

D HUMAN RIGHTS EFENDER

A Publication of Institute of Human Rights and Humanitarian Law

Vol. 3 No. 1 1st Quarter 2000, N200/E10

Police Lawlessness:

Threat to Democracy

**Renewed Terrorism
and Brutality**

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Police and Niger Delta

CBS/3/
935

UNIVERSAL DECLARATION OF HUMAN RIGHTS

Objectives

To establish human rights principles under international law as a common standard which detail the human rights to which all human beings are entitled.

To establish human rights principles in an effort to ensure that human beings can create a world in which they can live in harmony with one another.

Scope

To provide for the protection and enforcement of civil and political human rights and economic, social and cultural rights through international cooperation and to promote respect for these rights by progressive measures through teaching and education.

Article 1

All human beings are born equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

Article 2

Everyone is entitled to the human rights set out in the Declaration regardless of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Articles 3

Everyone has the right to life, liberty and the security of person.

Article 4

No one shall be held in slavery and slavery shall be against the law.

Article 5

No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6-7

Everyone has the right to be treated as person by the law; everyone has the right to be treated equally by the law.

Article 8

Everyone has the right to effective remedy before the

law.

Article 9

No one shall be subjected to arbitrary arrest, detention or exile.

Article 10

Everyone has the right to a fair and public hearing by an independent tribunal in any criminal charge against him.

Article 11

Everyone shall be presumed to be innocent until found guilty by a competent tribunal.

No one shall be convicted of a crime if his behaviour was not against the law at the time that he did what he did.

Article 12

Everyone has the right to privacy of his person, home, family or correspondence and everyone has the right to be protected by the law.

Article 13

Everyone has the right to freedom of movement and residence in his country. This includes the right to leave and re-enter his country.

Article 14

Everyone has the right to political asylum to escape persecution in his country except where his extradition is sought for prosecution of non-political crime.

Article 15

Everyone has the right to a nationality.

Article 16

All men and women of full age have equal rights to marry and found a family. They have equal rights before, during and after marriages.

Marriage must be entered into with the free consent of the intending spouses.

The family is the fundamental group unit of society and is entitled to protection by society and the state.

Article 17

Everyone has the right to own property and the right not to be arbitrarily deprived of his

property.

Article 18

Everyone has the right to freedom of thought, conscience and religion; this includes the right to change one's religion or belief and freedom to practice that religion or belief in private or in community with others.

Article 19

Everyone has the right to freedom of opinion and expression which includes the right to receive and impart information and ideas.

Article 20

Everyone has the right to freedom of peaceful assembly and association; no one may be compelled to belong to an association.

Article 21

Everyone has the right to participate in the government of his country, directly or through freely chosen representatives.

The will of the people shall be the basis of the authority of government, expressed through periodic free and fair elections based on one person one vote and by secret ballot.

Article 22

Everyone, as a member of society, has the right to social security, and is entitled to his economic, social and cultural rights to develop his personality.

Article 23

Everyone has the right to work, the right to free choice of employment, the right to just and favourable conditions of work and the right to protection from unemployment.

Everyone has the right to equal pay for equal work, the right to favourable pay to enable him and his family to live with dignity.

Everyone has the right to form and join a trade union to protect his interests.

Article 24

Everyone has the right to

rest and leisure. Limitation of working hours and periodic holidays with pay.

Article 25

Everyone has the right to an adequate standard of living including food, clothing, housing and medical care and necessary social services, and the right to security when unemployed, ill, disabled, widowed or in old age.

Motherhood and childhood are entitled to special care. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26

Everyone has the right to education which shall be free at least at primary level. Primary education shall be compulsory. Technical and vocational training shall be generally available and higher education shall be equally accessible to all on the basis of merit.

Human rights shall be taught at all levels to encourage tolerance and peace

Parents have a right to choose the kind of education that shall be given to their children.

Article 27

Everyone has the right to freely participate in the cultural life of the community, the right to enjoy the arts and the benefits of scientific advancement.

Article 28

Everyone has the right to an environment in which these rights can be achieved.

Article 29

Everyone has the duty not to infringe the rights of others.

Article 30

Nothing in this Declaration shall entitle anyone to infringe the rights guaranteed by this Declaration.

Be Part Of IHRHL Paralegal Network

The nature of SPANE is best understood against the background of the country's legal system and the access to justice which this does or does not accord. Nigeria is a country of deep-seated inequality. This takes many forms, and is especially evident in the unavailability of legal services to individuals. In a country of approximately 100,000,000 people, there are about 35,000 practising attorneys, qualified to meet their legal needs. This simply means that the vast majority of the rural population have no access to legal assistance cum justice. Ignorance and illiteracy compound the problem. Particularly in remote rural areas, people have no concept of their rights under law, no understanding of the fact that law can be used to serve and protect their legitimate interests, no inkling of how to obtain redress of wrongs. This situation causes untold suffering to individuals. It is also inimical to the maintenance of democracy in a post-military dictatorship Nigeria. Democracy rests on knowledge of, and respect for, mutual rights under law. It requires understanding of the role of law, respect for rule of law, and mutual willingness to accord rights and honour obligations. It demands in short, a "rights-based culture. Yet such a culture is sadly lacking in Nigeria, especially in far-flung rural areas, where ignorance and poverty abound.

AN ORGANIC PROGRAMME

An innovative approach to meet this problem is required. It cannot be assumed that a sufficient number of qualified attorneys will take up residence in rural areas. There is also minimal long-term gain in using city lawyers to take occasional test-cases through the courts, for this solves only the immediate problem and does nothing to empower the rural communities. What is needed is an organic programme, growing out of the communities and responsive to their needs, which will empower community members to identify and know their rights under law, to manage their own legal problems and to develop self-reliance: the key to self-determination and mutual respect for rights

SPANE was created as a fundamental project of the IHRHL to develop an organic programme. In doing so, it:

- Ø helps establish paralegal committees in interested communities, wanting to participate in its work
- Ø trains community members - selected by the paralegal committee - in basic elements of law, so that these "bare-foot lawyers" can teach and advise communities on the problems they face
- Ø establishes rural advice offices, staffed by trained paralegals
- Ø teaches communities the basic elements of law, such as arrests, bail, marriage and maintenance, rape, inheritance, employment and pension rights etc.
- Ø provides professional back-up for cases which require the skills of trained practitioners
- Ø organises training on the meaning and significance of protecting human rights, to help lay the foundation for a post-military Nigeria
- Ø empowers rural communities by providing tools to handle their own legal problems, whilst at the same time enhancing their senses of self-respect and self-responsibility.

SPANE operates in close cooperation with the communities it serves. Large community meetings are convened in the preliminary stages to explain the aims and operation of the project and gauge the extent of community support. Once the decision has been made for the IHRHL to begin operating in a community, the community elects a paralegal committee, responsible for providing premises for an advice office and for the day-to-day administration of the office. The paralegal committee then chooses two or more adults, (depending on the population-base of the community) to be trained as paralegals. Trainees must be fluent in both English and their local language. The paralegal committee is responsible for deciding the areas of law in which the paralegals are to be trained. On going liaison is maintained with paralegal committees, to ensure that the project remains sensitive to community perceptions and priorities.

Cost: Nothing, but spirit of commitment and voluntarism in seeing that -SPANE succeeds in your environment.

Traditional rulers/ Community Leaders that find SPANE a worthy project that can make genuine difference in the lifestyle of their community should urgently contact :

The Coordinator

Community -Based Structural Paralegal Assistance Network

Tel/ Fax: (234) 084-231716, internet/e-mail @ihrhl.alpha.linkserve.com

Human Rights Information And Documentation Network

(LINKING NGOS, RESEARCHERS, STUDENTS AND COMMUNITIES' STRUGGLES TO END IGNORANCE)

IHRHL PUBLICATIONS:

Human Rights: An Umbilical Cord of Representative Democracy

- Humanity Prison
- Police at the Service of Human Rights
- A Legacy for our Children(Empowerment text)
- Execution of the Sanction (A non-custodial alternative)
- Community-based Paralegal Manual
- Human Rights Defender (Quarterly Journal)
- Christian to Christian Alert (Monthly Newsletter/Bulletin)
- Annual Reports
- Special Reports
- Public Interest Law and Practice Journal (Quarterly)
- All published by the IHRHL

OTHER RESOURCE COLLECTIONS INCLUDE:

- National and international human rights law reports/Documentation
- International Law/Human Rights Books

- International Law/Human Rights Journal/Magazines/Newsletters/ Bulletins
- Yearbooks on international human Rights
- Human Rights Instruments
- International Relations and Books in Humanities
- National Law Reports/Practice/Reference materials
- Effective Computer/fax/telephone/photocopying technology
- Quiet reading environment
- ETC.

Our research services are absolutely free of charge. The general public are welcome to continue to use the services of HRDN.

For Further Details, Contact or Visit:

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IHRHL, 2B Railway Close, D/Line
P.O.Box 2292, Port Harcourt. Rivers State. Nigeria.
Tel/Fax: 234-(0)84: 231716

Sharia

If the Obasanjo administration was not serious at stopping Sharia when Governor Yerima, first introduced it in Zamfara State, it should be very vehement to stop it now that it has resulted to chaos, riots and deaths in some parts of the country.

The enemies of this country are desperate to scuttle our nascent democracy.

Imminent responsibility of government will now be shifted from provision of basic needs to settlement and restoration of order.

The recent order by the Federal Government that all states that have adopted the Shiara law should move back to the status quo is well commended.

A State of emergency should be declared on any state whose governor defaults this superior order.

*Ifeoma Chiwe
Enugu State*

If there is anything to go by the remote causes of the recent violent, tribal, religious and fractionalized clashes and crisis that have recently become hallmarks of the Nigerian Nation, and a time bomb for our baby Democracy, one can easily prove that those sections of this country who think it is

their birth right to hord it over others perpetually and who are unnecessarily crying wolf of marginalization, will stop at nothing to kill this government which in their selfish opinion is not favourable to them.

The Executive and the legislators should fight like wounded lions to avert every evil plan real or imagined for our Nigeria.

*Ndidi Ogochukwu
Imo State*

Those who kick against the convocation a Sovereign National Conference despite the tell tale signs of what are happening in our country today should better visit the psychiatrist.

The wanton destructions of lives and properties in Kaduna State, some parts of the Eastern States and other areas of the country since the inception of this administration were signs enough that Nigeria is heading for disintegration.

Unless something is done urgently to douse the tensed nerves of various segments of the country who agitate for self-determination, a time shall come when the fight will degenerate to family against family.

Raymond Philips

*Undergraduate
Delta State.*

Going by the clamour for succesion by various ethnic nationalities and perhaps the recent wanton destruction of lives and properties in Kaduna State an some parts of Eastern States of the country following the introduction of Sharia as a legality in the country, it is now obvious that the amalgamation of Sourthen and Northern protectorates in 1914 by our colonial masters was a great blunder.

Nigerians cannot not pretend that all is well with our country. This is the period to go back to the drawing board and unanimously fashion out how to sustain the corporate existence of this one entity called Nigeria.

*Uche Jineqwo
Anambra State*

Sharia or no Sharia, Nigeria must be one.

Those who chose to express their grievances through the usurpation of Sharia should know that they can run but they can't hide.

*Frank Roy
Port Harcourt*

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HUMAN RIGHTS ANGLE KNOW YOUR RIGHTS

For every cause, there is an effect, for every action, a reaction. For every seed comes a fruit. For every being, there is a right. For every crime there is a right to defend.

Yes! As you have a right to be responsible for your irresponsibility, so do you have a right to defend yourself.

The Nigerian constitution supports it - (section 36) subsection (1), the Universal Declaration of Human Rights advocates it (Article 10) and the African Charter on People's Rights upholds it (Article 7).

So ! Don't be deprived of your rights, not even by your neighbour, the police or the judge.

WHOM AM I?

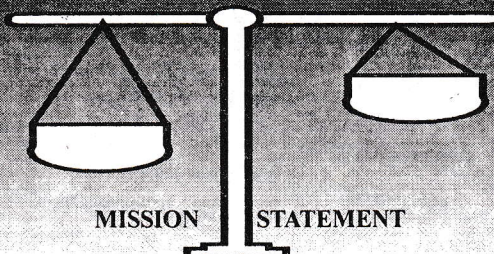
I was created out of dust and christened man. Out of me, my partner was formed and named woman.

Together, we have:

- Right to life
- Right to liberty
- Right to security of person
- Right to fair hearing
- Right to self determination
- Right to freedom of thought
- Right of opinion and expression
- Right of religion
- Right to own property
- Right to freedom of movement
- Right to peaceful assembly and association

We have all these rights and lots of more but where our rights stop, others begin.

Know your rights, Demand them and Defend them.



Over the years a lot of injustices have been meted out to the Nigerian populace. The injustices have been largely responsible for the decapitation of the masses. The political system has equally been decimated as the common man is denied his fundamental human rights as enshrined in the Nigerian constitution, the African Charter on Human and People's Rights, the Universal Declaration of Human Rights and other relevant instruments on Human Rights.

The violation of human rights in Nigeria has continued unabated due to ignorance of the masses about their rights. John Stuart Mill argues that "the rights and interests of every or any person are only secured from being disregarded when the person interested is himself able, and habitually disposed to stand up for them".

The Human Rights Defender, a quarterly journal of the Institute of Human Rights and Humanitarian Law (IHRHL) is designed to enlighten the people about

their rights in society. The journal has been painstakingly packaged by the IHRHL because of its belief that access to human rights information and legal systems are integral to the foundation required for a stable, democratic and tolerant society accountable to its people.

Around in the country are cases of molestations, intimidations and violations of human rights from the hands of the Nigerian security agents whose quest for power has assumed uncontrollable limits.

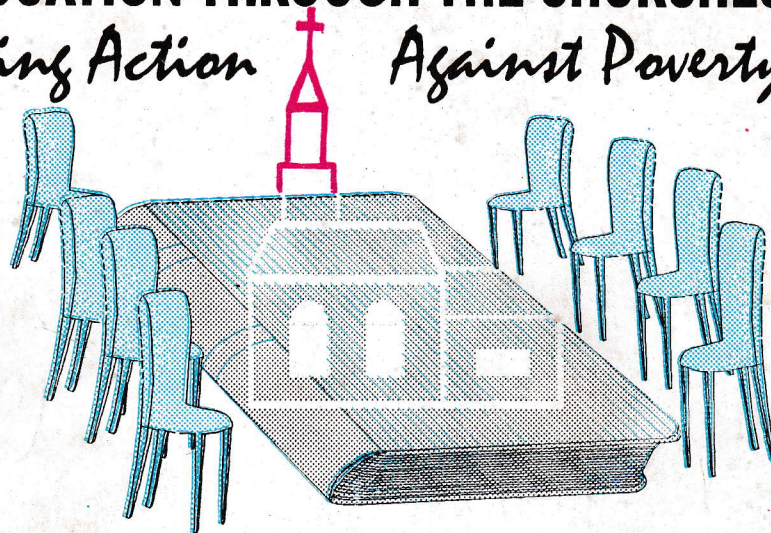
In spite of our acclaimed Democracy, Nigeria, the giant of Africa still can not guarantee the safety and well-being of her citizens. People are still arbitrarily arrested, tortured and detained without trial.

It is therefore our mission to use this journal as a catalyst for sensitizing the people to stand up for their rights.

HUMAN RIGHTS, DEMOCRACY AND GOOD GOVERNANCE

EDUCATION THROUGH THE CHURCHES

Taking Action Against Poverty.



The reality of life in Nigeria today is of a polarized society where the unemployed people, plus millions working full-time at low wage jobs, experience bad schools and resulting low level of literacy; bad housing and resulting high level of homelessness; inadequate policing and dangerous streets; bad nutrition and poor health care. Every schoolchild in Nigeria-literate or not-hears about equality of opportunity and "liberty and justice for all." In fact, the millions of Nigerian poor, urban and rural, are tightly sewn into the poverty trap across generations.

CERTAINLY THE CHURCHES HAVE A ROLE TO PLAY IN CHAMPIONING MATTERS OF SOCIAL JUSTICE, SUSTAINABLE DEVELOPMENT AND DEMOCRATIC CONSOLIDATION IN THE NEW ERA.

POVERTY IS NOT NATURAL PHENOMENON, REGRETTABLE BUT AVOIDABLE AS SOME OF OUR POLICY MAKERS ARGUE.

A JUST ECONOMY REFLECTS GOD'S PASSION FOR THE POOR AND DISADVANTAGED, ENHANCING THE LIFE OPPORTUNITIES OF THE POOR, THE WEAK AND GROUPS AT THE MARGIN OF SOCIETY. INDEED, IN A TRULY JUST ECONOMY THERE WILL BE NO POOR.

Together We Can Find Humane Solutions

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*Printed by: Fair & Square
No. 6 Njemanze Street, Mile 1 Diobu,
Phone: 084 - 238305, Port Harcourt.*