BN/2
- COMPLAINANT:** MRS AIGBE CHINENYE [PRESENT]
- RESPONDENT:** MR STANELY AIGBE [PRESENT]
- SUBJECT MATTER:** ALLEDGED DOMESTIC VIOLENCE AND THREAT TO LIFE
- APPEARANCES:** HARRY OGWUCHE OBE ESQ AND OLAWOLE AFOLABIESQ [COUNSELS TO THE COMMISSION]; AWA KALU (SAN) [EXTERNAL CONSULTANT TO THE PANEL] CHUKA OBIDIKE ESQ.

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant stated that she is the wife of the Respondent and they have two sons age four (4) years and six (6) months. She alleged that the Respondent was always beating and threatening to kill her each time she asked the Respondent money for the upkeep of the children and school fees. The Complainant alleged also that the Respondent asked her to pack her things and leave the house with the children because he wants to marry another wife or else he will continue to punish her.

The Respondent admitted beating the Complainant due to the Complainant's character and her lack of respect for him. He stated also, that he is no longer interested in continuing the relationship, stating that he is not pleased that the Complainant reported him to the Commission because in their family, they have their own way of handling marital issues.

Before the matter came before the Panel, the Edo State office of the NHRC had, to an extent, mediated between both parties and partly resolved the matter. The Commission drew terms of settlement with regards to the welfare of the children. Part of the terms of settlement stated that the Respondent will be paying the sum of ten thousand naira (N10,000) monthly for the upkeep of the children and the sum of twelve thousand naira (N12,000) for their school fees.

DECISION OF THE PANEL

Upon the conclusion of hearing, the Panel unanimously decided that the Respondent gets an accommodation for the Complainant and pay the initial rent. The Respondent was warned to desist from beating the Complainant and then instructed that Terms of Settlement will be signed and executed by parties.

2. CASE NUMBER: NHRC/PSGBV/2020/BN/5

COMPLAINANT: ERHABOR ESEOSA REGINA [PRESENT]

RESPONDENT: EBITIMI ALBERT ENISUOH [PRESENT]

SUBJECT MATTER: ALLEDGED ABANDONMENT OF RESPONSIBILITIES AND THREAT TO LIFE

APPEARANCES: HARRY OGWUCHE OBE ESQ. [COUNSEL TO THE COMMISSION];
OLAWOLE AFOLABI ESQ. AWA KALU (SAN) [EXTERNAL CONSULTANT TO THE PANEL]
CHUKA OBIDIKE ESQ.

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

In the complaint, the Complainant alleged that some years back, she got into a Relationship with the Respondent Mr. Albert Ebitimi and together, they have two (2) children ages five and three (3) respectively. According to the Complainant, sometimes in early 2018, the Respondent sent her and the children out of his house and abandoned them with no regard to their welfare and that the Respondent has also on several occasions, threatened to kill her.

In the light of the complaint/allegations, the Commission invited both parties for mediation. In the course of the mediation the Respondent made it clear that he is not willing to accept any proposal to be responsible for the children's upkeep including education, neither will he have any form of settlement with the complainant.

The Commission, having tried to resolve the matter amicably between parties which failed, now brought the matter before the Panel. The Complainant before the Panel, stated that the Respondent had on two occasions in public places, physically abused her and one of those public places was her children's school. The Complainant said before she brought the complaint to the National Human Rights Commission that she had once reported the Respondent to Police for

domestic violence, he was arrested and afterward, the Respondent was made to sign an undertaking never to engage in any form of domestic violence towards the Complainant, but all to no avail. She went further to show the Panel a recorded video and some photographs of the physical abuse to substantiate her testimony on domestic violence. The same video and photographs were shown to the Respondent which he admitted and said that something prompted the violence towards the Complainant. The Panel thereafter admitted the video clips and the photographs as an evidence and marked same as Exhibit A and B.

The Respondent, in response to the allegation, stated that he and the Complainant co-habited for thirteen (13) years and that they had lived together for nine years, before they had their kids. The Respondent also stated that the Complainant has anger problem. The Respondent, in all, said he was no longer interested in the relationship and that he would want to carry out a DNA test of the children because he is in doubt of their paternity.

DECISION OF THE PANEL:

The Panel, after listening to both parties, unanimously decided that:

1. Until the DNA test of the children the Respondent intends to do is done, out and proven otherwise, that the Respondent is to cater for the welfare of the children
2. Pay the children's school fees when due.
3. That the Terms of Settlement with regards to the welfare of the children will be drawn which will be signed and executed by both parties.

3. CASE NUMBER: NHRC/PSGBV/2020/BN/8

COMPLAINANT: OSATO MOSES [PRESENT]

RESPONDENT: SUNDAY MOSES [PRESENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND ABANDONMENT

APPEARANCES: HARRY OGWUCHE OBE ESQ. [COUNSEL TO THE COMMISSION];
OLAWOLE AFOLABI ESQ, AWA KALU (SAN) [EXTERNAL CONSULTANT TO THE PANEL]
CHUKA OBIDIKE ESQ.

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant alleged Domestic Violence and Abandonment against the Respondent. She stated that she got married to the Respondent on 24th December, 2016, and that they were living apart at the time of the sitting. They have three children aged four (4) years, three (3) years, and one (1) month. She stated that since she got married, it has been from one quarrel to another, that even in her first pregnancy, the Respondent slapped her and that the slap was so much that she fainted and the unborn baby was affected too because the baby was born with blood in his eyes. She alleged that the Respondent chased her out of their matrimonial home over a minor misunderstanding when she was heavily pregnant. That after her delivery, a call was put through to the Respondent to come and pay the hospital bills but he refused and also denied the paternity of the new born baby and that since then, the Respondent has refused to provide for the welfare of the children. She went further to state that her family tried to settle them but all to no avail because of the Respondent. The Complainant alleged that, while they were still living together in their rented apartment, the Respondent left the house and abandoned her with the children to an unknown destination. That after the Respondent left the house, his mother came to their house to pack his belongings. She alleged that her two sons aged 4 and 3 years are with the Respondent because he went to their school without her knowledge and took them away. And not only did the Respondent take the children away from their school, he changed their school. The reliefs she sought before the Panel are to have the custody of her two sons and for the Respondent

to take responsibility for the children's welfare as she was no longer interested in the marriage relationship.

The Respondent, who initially evaded service of the hearing and never wanted to appear before the Panel, was brought before the Panel with the help of the Police. In his response, he denied the allegation of domestic violence and stated that the reason he kept the children with him and also changed their school was because of proximity and affordability. The school is close to his house and also affordable for him. The Respondent stated also, that he has no intention of changing the children's school except the Complainant is willing to take up the responsibility of paying their school fees.

DECISION OF THE PANEL

The Panel having heard from both parties, unanimously decided as follows:

- 1) That the Respondent should return the two children with him to the Complainant, that for their ages and in accordance with the law, the Complainant is the rightful parent to have the custody of the children.
- 2) That the Respondent should look for a school he can afford where the Complainant lives and register the children preferably, a public school.
- 3) The Respondent to pay the school fees of the three (3) children.
- 4) The Respondent is to bring ten thousand naira (N10,000) monthly subject to review as his financial status changes for welfare/upkeep of the children.
- 5) National Human Rights Commission's Secretariat to facilitate/monitor the terms of settlement between parties and in case the Respondent (Mr Sunday) fails and or in breach of the terms, he should be handed over to police for compliance.
- 6) Parties to sign and execute the terms of settlement.

4. CASE NUMBER: NHRC/PSGBV/2020/BN/3

COMPLAINANT: ONOGHISE BLESSING [PRESENT]

RESPONDENT: JOSEPH ONOGHISE [PRESENT]

SUBJECT MATTER: ALLEDGEDABANDONMENT OF PARENTAL RESPONSIBILITIES

APPEARANCES: HARRY OGWUCHE OBE ESQ. [COUNSEL TO THE COMMISSION]

OLAWOLE AFOLABI ESQ, AWA KALU (SAN)[EXTERNAL CONSULTANT TO THE PANEL]

CHUKA OBIDIKE ESQ.

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The Complainant stated that she has been married to the Respondent for seven (7) years and they have three (3) children two (2) boys and a girl, who are between the ages of 10 – 5 years. She alleged that the Respondent has since abandoned his parental responsibilities. That the Respondent does not provide for the upkeep of the children, including not paying the children's school fees. That the last time the Respondent paid the children's fees, he waited until the children were sent out of school before he paid the fees. The National Human Rights Commission had before the matter was brought to the Panel, tried to mediate between the parties but to no avail. The Commission also drew terms of settlement specifying the obligations to be carried out by the Respondent.

The Respondent deliberately, refused to appear before the Panel even after several efforts to have him come before the Panel to defend the allegations against him.

The relief sought by the complainant before the Panel is to have the Respondent live up to his parental responsibilities towards their children.

DECISION OF THE PANEL

The Panel, having heard from the Complainant and Counsel to the Commission, unanimously adopted the Terms of Settlement earlier drawn by the Commission for the parties as their decision in the matter. The Terms of Settlement states as

follows;

- i. The Respondent to pay the children's termly school fees when due.
- ii. The Respondent to make available the sum of thirty thousand naira (N30,000) monthly for the upkeep of the children.
- iii. To pay all medical bills incurred during the children's ill health.
- iv. All payments to be brought to the Edo State office of the Commission for onward transmission to family.
- v. Respondent to desist from beating the Complainant/wife.
- vi. A breach of the terms amounts to violation, and to be enforced under NHRC Act 2010 as Amended.

The Panel went further to state that the Commission is to liaise with the State Commissioner of Police to ensure that the Terms of Settlement is properly executed.

5. CASE NUMBER: NHRC/PSGBV/2019/DEL/1

COMPLAINANT: MARGARE NWOBI [PRESENT]

RESPONDENT: ANTHONY NWOBI, CP DELTA, IGP
[PRESENT]

SUBJECT MATTER: ALLEDGED DOMESTIC VIOLENCE

APPEARANCES: HARRY OGWUCHE OBE ESQ. [COUNSEL TO
THE COMMISSION];
OLAWOLE AFOLABI ESQ, AWA KALU (SAN)
[EXTERNAL CONSULTANT TO THE PANEL]
CHUKA OBIDIKE ESQ.

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant is a 77-year old widow resident in Ibuzo, Delta State and she has eleven

(11) children, six sons and five daughters, all adults. Her husband, late Fredrick Nwobi, died in 1996 leaving behind their five-bedroom bungalow for her and

their children. She alleged that the 1st Respondent, who is her son, started beating her up barely two (2) years after the demise of her husband, claiming ownership of the five-bedroom bungalow her husband left behind. She stated in detail, instances of domestic violence meted out on her by the 1st Respondent. She also alleged that, six years ago, the 1st Respondent relocated to Ibuzo and started causing trouble, asking her to pack out of the five-bedroom bungalow, still in the bid of claiming ownership of the said bungalow. She asserted also, that the 1st Respondent went as far as locking her up in police cell at Ibuzo Police Station. That she has reported the issue of domestic violence to their kinsmen who fined the 1st Respondent, but he refused to pay the fine. She called two (2) witnesses, her last daughter, Dr. Ruth Nkeaka, and her granddaughter, Jessica Awele Majid, a 500-level student of University of Benin, who testified to the alleged domestic violence by the 1st Respondent.

The Respondent, while replying, asserted that he never threatened and will not threaten the life of the Complainant who is his mother because it is not in his nature to do so. He stated that the land belonged to his father that he was the one who built the five-bedroom bungalow for his father who retired from civil service in 1986. He started building the five-bedroom bungalow in 1992 then finished it in the year 2000, whereas his father died 7th September, 1996. He alleged that his mother poisoned his son's mind.

DECISION OF THE PANEL

After hearing both parties and the testimonies of the witnesses, the Panel urged the Respondent to leave his mother alone to enjoy the rest of her life. That he should apologise and reconcile with his mother.

6. CASE NUMBER: NHRC/PSGBV/2019/RVS/1

COMPLAINANT: VERA OKPERE [PRESENT]

RESPONDENT: MR THEOPHILUS OKONOBHO [PRESENT]

SUBJECT MATTER: ALLEGED THREAT TO LIFE, DOMESTIC VIOLENCE AND VIOLATION OF RIGHT TO DIGNITY OF HUMANPERSON

APPEARANCES: HARRY OGWUCHE OBE ESQ. [COUNSEL TO THE COMMISSION];
OLAWOLE AFOLABI ESQ, AWA KALU (SAN) [EXTERNAL CONSULTANT TO THE PANEL]
CHUKA OBIDIKE ESQ.
ETU POLYCARP - FOR THE COMPLAINANT
EMMANUEL AIGBEBENEN – FOR THE RESPONDENT

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

Harry Obe sought permission on whether the matter will be heard in private or in the open. She elected private, others excused. Harry Obe stated that the High Court Rules are inapplicable for the proceedings.

The Complainant is married, has two children (aged 3 years and 3 months). The marriage was fraught with violence, threat to life and other troubles. On 21st November, 2019, the alleged violator, with the aid of his family members, beat the Complainant, threw her things out, and forced her to move out of the matrimonial home. The Complainant moved to a hotel with the two children. In the course of meting out violence to her, some properties were destroyed including Samsung phone valued N350,000.00. All attempt made to pick up her things from the house were frustrated because the Respondent changed the door key to the house and she has expressed her unwillingness to move back to the house because of the violence.

Reliefs Sought: The Complainant is seeking full custody of her children and monthly allowance for upkeep of the children, and an order of Panel restricting the Respondent's access to the children through supervision. The Complainant also wants to recover her personal property from her former house. Her Counsel

asked her to react to her written statement. She added that the Respondent came to the hotel she lodged in after leaving the house and attempted to harass her.

The Respondent's Counsel informed the Panel that his client was not in town and would not deliberately want to disobey the invitation from the Panel.

The Counsel to the Respondent was not well disposed to the Panel's intention to continue hearing the matter citing short notice, unpreparedness, case being in a court already; he asked for an adjournment but was reminded that the Panel had limited time in the location.

The Panel adjourned the matter to the next day for the Respondent to bring his client.

- 7. CASE NUMBER:** NHRC/PSGBV/2020/BN/8 c/2020/04/ED
- COMPLAINANT:** OSATO MOSES [PRESENT]
- RESPONDENT:** SUNDAY MOSES [ABSENT]
- SUBJECT MATTER:** ABANDONMENT
- APPEARANCES:** HARRY OGWUCHE OBE ESQ. [COUNSEL TO THE COMMISSION];
OLAWOLE AFOLABI ESQ, AWA KALU (SAN) [EXTERNAL CONSULTANT TO THE PANEL]
CHUKA OBIDIKE ESQ.
- PANEL:** ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

Married since 2016, 24th December, blessed with three children, 4 years, 3 years (Esosa Moses) and Elohosa Moses (One month).

She was chased out of matrimonial home over minor quarrel when heavily pregnant. After delivery, he was called to settle medicals, refused, denied paternity (story same every- co herelives Kano). Since then, refused to provide even for up keep.

She requested the panel to give an order making the Respondent responsible for

welfare and upkeep of children and stop violating her; wants custody of the two children.

The Complainant adopted her statement. She lives at Ogigadun Close at Textile Mill, Benin.

29 years old. Not married in Church. Conducted traditional marriage. Her family had intervened, persisted, no attempt on him to make peace. She stated that her husband drinks. That whenever she tries to advise him at night when he returns (drunk) it turns to quarrel, that the Respondent slapped her while pregnant for first son, she fainted and the baby born with blood in the eyes. That the Respondent threw out her things outside during the delivery of the second son too.

She stated that she withdrew from talking to people about it because no change and because of the traditional views that what you see in husband's house you endure. That even her family gave her punishment.

That the Respondent's mother came and packed his belongings from their rented apartment. That she is with her parents now.

That her two sons are with the Respondent. He picked them from school on the ground of deceit to the school that they had reconciled.

A call was put across to the Respondent who said he cannot come that he is already at work. That he is an Electrician and DJ. He boasted to the Panel that 'I am a man of my own'. He stated on the phone.

DECISION OF PANEL

Case adjourned till the Respondent is arrested.

C **HAPTER 6**

NORTH WEST

(A) KANO STATE

SITTING AT KANO STATE: DATE 17TH -18TH FEBRUARY 2020.

The Panel in continuing the execution of its mandate, converged in Kano, to hold private hearings for the all individuals who had filed their complaints to the North East states branches of the Human Rights Commission. In the sitting, all the cases had the themes of domestic violence, abandonment of children and parental responsibility.

A total of 16 cases were brought before the panel and out of which 13 of them were heard and decided upon.

Members of Panel sitting in Kano: Mr Anthony Ojukwu (Executive Secretary NHRC), Racheal Adejo-Andrew [Chairperson FIDA Abuja] and Awa Kalu SAN.

1. CASE NUMBER: NHRC/PSGBV/2019/KN/1

COMPLAINANT: HAJIYA BABA [ON BEHALF OF KHADIJA MUHAMMAD ABUBAKAR] ABSENT

RESPONDENT: AFIKA IBRAHIM, MUHAMMAD ABUBAKAR, COMMISSIONER OF POLICE KANO STATE [ALL ABSENT]

SUBJECT MATTER: ALLEGED SEXUAL ABUSE AND RAPE OF A MINOR

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

According to the NHRC staff in charge of this case the Complainants relocated to Kogi State and they could not be reached.

The perpetrator was remanded in prison, hence could not be served either. The case was struck out.

2. CASE NUMBER: NHRC/PSGBV/2019/KN/2

COMPLAINANT: HABIBA ISAH [ON BEHALF OF SAFIYYA ADAMS]
[ABSENT]

RESPONDENT: ADAMS SALIHU, COMMISSIONER OF POLICE KANO STATE, IG OF POLICE
[ABSENT]

SUBJECT MATTER: ALLEGED SEXUAL ABUSE AND RAPE OF A MINOR

The case was in court and so could not go on.

3. CASE NUMBER: NHRC/PSGBV/2019/KN/3

COMPLAINANT: SAFIYA USMAN [ON BEHALF OF KHADIJA AUWALU] [ABSENT]

RESPONDENT: NURA ABUBAKAR, DPO JAKARA KANO STATE, COMMISSIONER OF POLICE KANO STATE AND INSPECTOR GENERAL OF POLICE [ABSENT]

SUBJECT MATTER: ALLEGED SEXUAL ABUSE OF A MINOR

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

According to the State coordinator, the 1st respondent was at large. It was upon service that the commission discovered that it was not the Jakara Police Division that the case was reported to; however, the Complainant has been properly advised and has been served and will appear before the Panel on the 18th of February, 2020.

18th February 2020

The Complainant was present

The 2nd and 3rd Respondents were represented by [S.P Auwal bala O.C state CID Kano state].

Harry Obe read out the Complainant's statement, she adopted and certified same as true.

The complainant further added that they went to the hospital with the victim/survivor and the medical report confirmed the incident but since the information the suspect ran away and was yet to be apprehended. She reported the incident to the NHRC and she was advised to report to the police station close to her which is Jakara Police Station. When she went home her brother advised her not to report to the police, her brother was at home at the time the panel was sitting.

The police officer at the sitting said he does not know about the case and was hearing about it for the first time. The Complainant told the Panel that there is a medical test evidence from the Murtala Mohammed Specialist Hospital which the hospital management refused to release to her because she did not involve the police in the matter.

The ES told the OC State CID that NHRC was reporting the case to him now and the medical report must be retrieved from the hospital by him and the suspect will be traced and prosecuted and the panel will like to get a report on this case as soon as possible. The ES asked the police how long before a report will be brought back to the Panel and the OC State CID said that investigations will commence as soon as an official complaint is made.

DECISION OF THE PANEL

The ES ruled that the case be struck out and a report be given by the police on the case to the Commission in two weeks.

4. CASE NUMBER: NHRC/PSGBV/2019/KN/4
COMPLAINANT: FAIZA YAKUBU [PRESENT]
RESPONDENT: SANI AHMED [PRESENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND VIOLATION OF RIGHT TO DIGNITY OF HUMAN PERSON

APPEARANCES: Entered by both internal and external counsel to NHRC.

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

Harry Obe read out the summary of the case which the Complainant affirmed to be true.

The Respondent said he understood what was read out and he admitted beating her but added that she usually beat him (the Respondent) first. The complainant responded by saying that what the respondent said was not true but added that if she refuses to stop whenever there is an altercation between the two, the Respondent will beat her and they will end up hitting each other.

DECISION OF THE PANEL

The ES told the Respondent not to beat the Complainant again and added that a monitor will be assigned by the Commission to monitor the couple for six months and if any issue of domestic violence is reported they will both be brought to Abuja. The case was closed.

5. CASE NUMBER: NHRC/PSGBV/2019/KN/5
COMPLAINANT: CHINENYE OKOYE [ABSENT]
RESPONDENT: CHIDIEBERE TITUS [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND VIOLATION OF RIGHT TO DIGNITY OF

HUMAN PERSON

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

According to the state coordinator they were both served and aware of the hearing; also prior mediation was done by the NHRC Kano and terms of settlement was reached but the respondent did not keep to the terms.

The parties were reached and showed up at the Panel sitting on the 18th of February, 2020 and they confirmed that they had settled their issues and the case was struck out.

6. CASE NUMBER: NHRC/PSGBV/2019/KN/6

COMPLAINANT: ZAINAB IBRAHIM [ABSENT]

RESPONDENT: GAMBO AHMED [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
VIOLATION OF RIGHT TO DIGNITY OF
HUMAN PERSON

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The Investigating Officer said that at the time of serving the notice the Complainant was not around and the Respondent said that he would come to the office to pick up the notice of hearing himself. He was at the office, took the two notices and signed. However the entire two days the panel sat both parties did not show up, the case was not heard.

7. CASE NUMBER: NHRC/PSGBV/2019/KN/7

COMPLAINANT: KHADIJA USMAN [ABSENT]

RESPONDENT: USAINI ABDUL-RAHMAN [ABSENT]

SUBJECT MATTER: ALLEGED VIOLATION OF RIGHT TO
DIGNITY OF HUMAN PERSON, RIGHT TO
PARENTAL CARE, PROTECTION AND
MAINTENANCE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The state coordinator said that both parties when called said that they were no longer interested in the case although the procedure is that such discontinuance should be done in writing. When the Respondent was called again he promised to come alongside the Complainant the following day the, 18th, the case was adjourned to the 18th but both parties never showed up and the case was never heard.

8. CASE NUMBER: NHRC/PSGBV/2019/KN/8

COMPLAINANT: SADIYA ABDULLAHI [ABSENT]

RESPONDENT: MUSA MUAZU [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
VIOLATION OF RIGHT TO GIGNITY OF
HUMAN PERSON

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

The Complainant laid the complaint through her elder brother. However, she verbally indicated she had no interest in continuing with the case. The ES reiterated that such withdrawals or discontinuance should be in writing.

9. CASE NUMBER: NHRC/PSGBV/2019/KN/9

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND
VIOLATION OF RIGHT TO DIGNITY OF
HUMAN PERSON

COMPLAINANT: ZAINAB JIBRIL [PRESENT]

RESPONDENT: USMAN SAIDU [ABSENT]

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The ES called the Respondent on the telephone and he complained of lacking funds to pay the transport fare for himself and his ex-wife. He was told to appear

before the Panel and he also gave the address of his ex-wife for service, the case was adjourned to the 18th February 2020.

18th February 2020

The complainant said she was not sure if the respondent would be present. The state coordinator said that he tried convincing the respondent to come but he said that the case was already settled.

The complainant further stated that they had both settled but just one issue was remaining and that had to do with the school fees of the two children of the dissolved marriage. She stated that she wanted full custody of the children and that the respondent should be paying for the children's feeding, clothing and school fees.

DECISION OF THE PANEL

The ES ruled that the right place the children should be is with their mother the commission will monitor the mother for six months to see if she is taking good care of the children if not the children will be taken away from her and the custody will be revisited. The case was closed.

10. CASE NUMBER: NHRC/PSGBV/2019/KN/10

COMPLAINANT: RAHMA GAJI ABUBAKAR [PRESENT]

RESPONDENT: ISIYAK HASSAN [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE AND VIOLATION OF RIGHT TO DIGNITY OF HUMAN PERSON

APPEARANCES: ENTERED BY BOTH EXTERNAL AND INTERNAL COUNSEL TO THE COMMISSION

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The internal Counsel to the Commission read out the facts of the case

The Complainant adopted her testimony and further added that she had four children with her ex-husband and that prior, they were in Lagos, but now the children are with her in Kano state, she took them by herself self in November 13th 2019. She wants her ex-husband to cater to the financial needs of the children as the children are in school and he had remarried and he was capable financially of taking care of the children.

The ES called the Respondent and scheduled a date with him for the public hearing of the Panel in Benin. However, the case was adjourned to the 18th of February, 2020 so that the panel can hear from the children

18th February 2020

The Complainant came with the children and the children were privately interviewed by Prof Joy Ezeilo and Mrs Itorro Eze Anaba, both members of the Panel.

The case was adjourned to Benin on the 2nd and 3rd of March 2020 so that the Respondent can be present and defend his case.

11. CASE NUMBER: NHRC/PSGBV/2019/KN/11

COMPLAINANT: FATIMA MOHAMMED [PRESENT]

RESPONDENT: MUSA MARKURDI [ABSENT]

SUBJECT MATTER: ALLEGED VIOLATION OF RIGHT TO DIGNITY OF HUMAN PERSON AND RIGHT TO PARENTAL CARE, PROTECTION AND MAINTENANCE

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

The State Coordinator said both parties were served but the Respondent was not around and he was aware of the sitting. The Complainant was present while the Respondent will be given an opportunity to be heard in Abuja

The case went on. Harry Obe gave a summary of the case and the Complainant adopted her statement.

After an earlier mediation by the NHRC, the Complainant said the Respondent had been feeding the children but he had not been paying school fees.

DECISION OF THE PANEL

The outstanding school fees was N17,000.00 The panel gave the Complainant N20,000.00 to pay the fees herself

The ES asked the investigating officer to draw up the terms of settlement so that the children will be sent to a government school since the governor said that education is free.

- 12. CASE NUMBER:** NHRC/PSGBV/2019/KN/12
COMPLAINANT: KHADIJAH AHMAD [ABSENT]
RESPONDENT: SAIDU, NASIR SAIDU [ABSENT]
SUBJECT MATTER: ALLEGED THREAT TO LIFE, DOMESTIC VIOLENCE AND VIOLATION OF RIGHT TO DIGNITY OF HUMAN PERSON.
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

The investigating officer of NHRC said both parties could not be traced hence both parties could not be served. The officer added that when contacted, the Complainant said she was not interested in the case any more. She could not be located on any of the three addresses she provided.

The case was struck out.

- 13. CASE NUMBER:** NHRC/PSGBV/2019/KN/14
COMPLAINANT: MARYAM MUSA [PRESENT]
RESPONDENT: AUWAL USMAN [PRESENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLATION OF RIGHT

TO DIGNITY OF HUMAN PERSON AND
RIGHT TO PARENTAL CARE, PROTECTION
AND MAINTENANCE

APPEARANCES: ENTERED BY BOTH INTERNAL AND
EXTERNAL COUNSEL TO THE COMMISSION

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

The Complainant adopted her statement.

The Respondent, Auwal Usman, 35, said when they were invited to the NHRC office, Kano, he narrated his own side of the story and the investigating officer read out the allegations to him and he admitted that he told his wife to stop using WhatsApp and she continued. Also, she looked down on him and she insults him but since they came to the Commission the issue had been mediated upon and there was no other issue.

The Complainant, however, said that a lot of issues were pending like her husband not providing enough money for feeding and caring for the children and that she used WhatsApp to advertise her business and raise more money to help the family.

DECISION OF THE PANEL

The ES ruled that the Respondent increases the Complainant's feeding money to N2000 and that he should stop beating her; that he should pay her back the money she lent him to start his business and to enter an undertaking to be a good husband. He added that the Respondent should sometimes give the Complainant, money so that she can buy things for herself.

ES stated that the new agreements will be monitored by the NHRC Kano and that the Commission is giving them two months from today that is 17th April, 2020 to pay off her money and increase the feeding rate to at least N2,000 for two weeks. Also, terms of settlement will be drafted for them.

14. CASE NUMBER: NHRC/PSGBV/2019/KN/15
COMPLAINANT: UMMA'AIMANA SHARIF [ABSENT]
RESPONDENT: ABDULRAHMAN JAMILU SHEHU [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE,
VIOLATION OF RIGHT TO DIGNITY OF
HUMAN PERSON AND RIGHT TO PARENTAL
CARE, PROTECTION AND MAINTENANCE
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING] CASE ADJOURNED TO 18TH
FEBRUARY 2020

18TH February, 2020

Both parties were absent, both parties said they had settled and the ES ruled that the case be stood down for report of settlement.

15. CASE NUMBER: NHRC/PSGBV/2019/KN/16
COMPLAINANT: FATIMA IDRIS [PRESENT]
RESPONDENT: IBRAHIM MICHKA, D.P.O HOTORO POLICE
STATION KANO, C.O.P KANO AND IG POLICE
[ALL ABSENT]
SUBJECT MATTER: ALLEGED CRUEL INHUMAN AND
DEGRADING TREATMENT AND VIOLATION
OF RIGHT TO HUMAN PERSON
APPEARANCES: WERE ENTERED BY BOTH INTERNAL AND
EXTERNAL COUNSEL TO THE NHRC
PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

Harry Obe read out the Complainant's testimony which she adopted as her case.

The Complainant, Fatima Usman Idris, 40 years old, lives in Kankasa Kano State. She said that she and her husband are back together and no more divorced and she wanted to withdraw the case. With the intervention of Hajia Salamatu

[a staff of NHRC Kano State] her husband apologised for all the wrongs he had done to her and the issue was resolved amicably.

Hajia Salanatu said she had prepared an M.O.U for both parties to sign they were to sign it soon.

DECISION OF THE PANEL

The ES ruled that the M.O.U be sent to the NHRC office in Abuja after it has been signed for record purposes.

The case was closed.

16. CASE NUMBER: NHRC/PSGBV/2019/KN/17

COMPLAINANT: FELICIA MATTEW [PRESENT]

RESPONDENT: DANIEL ILYA [PRESENT]

SUBJECT MATTER: ALLEGED SEXUAL ABUSE, RAPE AND VIOLATION OF RIGHT TO PARENTAL CARE, PROTECTION AND MAINTENANCE

APPEARANCES: ENTERED BY BOTH INTERNAL AND EXTERNAL COUNSEL TO THE NHRC

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ [PRESIDING]

FACTS

Harry Obe read out the Complainant's written statement which she adopted as her testimony in the case

The Complainant said that a man, who happened to be the father's neighbour, raped her daughter and she was not working, the father was not pursuing the case, the culprit stayed in jail for four months and was released because she could not continue pursuing the case.

The Respondent said his daughter was raped and his wife said she reported the case to court but because he worked in a private company he was not frequently

allowed to leave the office so his ex-wife was pursuing the case. His wife was the one that was there when the case was struck out of the magistrate court. The medical report confirmed rape, the relatives of the suspect wanted an out of court settlement and N10,000.00 was paid for the medical expenses and he was given the money.

The ES ruled that a letter will be written to the Attorney General of Kano State for the case to be reopened, The NHRC will initiate the process to reopen the case and ensure that the case is properly handled.

The Respondent further stated the children were in school and were aged 8, 12, 14 and 17; the four children were living with him since the separation but sometimes they do see their mother, especially during weekends

The complainant stated that since last year the children came to stay with her and the first child, who is 17 years old, is currently working so as to save enough money to take the Senior School Certificate Examination this year.

DECISION OF THE PANEL

The ES ruled that the Respondent should release the children to the mother since they are girls as they will be safer with their mother. The Respondent will pay the school fees of the children, provide clothing and cater to the feeding of the children.

Terms of settlement will be drawn up for both parties to sign. The case was closed.

17. CASE NUMBER: NHRC/PSGBV/2019/KN/13

SUBJECT MATTER: ALLEGED VIOLATION OF RIGHT TO HEALTH AND RIGHT TO PARENTAL CARE, PROTECTION AND MAINTENANCE

COMPLAINANT: SHAMSIYYA MUHAMMAD [PRESENT]

RESPONDENT: DR YAKUBU SANI [ABSENT]

APPEARANCES: ENTERED BY BOTH INTERNAL AND

EXTERNAL COUNSEL TO THE COMMISSION

PANEL: ALL PRESENT, ANTHONY OJUKWU, ESQ
[PRESIDING]

FACTS

When the Respondent was contacted, he insisted that the panel should talk to his lawyer.

The Complainant, Shamsiyya Muhammad, 28 years old, affirmed to her testimony stating she had four (4) children with her husband. The children now live with her mother, they were formerly with her husband. She further stated that part of the agreement was that he should be taking care of the children financially but he was not doing enough. Her husband has a mental disorder, which makes him violent. She wants the Commission to support her financially and to intervene and make her ex-husband to provide more assistance. The Respondent is a medical doctor but his license has been revoked as a result of his mental ill health, according to her, but he has assets he can liquidate and use the proceeds to cater to the needs of the family.

The Complainant stated that she was going to school and studying midwifery and that her business was losing capital as she was spending much on her children. Her parents were also tired of helping her provide for the children.

DECISION OF THE PANEL

The ES ruled that the Commission will help the Complainant with N150,000.00 for her business and another N50,000 for her children pending another six months when she will be done with school and help raise her children.

**(B) SOKOTO STATE
SPECIAL INVESTIGATION PANEL/PUBLIC HEARING ON
ALLEGED SEXUAL AND GENDER-BASED VIOLENCE SITTING IN
SOKOTO, SOKOTO STATE 15TH – 16TH MARCH 2021.**

The Panel sitting commenced with a welcome address by the Executive Secretary of the NHRC. He thanked and welcomed the public and media to the

Panel sitting, he re-emphasized the essence of the public sitting and thanked the Sokoto State Government for its unfailing support.

The Governor of Sokoto State was duly represented by the Attorney General of Sokoto State, Suleman Usman; the Chief Judge of Sokoto State was represented by Justice Mohammed Mohammed Athman; and the Commissioner of Women Affairs was represented by the permanent Secretary of the ministry.

Goodwill messages were taken by different NGOs, NAPTIP, NSCDC, Zonal Director NTA Sokoto State, NBA Sokoto Branch and members of the Panel.

The vote of thanks was given by Mr Harry Obe, Internal Legal Counsel to the NHRC.

1. CASE NUMBER: NHRC/PSGBV/2020/SOK/1

COMPLAINANT: MRS KEMI TAWAK [ABSENT]

RESPONDENT: MR WALE TAWAK [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE, THREAT TO LIFE AND EVICTION FROM MATRIMONIAL HOME

APPEARANCES: HARRY OBE; SALOME LOKO [COUNSEL TO THE COMMISSION]; AWA U. KALU (SAN), CHUKA OBIDIKE [EXTERNAL SOLICITORS TO THE PANEL]; NO LEGAL REPRESENTATION FOR BOTH THE COMPLAINANT AND THE RESPONDENT.

PANEL: ANTHONY OJUKWU [EXECUTIVE SECRETARY, PRESIDING]; AWA U. KALU., (SAN); MRS RACHELADEJO ANDREW

FACTS

When the case was called, the NHRC Sokoto State said the parties were absent because the case had been resolved. It was therefore struck out.

2. CASE NUMBER: NHRC/PSGBV/2020/SOK/2

COMPLAINANT: MRS PRECIOUS ELIJAH [ABSENT]

RESPONDENT: MR IKECHUKWU PETER [ABSENT]
SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE, THREAT TO LIFE AND ABANDONMENT OF PARENTAL RESPONSIBILITIES
APPEARANCES: HARRY OBE & SALOME LOKO [COUNSEL TO THE COMMISSION]; AWA U. KALU (SAN), CHUKA OBIDIKE [EXTERNALSOLICITORS TO THE PANEL] NO LEGAL REPRESENTATION FOR BOTH THECOMPLAINANT AND THE RESPONDENT
PANEL: ANTHONY OJUKWU [EXECUTIVE SECRETARY, PRESIDIG]; AWA U. KALU., (SAN); MRS RACHEL ADEJOANDREW

FACTS

Both parties were absent because the case had already been resolved the Panel thereforestruck out the case.

3. CASE NUMBER: NHRC/PSGBV/2020/SOK/3
COMPLAINANT: HANNATU YAKUBU MAGAJI [PRESENT]
RESPONDENT: DAVID GARBA MATTEW [ABSENT]
SUBJECT MATTER: ALLEGED DENIAL OF ACCESS TO CHILDREN
APPEARANCES: HARRY OBE & SALOME LOKO [COUNSEL TO THE COMMISSION]; AWA U. KALU (SAN); CHUKA OBIDIKE [EXTERNALSOLICITORS TO THE PANEL]; NO LEGAL REPRESENTATION FOR BOTH THECOMPLAINANT AND THE RESPONDENT
PANEL: ANTHONY OJUKWU [EXECUTIVE SECRETARY, PRESIDIG]; AWA U. KALU (SAN); MRS RACHEL ADEJO ANDREW

FACTS

The Complainant stated that she got married to the Respondent in 2015 and they have achild together. She denied her access to the child since 8th March,

2020. She bought the child a phone for communication but the Respondent took the phone and converted it to his personal use, he also warned her to stay away from the child. The Complainant prayed the intervention of the Commission to call her husband to order.

The Complainant further stated that some of her properties are still in the Respondent's family house and she does not have access to them as they are locked away in a room. She said the Respondent started physically abusing her at the slightest provocation three months into the marriage and on several occasions threatened to kill her.

The Panel held that the case be adjourned to Abuja and the Complainant's logistics would be handled by the NHRC in order to compel the Respondent to show up before the Panel sitting in Abuja. Arrangements should be made by the Secretariat to notify the police to ensure the presence of the Respondent in Abuja.

4. CASE NUMBER: NHRC/PSGBV/2020/SOK/4

SUBJECT MATTER: ALLEGED RAPE AND ABDUCTION

COMPLAINANT: HASSANA ABUBAKAR ON BEHALF OF HASSANA [ABSENT]

RESPONDENT: LAWALI SHUAIBU [ABSENT]

APPEARANCES: HARRY OBE & SALOME LOKO [COUNSEL TO THE COMMISSION]; AWA U. KALU (SAN), CHUKA OBIDIKE [EXTERNAL SOLICITORS TO THE PANEL]; NO LEGAL REPRESENTATION FOR BOTH THE COMPLAINANT AND THE RESPONDENT.

PANEL: ANTHONY OJUKWU [EXECUTIVE SECRETARY, PRESIDIG]; AWA U. KALU., (SAN); MRS RACHEL ADEJO ANDREW

FACTS

When the case was called up, the NHRC official handling the case said that

the case was withdrawn as the Complainant said she does not want the case to be heard in public.

The Panel held that since the case was withdrawn it was thereby struck out.

5. CASE NUMBER: NHRC/PSGBV/2020/SOK/5

COMPLAINANT: SADIYA SHEHU [ABSENT]

RESPONDENT: ALI GARBA [ABSENT]

SUBJECT MATTER: ALLEGED DOMESTIC VIOLENCE

APPEARANCES: HARRY OBE & SALOME LOKO [COUNSEL TO THE COMMISSION];
AWA U. KALU (SAN), CHUKA OBIDIKE [EXTERNAL SOLICITORS TO THE PANEL];
NO LEGAL REPRESENTATION FOR BOTH THE COMPLAINANT AND THE RESPONDENT.

PANEL: ANTHONY OJUKWU [EXECUTIVE SECRETARY, PRESIDIG]; AWA U. KALU., (SAN); MRS RACHEL ADEJO ANDREW

FACTS

The NHRC Officer handling the case stated that the Complainant initially lodged a complaint for a divorce, they are currently divorced and the Respondent even gave the Complainant monetary compensation so the case has been closed.

The Panel held that the case be struck out.

6. CASE NUMBER: NHRC/PSGBV/2020/SOK/6

COMPLAINANT: HAWWARU UMAR U.K [PRESENT]

RESPONDENT: FARUKU DALLA DA [ABSENT BUT REPRESENTED BY HIS COUNSEL]

ALHAJIDALLA-DALLA [PRESENT BUT STILL REPRESENTED BY A COUNSEL]

BOTH RESPONDENTS WERE REPRESENTED BY THE SAME COUNSEL, Y.Y GWAZAWA

ESQ.

SUBJECT MATTER: MATTER-ALLEGED DOMESTIC VIOLENCE AND ABANDONMENT

APPEARANCES: HARRY OBE & SALOME LOKO [COUNSEL TO THE COMMISSION]; AWA U. KALU (SAN), CHUKA OBIDIKE [EXTERNAL SOLICITORS TO THE PANEL]; NO LEGAL REPRESENTATION FOR BOTH THE COMPLAINANT

PANEL: ANTHONY OJUKWU [EXECUTIVE SECRETARY, PRESIDIG]; AWA U. KALU., (SAN); MRS RACHEL ADEJO ANDREW

FACTS

The Complainant is the father to Hawwaru Umar U.K; his daughter was married to the first Respondent for more than two years and in that time she was being abused. That the Respondent divorced his daughter on 6/1/2020 with pregnancy. That during their marriage his daughter was not being cared for neither was she properly sheltered. That due to lack of care, even with pregnancy, she had been admitted to the hospital on two different occasions and this brought a lot of expenses and that the condition of his daughter is critical and the Respondent has refused to acknowledge her. He prayed that the commission intervene by calling the Respondent to order and seek justice for his daughter.

The Complainant confirmed his written statement and further stated that in September when the case was filed at the NHRC Sokoto, the lawyer to the Respondent called for settlement at the time his daughter was on admission in the hospital. The Respondent said he would pay N9,000 a month. The second Respondent, who is the father to the first Respondent, paid for only two months. After delivery of her baby and months later, the first Respondent kept away and neither visited the baby and mother nor provided money for upkeep.

The Counsel to both Respondents acknowledged that his clients defaulted in the payment of the agreed sum of N9,000 per month and added that the second

Respondent proposed to be paying the sum of N5,000 personally if the first Respondent cannot afford to pay the initial agreed sum.

The Complainant insisted that if there would be a new agreement to pay the sum of N5,000 monthly, the outstanding medical bill of N30,000 which was incurred during the delivery of the child and N36,000 outstanding for feeding must be paid.

DECISION OF THE PANEL

The Panel held that the Respondents are to pay the outstanding feeding allowance of N36,000 and to pay half of the medical bill which would be N15,000. Also, from the date of the ruling the Respondents are to pay the sum of N5,000 monthly. The NHRC Secretariat are to prepare the terms of settlement for both parties to sign.

7. CASE NUMBER: NHRC/PSGBV/2020/SOK/9

COMPLAINANT: AISHATU MUKTAR KURHI [PRESENT]

RESPONDENT: MUURTALA DAN SANI [PRESENT]

SUBJECT MATTER: ABANDONMENT OF PARENTAL RESPONSIBILITIES

APPEARANCES: HARRY OBE & SALOME LOKO [COUNSEL TO THE COMMISSION];
AWA U. KALU (SAN); CHUKA OBIDIKE [EXTERNAL SOLICITORS TO THE PANEL];
NO LEGAL REPRESENTATION FOR BOTH THE COMPLAINANT AND RESPONDENT

PANEL: ANTHONY OJUKWU [EXECUTIVE SECRETARY, PRESIDIG]; AWA U. KALU., (SAN); MRS RACHEL ADEJO ANDREW

FACTS

The Complainant stated that she was married to the Respondent for 15 years and they have 6 children, the Respondent took three of the children and forced them into the almajiri life which she disagreed to. When she failed to force him to

bring back the children, she approached the office of the special adviser to the Governor on Human Rights and he was forced to return the children back to her. As a result of her action, he divorced her and sent her and the children out of the house and also neglected to take care of the children. Before then, she was the one feeding the children, and meeting their basic and other needs. She prayed the commission to intervene.

The Complainant confirmed her written statement when it was read and interpreted to her.

The Respondent denied the allegation of abandonment stating that he had been responsible for the children's feeding since he divorced the Complainant, he also pays their school fees. He added that the children eat three times a day in his house since they live in the same neighborhood.

The Panel held that the Respondent has blatantly refused to take care of the children and divorced wife and given the state of insecurity the children are vulnerable and could easily be exposed to social vices. The Complainant would be assisted by the NHRC Sokoto office to file an official complaint under the Sokoto Penal Code law of 2019 so he can be prosecuted accordingly. The NHRC would also assist the Complainant with the sum of N50,000 in addition to the financial and empowerment assistance already rendered by the NHRC Sokoto State office prior.

8. CASE NUMBER: NHRC/PSGBV/2020/SOK/7
SUBJECT MATTER: SUBJECT MATTER-ALLEGED RAPE
COMPLAINANT: MRS HUSSEINNA YUSUF [PRESENT]
RESPONDENT: MUURTALA DAN SANI [PRESENT]
APPEARANCES: HARRY OBE & SALOME LOKO [COUNSEL TO THE COMMISSION];
AWA U. KALU (SAN), CHUKA OBIDIKE [EXTERNAL SOLICITORS TO THE PANEL];
NO LEGAL REPRESENTATION FOR

BOTH THE COMPLAINANT AND THE RESPONDENT.

PANEL: ANTHONY OJUKWU [EXECUTIVE SECRETARY, PRESIDIG]; AWA U. KALU., (SAN); MRS RACHEL ADEJO ANDREW

FACTS

The Complainant was working with the Federal University Gombe is a teacher, while the Respondent is a primary teacher. That his wife, Hussaina Yusuf, is a student of Ummaru Ali Shinkafi Polytechnic in Sokoto State. That on the 19th of February, 2019, the Respondent called Mrs Hussaina Yusuf to come see him to process her failed courses. He allegedly collected the sum of N10,000 and still requested for sex, which she refused. The respondent overpowered Mrs Hussaina and forcefully had sex with her.

The aforementioned incident caused Mrs Hussaina psychological trauma and she was still in a critical condition. The Complainant wants justice for his wife.

The Panel held that the case be adjourned to the 16th of March, 2021 for continuation. The state coordinator is to request for evidence where the case was initially commenced so that the Panel can examine it.

16/3/2021

Mr Hussaini Mohammed, SA to the Governor Sokoto State attached to the office of Human Rights as acting coordinator human rights unit, stated that he received the complaint and conducted preliminary investigation and the Complainant said he was going to withdraw the case and the case was withdrawn. This was due to the fact that there was no prosecution witness in the case they could no longer take further action except when the Complainant came back and said he could not let go of the case and they had to file the case at the NHRC for further action.

The Panel held that despite the waving of the right to privacy by the

Complainant it would invoke its discretionary powers to mandate that the hearing be done in private.

The Panel also held that there was no evidence for the commission to write a formal petition to the commissioner of police for prosecution of the Respondent for rape. However, the Complainant being a victim of human rights violation would be given the sum of N100,000 for damages; also on 8/3/2022 he would be given an award by the NHRC Secretariat, Abuja for being a champion for promoting the rights of women.

9. CASE NUMBER: NHRC/PSGBV/2020/SOK/8

COMPLAINANT: BILYAMINU BASHIR DA'A [ON BEHALF OF ABDULMUDALLIF NURA] [PRESENT]

RESPONDENT: AMINU IBRAHIM [ABSENT]

SUBJECT MATTER: ALLEGED DENIAL OF ACCESS TO JUSTICE AND EFFECTIVE REMEDY

APPEARANCES: HARRY OBE & SALOME LOKO [COUNSEL TO THE COMMISSION]; AWA U. KALU (SAN), CHUKA OBIDIKE [EXTERNAL SOLICITORS TO THE PANEL]; NO LEGAL REPRESENTATION FOR BOTH THE COMPLAINANT AND THE RESPONDENT

PANEL: ANTHONY OJUKWU [EXECUTIVE SECRETARY, PRESIDIG]; AWA U. KALU., (SAN); MRS RACHEL ADEJO ANDREW

FACTS

The complaint from Bilyaminu Bashir Daa (on behalf of Abdulmudalif Nura against Mr Aminu Ibrahim), was that on the 6th of May, 2020 an under-aged boy, named Abdulmudallif Nura, was raped by one Mr Aminu Ibrahim in Kalhu Area of Sokoto. The complaint was reported to the Nigerian Civil Defense Corps but nothing was done, the case was then reported to NAPTIP. After seven months, the Respondent was taken to Sokoto State High Court No.7 where the Respondent was sentenced to four years in prison or a fine of N100,000. After

two days, the Respondent paid the fine and started boasting around the area that he can do anything and get away with it..

The Complainant and the victim's family are not happy with the judgment.

The case was referred to the NHRC from the State Human Rights office and the Respondent blatantly refused to show up on several occasions to answer to the case against him and his phone number was never reachable. The Respondent was served a hearing notice and he still refused to show up before the Panel.

The Complainant affirmed the written statement and prayed the Panel to help her so that justice can be done for her child because the Respondent still goes about sexually violating other minors in the community.

The Panel held that an appeal be filed in court against the judgment of the court of first instance, while the NBA, NHRC and FIDA would start a public interest suit in order for her [the Complainant] to be compensated for being a victim of human rights violation since the court had certified that by convicting the Respondent.

Mr. Harry Obe [NHRC Internal Counsel] addressed certain issues such as whether the Panel had the jurisdiction to handle the issue of compensation in a human rights case, Panel's jurisdiction over a person already convicted by a High Court of the State and whether the human rights commission has the right to issue protective orders for human rights victims. Again, the Panel needed to address the issue of whether the awards made by it had a binding effect on persons at which such orders are directed.

He quoted copiously from relevant portions of the Law to support the intended actions of the Panel.

He referred the Panel to the Act establishing the Panel which mandated the Panel to deal with matters related to human rights specifically section 5 and 6. Also section 6(e) that the commission has the power to award compensation

when it deems necessary to a victim. He submitted that the Panel, which was constituted pursuant to the Act, is adequately empowered to deal with the issues proposed for determination in that particular case.

Secondly on the issue of whether the Complainant qualified as a victim of human rights violation to be worthy of assistance, he submitted that in line with the definition of victim of human rights, according to the United Nations, as well as the judgement of the Sokoto State High Court of 2nd February 2021 wherein the Respondent was convicted for sexually violating the victim by way of sodomy and given the punishment of a term of imprisonment and an option of fine, the Complainant is not just a victim of crime but of human rights violation. He further submitted that the Panel should hold that the victim requires assistance by the Panel/commission as provided for by the Act.

On the third issue as to the power of the Panel to issue protective order he submitted that the Panel be referred to rule 67 of the standing order of the human rights of the country made pursuant to the Act establishing the Commission. He referred the Panel to section 22(1) and (2) of the human rights Act. He submitted that any order of damages made by the Panel would not be an exercise in futility because the Panel had the authority to make such an order.

He further noted that the Panel should take into consideration certain special circumstances of the case which are; the age of the victim, nine (9) years, [a minor] brutally violated by the Respondent and by virtue of his age he is qualified for special protection measures by the state and by virtue of the Child's Rights Act which the Commission is duty bound to consider when discharging its duty.

He therefore submitted that the State had a responsibility to adequately compensate the victim of this brutal crime by the Respondent. He called further attention to the age of the victim, the physical and psychological pain he had been subjected to as well as stigmatisation he is forced to endure as a result of

the actions of the Respondent.

Also, by virtue of the definition of human rights victim, Obe said that the Complainant, who is the mother of the victim, was qualified and should be entitled to protection and be free from harassment by the Respondent and stigmatisation from the community. The state security authorities should be made to protect her.

Finally, according to Obe, by the human rights provisions and other laws in Nigeria the Panel cannot but ensure that the victims seated before the Panel are adequately protected and awarded general and special damages as well as other protection measures to ensure their proper re-integration into the society.

DECISION OF THE PANEL

The Panel held that having listened to the submission of the learned Counsel that the Complainant and victim are victims of human rights violation and the Sokoto State Government should pay the sum of N2,000,000 to the victim and N500,000 to the Complainant as compensation and a copy of the ruling should be forwarded by the Commission to the Sokoto State Government for enforcement within three months.

10. CASE NUMBER: NHRC/PSGBV/2020/SOK/11

SUBJECT MATTER: ALLEGED ABANDONMENT AND
CONFISCATION OF PROPERTY

COMPLAINANT: MRS UMMU SALMA BELLO [PRESENT]

RESPONDENT: ABUBAKAR HUSSAINI [ABSENT]

APPEARANCES: HARRY OBE & SALOME LOKO [COUNSEL
TO THE COMMISSION];

AWA U. KALU (SAN), CHUKA OBIDIKE
[EXTERNAL SOLICITORS TO THE PANEL];

NO LEGAL REPRESENTATION FOR
BOTH THE COMPLAINANT AND THE
RESPONDENT

PANEL: ANTHONY OJUKWU [EXECUTIVE SECRETARY, PRESIDIG]; AWA U. KALU., (SAN); MRS RACHEL ADEJOANDREW

FACTS

The Complainant stated that she got married to the Respondent in 2019, he is a police man presently serving in Tsohowar Kasowa Outpost, Sokoto State. They had a misunderstanding in 2020 and the Respondent asked her to move out of their house, the Respondent refused pleas from her parents for them to resolve the issue; the Respondent also confiscated her properties. She prayed the Panel to compel the Respondent to release her properties to her and provide for their child.

The Complainant affirmed her written statement and further stated that the Respondent physically assaulted her during the course of their marriage and hurled insults at her parents. She alleged that the Respondent always threatened her and boasted that he is a police officer and an authority so he could get away with anything. She wants back her furniture and other properties in his house.

The Respondent said that he is a police officer posted in Sokoto State, he is a corporal in the police force. He stated that the Complainant was still his wife and they had not been divorced. He stated also that the marriage was an arranged one, even though he consented to it. He alleged that after the marriage, the Complainant was still in communication with other men, on several occasions he would not meet her at home upon arrival. The Complainant asked him for a divorce, which he refused and as a result of which the Complainant would go to her family house frequently. When he was at work the Complainant went to his house, broke the locks picked some of her properties and also took some of his money.

The Respondent said the Complainant left while pregnant and they had been separated since February 2020 which was when she left the house. He further stated that he never physically assaulted the Complainant. He provides for her

and the child whenever he visits her and even upon the delivery of their baby, he would send soap, infant formula and other things to her. He pointed out that since he was taken to court by the Complainant he had not been providing anymore. The case was still pending in the lower sharia court in Sokoto State. He denied the allegation of intimidating her by virtue of his position as a police officer.

The mother of the Complainant prayed the Panel to indulge her to speak which was granted and she further corroborated the story of the Complainant.

DECISION OF THE PANEL

The Panel held that having heard from both sides and the mother of the Complainant and the fact that the issue of maintenance of the Complainant and child was pending before a sharia court, the Panel would not prejudice the case pending in the court. The Panel shall put the following measures to protect the Complainant: The Secretariat is to notify the Inspector General of Police of the actions of the Respondent to help protect the Complainant as well as help her retrieve her properties held by the Respondent. The Panel shall support the Complainant with the sum of N50,000 for her to start a small business in order to help her take care of her child.

RECOMMENDATIONS

A careful perusal of the record of proceedings of the Panel sittings in Enugu State, Lagos State, Ebonyi State, Cross River State, Rivers State, Sokoto State, Adamawa State and Abuja bring to the fore the prevalence of the malaise of sexual and gender-based violence against women and vulnerable young ladies. The perpetrators of these have been reported to be some officials of law enforcement agencies, family members, relations, employers and persons in the neighbourhood.

It is noted that the Constitution guarantees certain rights to all citizens; these rights are inalienable, indivisible, and not subject to anybody's moral standards, and are even extended to/ available to suspects; accused persons facing criminal trials and/or convicts. There is also a body of adequate extant laws and regulations, local and international on the subject of sexual and gender-based violence.

It is in line with this benchmark that we propose and reiterate the following recommendations to curb the sporadic spread of sexual and gender-based violence in Nigeria and entrench a society of wholesome interrelations among the citizenry.

A. Guidelines for Protection of the Rights of Victims/Survivors of Sexual and Gender-Based Violence

- a. Considering the difficulty involved in getting justice for victims of rape in the court system; especially where there are no tangible pieces of evidence such as torn clothing, torn hymen, wounds e.t.c, there is need to relax the requirements for establishing the offence of rape. Thus, it is recommended that in rape cases, especially that involving minors, the burden of proof should be reduced.

- b. It is recommended that there should also be an increase in measure of punishment meted to serve as deterrent. Maximum sentencing should always be adopted and not the lower/minimum limit. This will encourage many victims of child/minors' rape to speakup instead of going through life with the emotional trauma and burden of injustice doneto them at a point in their lives where they were most vulnerable.
- c. There is need for provision of free legal services especially for the poor and vulnerablesurvivors.
- d. Adequate facilities should be put in place to ensure protection of survivors of gender- based violence such as shelter homes and health support.
- e. It is also recommended that the powers of the Commission should be extended to take care of/enforce financial and emotional remedies for victims. The Commission shouldbe well funded for this.
- f. A proper liaison between the Nigeria Bar Association and various NGOs and relevantMDAs of government is recommended to help victims and survivors of SGBV get remedies, not just by the punitive action of prosecution of the crimes committed againstthem, but also possibly by a cause of action in Torts. Generally, the goal of damages in tort actions is to make the injured party whole through the substitutionary remedy ofmoney to compensate for tangible and intangible losses caused by the tort. While it is appreciated that most of the issues covered by SGBV may be crimes rather than torts, it is suggested that a proper liaison with the Nigeria Bar Association may see victims/survivors pursuing a course in torts while the States pursue the criminal angle of the incidents.

For example, the following may be recoverable: Past and Future Medical Expenses andtherapy; damages for pain and Suffering as well as emotional

distress; and damage done to property; Damages for Loss of Childhood; Equitable Relief for Counselling and therapy may also be granted.

Furthermore, victims failed by the police may have damages claims against the police for misfeasance in public office (abuse of power) and breach of discrimination laws and failure to conduct a proper investigation may itself amount to inhuman or degrading treatment.

- g. Also a special unit of the Government has to be set up in all 36 states of Nigeria made up of police, social welfare officers, medical practitioners and lawyers, to better cater to the specific needs of survivors of rape.
- h. A Psychologist(s) should be attached to the Commission and/or subsequent work of the Panel to have first on-hand interactions with victims/survivors who approach the Commission.

B. Guidelines and Policy for Employers/Institutions in Relation to Sexual and Gender-Based Violence

- a. When recruiting staff, including short-term consultants, interns, and volunteers, careful hiring practices should include reference checks for all categories of employees. Reference checks should specifically include: questions seeking information about the candidate related to any prior acts, personnel actions, or criminal history. Careful reference checks can filter out those candidates with a history of exploitative behaviour, particularly those who move from one emergency situation to the next, or who have criminal records for sexual violence.
- b. Employers and Institutions should refrain from hiring any person with a history of perpetrating any type of gender-based violence, including sexual exploitation, sexual abuse, or domestic violence.
- c. Coordinate with other organisations to establish systems for sharing

information about (names of) employees terminated for engaging in sexual exploitation or abuse. Any such system must be established in accordance with relevant laws governing employers and employees.

- d. Ensure that hiring practices prohibit and prevent sexual exploitation from occurring during hiring.
- e. All personnel involved in recruitment and hiring must be held accountable for their behaviour and practices.
- f. Checks must be put in place to ensure transparency in hiring practices and that staff do not abuse their position of differential power in the hiring process.
- g. Institutions and Employers must establish clear systems and channels for airing of incidents of sexual and gender related abuses in relation to its staff, clientele and other persons it interacts with. Such system must ensure the privacy and subsequent full protection of its users.
- h. Institutions and employers must not involve in practice of shielding its staff when there are incidents or reports of sexual and gender-based abuses. Any of its staff that is accused of sexual and gender-based abuses must be willingly delivered to face the full process of the law.

C. Guidelines and Policy for the Nigeria Police Force and other Law Enforcement Agencies

- a. Law enforcement agencies can conduct undercover observation and investigation into prostitution before carrying out raids to avoid discriminatory arrests.
- b. Female security personnel should be used in conducting raids against the female gender in order to avoid sexual harassment.

- c. All interviews with female suspects must be conducted in private spaces and, preferably, by female personnel.
- d. The practice whereby the Police snap and post pictures of suspects or persons arrested in connection with sexual and violence based offences to social media, as experienced and narrated by several victims even before or during investigation, is highly condemnable and not in sync with global best practices as well as tenets of constitutionalism. It should be discontinued. Shaming of offenders should be reserved for convicts, or in the least, until after proper investigations have been carried out.
- e. Staff and Personnel of the Nigeria Police and other law enforcement agencies must be subjected to massive trainings and retraining to bridge the yawning knowledge gap that taints most of their operations. The weight of allegations of grave misconduct against them and supporting evidence show that these state actors are poorly trained to execute laws and state policies. There should be a focus to move into the Police College and retrain them properly at that stage. These Personnel must be trained to be accountable for their actions and to treat every gender with equality.
- f. In addition to curbing the knowledge gap, it is recommended that emphasis should also be in improving the welfare of the students at the Police College, to circumvent a vicious cycle, since widespread evidence suggests that they are not treated very well at the Police College. The state of welfare and living conditions of the Police and these other quasi-force agents must be upwardly reviewed; most of them are subjected to deteriorated and debilitating living conditions and easily take out their frustrations and anger on unsuspecting and vulnerable/weak members of society such as the women folk and even on men in some cases; thereby turning them into foes and oppressors of the very persons they are meant to be friends to and to

protect.

- g. If a negative report is received in respect of a particular location; and the culprits cannot tell the names of the officers and men involved because they have removed their name tags, then a vivid description of the physical mien of the perpetrators coupled with the detailed catalogue/tracking of the movements of its men/officers, should suffice to fish out the offending policeman. The Nigeria Police must not be seen as irresponsible or shielding criminals even if they are in its fold. Criminals in its fold must be identified and prosecuted.
- h. There are reported cases of several Policemen being on narcotic drugs and substances while in the line of duty. This is not standard best practice and should be stemmed. There should be thorough psychological talks and assessments carried out on these state agents as they are in constant interface with citizens who are in most cases vulnerable.
- i. We recommend continuous specialised trainings for police men and women who handle cases of sexual assault, especially rape. As evidence shows, there is a culture of silence, which even the Police aids, thereby instilling fear and a sense of stigma on the victims and increasing the odds of them not voicing out. This can be reversed by constant specialised trainings.
- j. It is recommended that the Police and other similar State Actors must keep a detailed catalogue and tracking of where its men and officers are per time, especially when they are on official assignment, to help in the identification of policemen who become errant in course of discharge of their duties.
- k. The sanitary facilities at the Nigeria Police establishments need an overhaul and upgrade as most ladies who were arrested complained that there were not given adequate sanitary facilities to attend properly to peculiar female needs

1. The Police and Enforcement agencies must ensure to conclude proper investigations before arrest.

D. Guidelines and Policy Paper For The Conduct Of Raids In Line With Best Practices

{The Police, Abuja Environmental Protection Agency And Related Agencies}

- (a) It is recommended that prior to raids, especially such that was carried out on Nightclubs and bars, a ‘*cease and desist*’ or ‘*cease and abate*’ notice must have been served on defaulters; and rather than swoop on the entire bar/night club at the peak of business and patronage; the place could have been sealed off at an off-peak period and the proprietors, managers taken away (arrested). That would have put paid on unnecessary drama and trauma.
- (b) The Law is no respecter of persons; and the Inspector General of Police must be called to order by the Presidency on the point that, despite his knowledge of the sittings of the Panel, he made no efforts to be present at the Panel or to be represented. This is to avoid future slights or a repeat of such slight.
- (c) During conduct of raids, the Abuja Environmental Protection Agency, the Police and other enforcement agencies empowered to carry out raids, must carry out such raids with utmost sanctity and reverence for the inalienable human rights of the suspects and/or targets.
- (d) The Police; AEPB and other law enforcement agencies must treat citizens with decency; if the suspect is eventually found guilty; he/she then faces the brunt of the law that comes via judicial pronouncement. Treating citizens decently does not stop the Police and government agencies from doing its work. It only accords with global best practices.
- (d) Use of valid court orders can be adopted by men of the AEPB to seal off

noise- errant premises and nightclubs rather than the Gestapo style of operations and arrest of nightclub clientele.

- (e) Before the arrest or taking into custody of erring individuals, their rights and rules should be read out to them.
- (f) There should be no force or violence, except where necessary, and the use of force should be proportionate.
- (g) In cases where a suspect is eventually arraigned in court by the law enforcement agencies after such raids, the enforcement agencies must take all necessary steps to ensure that the suspect or accused person is provided with the opportunity of ample legal representation.
- (h) Laws when made must be properly publicised to register in the psyche of citizens before implementation.

E. Guidelines and policy on Sexual and Gender-Based Violence for the Government, Human Right Organisations, Non-Governmental Organisations, Religious Organisations and other Community based Organisations

- a. Inform the community about standards of behaviour and complaints mechanisms.
- b. Inform the citizenry of their right to protection against sexual exploitation and abuse.
- c. Inform the citizens about the complaints procedures and specifically how to make a complaint, and to whom, and what they can expect afterward.
- d. Inform about available survivor assistance, including confidentiality of services.
- e. Advocate with police/security forces and promote confidence-building between police/security forces and the community. Some examples:
 - i. Increase numbers of female police.
 - ii. Meetings and information sharing between police and the community.
 - iii. Information sessions about laws and protections from police to women

and girls in the community.

- iv. Regular contact and communication with the local authorities.
- f. Emphasis should be placed on financial empowerment for women and young female children who do not have viable and verifiable source of livelihood and have to depend on their violators for survival.
- g. There should be orientation of the community on the need to eradicate repugnant traditional practices such as wife beating, forced tolerance and absolute dependence of the wife on the husband for financial survival.
- h. Wrongful traditional beliefs can only be broken down by consistent and sustained advocacy which the government must commit to through its relevant MDAs. There is need for relevant agencies of government as well as non-governmental organisations to accentuate and accelerate its campaigns and trainings in the areas of harmful traditional beliefs being held by most enclaves of society against women, girls and widows, as it is obvious from the Panel findings that it is not yet *uhuru* in these areas. Thus, the relevant agencies of state like the Ministries of Youth, Social Development; Information and specialised agencies like the National Orientation Agency must engage the medium of massive campaigns and trainings for targeted sectors of society on the need for respect for the sanctity of the human body and the need not to cave in to fear or shame but to speak up if same is violated.
- i. It is recommended that a psychiatric clinic/psychologist(s) should be attached to the Commission to ensure the all-round health, especially mental and emotional, of the staff of the Commission so that they can always discharge the mandate of the Commission optimally.
- j. Considering the sensitive nature of SGBV issues, it is recommended that the powers of the Panel to compel attendance should be entrenched and

adequately used.

- k. Aside the legal requirement of service of summons, the Panel would need to collaborate more with her different States office to ensure that the States offices follow up on any one whose attendance is necessary at the Panel to ensure that it is entrenched in the psyche that they have an important event to attend to. In addition to calls, visits may be made to some Respondents and/or parties.
- l. It is also recommended that prior to future public hearings by the commission courtesy visits and calls should be made to both the Commissioner of Police of the state and the Governor of the State where such public hearings will hold in order to strengthen the effectiveness of the Panel and make the necessary provisions for both police protection and to secure the presence of flouting Respondents.
- m. The National Human Rights Commission must not let the pain and the trauma that these victims of sexual and gender-based violence were subjected to go to waste. The Commission must leverage on the work of the Panel; sustain the tempo and push the narrative further by follow-up litigation and advocacy. Perpetrators of SGBV must be prosecuted in deserving cases.
- n. The Commission, relevant governmental and non-governmental agencies should also work with sectors and branches of local and national Nigeria Bar Association (NBA) to provide judicial support and remedies for such victims in cases where judicial remedies exist, though largely unexploited, such as judicial position on inheritance by female children.
- o. It also came to the fore that there is no proper numbering and identification of Nigeria geography as well as of her citizens as millions of Nigerians remain undocumented in the National Identity Numbering (NIN). This is a

very crucial element in crime prevention and detention and the relevant MDAs must actualise their mandate in these areas.

- p. In the course of Proceedings, it was discovered that there exists a few areas of lacunain the NHRC Act that does not empower the Commission to act in some instances;it is thereby recommended that the powers and mandate of the Commission be reviewed to address such lacunae. It is also recommended that the Commission works collaboratively with sister agencies such as NAPTIP, in the interim, in areaswhere the Commission lacks the direct mandate to act and NAPTIP has a mandateto act.
- q. Parents, guardians and care givers must be taught how to recognise child-predators(paedophiles) and groomers and parents, guardians, care givers must take responsibility not to leave their precious wards in the supposed ‘care’ and physicalspace with these predators.

F. Policy on Homes and Marriages

- (a) It is recommended that social institutions of state and religious institutions should placemore emphasis on trainings of persons that intend going into the institution of marriageas it is apparent that most entrants into marriage do not fully grasp the underlying concept of oneness; communion; and mutual respect that make for harmonious marriages.
- (b) Appropriate emotional, psychological and character tests may be prescribed by social and religious institutions. Persons who do not successfully scale through these tests maybe counselled to defer coming together in marriage until such a time as they are suitablyprepared.
- (c) It is noted that many men did not come out to voice out their pain and incidents of spousal battery and or sexual assaults despite the fact that the Panel was not specificallyset up for only females and inspite of increasing

knowledge that men are also subject to the malfeasance of sexual and gender-based violence sometimes in the home and in some cases outside of the home. This, no doubt, is an offshoot of wrong social and cultural inhibitions, indoctrination and expectations from the male gender. It is recommended that there should be a major focus of unlearning and relearning in these areas by the relevant MDAs and non-governmental organisations.

- (d) Adequate mechanism should also be put in place to ensure resolution of domestic disputes and violence.
- (e) It is recommended that both the male and female partners in the home must be financially empowered such that their union is not forced by survival instincts or dependence mentality but fostered on true feelings of love, commitment and loyalty.