**Questionnaire for Members, Observer States and National Human Rights Institutions**

**by the UN Special Rapporteur on the situation of human rights defenders**

**Mary Lawlor, 9 February 2021**

The UN Special Rapporteur on the situation of human rights defenders, Ms. Mary Lawlor invites Members and Observer States and National Human Rigths Institutions to respond to the questionnaire below. Submissions received will inform the thematic report of the Special Rapporteur on the issue of long term detention of human rights defenders, which will be presented to the UN General Assembly in September 2021.

The questionnaire on the report is available at OHCHR website in English (original language) as well as in French, Spanish, Russian and Arabic (unofficial translations): (<https://www.ohchr.org/EN/Issues/SRHRDefenders/Pages/SRHRDefendersIndex.aspx>).

All submissions received will be published in the aforementioned website, unless clearly indicated that you do not wish to have your input be made publicly available when submitting your response.

There is a word limit of 2500 words per questionnaire. Please submit the completed questionnaire to [defenders@ohchr.org](mailto:defenders@ohchr.org)

Deadline for submissions: **19 March 2021**

**Contact Details**

Please provide your contact details in case we need to contact you in connection with this survey. Note that this is optional.

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| --- | --- |
| Type of Stakeholder  (please select one) | Member State  Observer State  X National Human Rights Institution  Other (please specify) |
| Name of Stakeholder/ Institution (if applicable)  Name of Survey Respondent | National Human Rights Commission, Nigeria.  Iheme Richmond |
| Email | [info@nhrc.gov.ng](mailto:info@nhrc.gov.ng) , ihemerichmond@gmail.com |
| Can we attribute responses to this questionnaire to your State or Institution publicly\*?  \*On OHCHR website, under the section of SR on the situation of human rights defenders. | xYes No  Comments (if any): |

**Questions**

Human rights defenders are persons, who individually, or in association with others, work peacefully to promote and protect universally recognized human rights and fundamental   
freedoms, in accordance with the UN Declaration on Human Rights Defenders.

Defenders around the world peacefully promoting and defending human rights operate under national legal frameworks not always fully consistent with the United Nations Charter and international human rights law. In some instances, as echoed in multiple Human Rights Council and General Assembly resolutions,[[1]](#footnote-1)[1] national legislation, in particular national security and counter-terrorism laws, or regulations on civil society and public freedoms have been misused to target defenders in a manner contrary to international law that might result in long-term arbitrary deprivation of liberty.

1) Do you know of any human rights defender(s), currently detained by your State, who have been imprisoned on charges that carry a prison sentence of at least 10 years or more? Please provide a list of cases.

# No,

# There are however instances of periodic harassment and detention of actual or perceived human rights defenders. . For instance , Omoyele Sowore was [arrested](https://www.reuters.com/article/us-nigeria-politics/nigerian-activist-sowore-pleads-not-guilty-to-treason-charges-idUSKBN1WF16F" \o "arrested" \t "_blank)  in August 2020 , detained in Abuja by Department of State Security and charged for treason for calling for revolution. Among others, he allegedly tweeted that

# All that is needed for a #Revolution is for the oppressed to choose a date they desire for liberty, not subjected to the approval of the oppressor,

# He was finally released on bail, though, as pressure mounted for his release from the Human Rights Community.

However, in December, 2020, Sowore was [re-arrested](https://www.rfi.fr/en/africa/20210103-nigeria-high-profile-new-year-s-eve-activist-omoyele-sowore-arrested-denied-bail" \o "re-arrested" \t "_blank)  along with four other activists following a demonstration denouncing police and other violations of human rights. This time, he was charged with unlawful assembly, criminal conspiracy, and inciting a public disturbance. But, on January 12, the Chief Magistrate Court in Abuja [ordered](https://www.arise.tv/nigerian-court-grants-sowore-52000-bail/" \o "ordered" \t "_blank) his release on bail, and the police [complie](http://saharareporters.com/2021/01/11/breaking-sowore-meets-stringent-bail-conditions-thanks-nigerians-support" \o "complied" \t "_blank)d

2) Do you know of any human rights defender(s), currently detained by your State, who have been imprisoned on continuous sentences amounting to 10 years or more?  For example, a defender who completes a sentence of four years in detention but instead of being released is given another six year sentence? Please provide a list of cases or examples if possible.

No

3) Do you know of any human rights defender(s), whose time in pre-trial detention and/or   
administrative detention by your State combines with a sentence that amounts, or would amount to 10 years or more? Please provide a list of cases.

No

4) Do you know of any human rights defenders falling under any of the previous categories above, who were released before ending their long-term prison sentences for any reasons (e.g. granted a pardon, as a result of an appeal, or released on humanitarian or other grounds)? Please provide a list of cases.

No

5) What actions do you suggest the Special Rapporteur can take to:

1. Prevent defenders from being detained for long terms in connection to their human rights work?

It will be useful for the Special Rapporteur to urge states to ensure a safe and enabling environment for human rights work and to consider effective sanctions for state complicity in violations against human rights defenders. More so, allegations of violations against human rights defenders ought to be thoroughly investigated in order to hold perpetrators accountable.

and

1. Have those human rights defenders arbitrarily detained under long sentences released?

Mounted pressure on government with sustained advocacy may be helful to cause release of Human Rights Defenders arbitrarily detained

**NOTE**: When providing the list of cases/examples under each question, please include: the name of the human rights defender(s), a summary of their human rights work, history of   
detention (date of arrest(s), charges and conviction including articles of the relevant law(s)), a brief explanation of facts relevant to their case).

1. [1] See [A/HRC/RES 22/6](https://ap.ohchr.org/documents/dpage_e.aspx?si=A/HRC/RES/22/6) (2013) and [A/RES/68/181(2014)](https://undocs.org/A/RES/68/181). See also: [A/HRC/RES/25/18 (2014),](https://undocs.org/A/HRC/RES/25/18) [A/HRC/RES/27/31 (2014),](https://undocs.org/A/HRC/RES/27/31) [A/HRC/RES/32/31](https://undocs.org/en/A/HRC/RES/32/31) (2016) and [A/HRC/RES/34/5 (2017)](https://undocs.org/en/A/HRC/RES/32/31)  [↑](#footnote-ref-1)