

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	494
Land:	Nigeria
Kilde:	Amnesty International
Titel:	Endangered voices – Attack on freedom of expression in Nigeria
Udgivet:	14. oktober 2019
Optaget på baggrundsmaterialet:	2. december 2019

ENDANGERED

VOICES

ATTACK ON FREEDOM OF EXPRESSION IN NIGERIA



AMNESTY
INTERNATIONAL



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First published in 2019

by Amnesty International Ltd

Peter Benenson House, 1 Easton Street
London WC1X 0DW, UK



Cover Illustration: © Amnesty International

Index: AFR 44/9504/2019

Original language: English

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ENDANGERED VOICES: ATTACK ON FREEDOM OF EXPRESSION IN NIGERIA

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GLOSSARY

ACRONYMS	DESCRIPTION
ACHPR	African Commission on Human and People's Rights
CPJ	Committee To Protect Journalists
DSS	Department of State Security Service
ICCPR	International Covenant on Civil and Political Rights
NBC	National Broadcasting Commission
NUJ	Nigerian Union of Journalists
SARS	Special Anti-Robbery Squad

1. EXECUTIVE SUMMARY

In Nigeria, the civic space continues to shrink. Clear examples of this are the consistent attacks on freedom of information and expression as well as media freedom, which are all constituent parts of a country's civic space.¹ Since 2015, attack on journalists and media activists have continued unabated. Between January and September 2019, at least 19 journalists and media practitioners have suffered attack. Amnesty International has been closely monitoring these attacks and now reports on how they have contributed to the violation of other human rights in Nigeria. These attacks take the form of verbal and physical assault, as well as indiscriminate arrest and detention by Nigerian authorities. These violations are mostly perpetrated by Nigeria's security forces - the Nigeria Police, the Nigerian Army and officials of the Department of State Service (DSS), and they occur when journalists and media practitioners seek access to information, share information or express critical views that could drive public opinion.

Oftentimes, dissenting views expressed by media practitioners are criminalised, particularly when they revolve around sensitive issues. Also, the stifling of freedom of expression for these groups occurs in circumstances where journalists are pressured to disclose their sources of information. Those who spoke to Amnesty International confirmed that they came under intense pressure from Nigeria's security officials to reveal their sources of information, particularly when they published stories that focused on corruption, elections and armed conflict. Some of the journalists were kept under surveillance, while others received death threats via telephone calls from unidentified people. Many journalists also came under attack while reporting the 2019 General Elections across Nigeria.²

The failure of Nigerian authorities to investigate cases of indiscriminate arrest, detention and prosecution of journalists and media practitioners ensures that perpetrators are not held to account for these human rights violations. Victims who suffered arbitrary arrest and detention told Amnesty International that they were tortured and pressured to write confessional statements, which were used to prosecute them in court. While many of them faced indiscriminate charges such as 'defamation', 'terrorism' and 'cyberstalking', others had charges such as 'kidnapping', criminal trespass and theft of state documents brought against them. Worse still, many of the journalists were prosecuted under the Cybercrime Act and Terrorism (Prevention) (Amendment) Act 2013, alongside other laws. The Terrorism (Prevention) (Amendment) Act 2013 prescribe the death penalty for those found guilty. Thus making journalism a dangerous venture.

In cases where journalists and media practitioners sought legal redress for violations suffered, the authorities have failed to obey court judgements, while halting access to justice and the right to an effective remedy. Reporters Without Borders, an organisation that conducts advocacy for freedom of information and press freedom, ranks Nigeria 120 out of 180 in its 2019 Data of Press Freedom ranking. The report also rated Nigeria as 'difficult' for press freedom and net freedom.³ Also, the Committee to Protect Journalists (CPJ) in its 2018 Global Impunity Index, stated that there were thirteen unresolved murders of journalists in Nigeria within the reporting period.⁴

Under national and international law, Nigeria has an obligation to respect, protect, promote and fulfil the right to freedom of expression and media freedom. This briefing, therefore, documents illustrative attacks on journalists and media practitioners in Nigeria. While rendering their testimonies, it reveals the pattern of violations and concludes by making recommendations to the Nigerian authorities at both federal and state levels.

¹ Amnesty International, **Nigeria: Crackdown on journalists and assault on protests shrinking civic space**, 28 September 2016, <https://www.amnesty.org/en/latest/news/2016/09/nigeria-crackdown-and-shrinking-civic-space/>

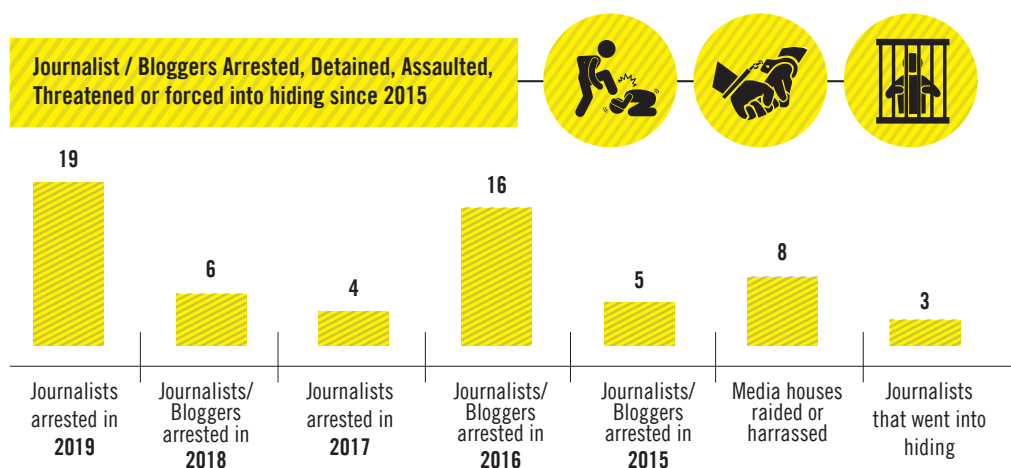
² Committee to Protect Journalists, **'Journalists in Nigeria detained, harassed, and assaulted while covering state elections' 13 March 2019** <https://cpj.org/2019/03/journalists-in-nigeria-detained-harassed-and-assau.php>; See also Premium Times, 'Violence, harassment of journalists, other irregularities marred Nigeria's 2019 elections – EU' 16 June 2019: Violence, harassment of journalists, other irregularities marred Nigeria's 2019 elections-EU <https://www.premiumtimesng.com/news/headlines/335290-violence-harassment-of-journalists-other-irregularities-marred-nigerias-2019-elections-eu.html>

³ Reporters without Borders, **Data of Press Freedom Ranking 2019**: https://rsf.org/en/ranking_table

⁴ Elisabeth Witchel, **Getting Away with Murder. CPJ's 2018 Global Impunity Index spotlights countries where journalists are slain and their killers go free**: <https://cpj.org/reports/2018/10/impunity-index-getting-away-with-murder-killed-justice.php> (accessed 1 September 2019).

2. METHODOLOGY

Amnesty International has been monitoring and documenting attack on journalists and media activists since 2015. Amnesty International conducted face-to-face and telephone interviews with twenty journalists and media practitioners across Nigeria, who were willing to share their stories for this briefing. Amnesty International also interviewed owners of three private television and radio stations, to document their experiences. Additionally, Amnesty International reviewed reports, press statements, court documents, videos and images provided by journalists, media practitioners and media houses. The briefing reveals a growing pattern of attacks on journalists and its impact on the civic space. It concludes by calling on the Nigerian authorities to ensure that journalists, bloggers and media practitioners can do their work without any fear of attack.



Court charges against journalists and media activists

- Obstruction of duty
- Assault
- Treason
- Cyber stalking,
- Sedition,
- Blackmail
- Cybercrime,
- Terrorism,
- Petroleum production and sabotage
- Unlawful assembly
- Breach of peace
- Defamation
- Stealing official documents
- Defamation of Character
- Criminal Conspiracy
- Printing or Engraving matter
- Criminal conspiracy,
- Inciting disturbance
- Injurious falsehood
- Public incitement



Reasons for arrest

- For filming brutality by state agents
- Publication
- Exposing corruption
- Election coverage
- For filming or covering
- Participating in a protest
- Post critical of a governor or senator
- Refusal to disclose source
- Social media post
- Offensive publication
- Writing a report against a governor



State actors involved

- Police
- DSS
- Military
- SARS

3. JOURNALISTS ARRESTED AND DETAINED

Journalists and media activists have been forcibly made to disappear, detained and tortured, and have variously had their rights violated for doing their job. In several instances, Nigeria's security forces arrest and secretly detain them in inhumane conditions. Family, close relations and the lawyers of those taken into custody are rarely provided with any information on the whereabouts of their loved ones nor allowed access to them, leaving many of these families in a state of trauma and the pain of separation from their loved ones. This section is devoted to illustrative cases of instances where media practitioners have faced different attacks for doing their job. The examples include testimonies of practitioners from both traditional and the new media.

3.1 ARRESTED AND DETAINED FOR PUBLISHING ABOUT OIL BLOCKS IN THE NIGER DELTA

JONES ABIRI



Jones Abiri is the publisher of *Weekly Source* – a local tabloid circulated in Yenagoa, Bayelsa State, in Nigeria's oil-producing Niger Delta region. In July 2016, officials of the Department for Security Service (DSS) arrested and detained Jones for over two years without any charge, after he published

an article on 10 July 2016 about oil blocks and politics in Nigeria⁵. On 15 August 2018, he was released after a Magistrate Court struck out the charges against him. Eight months after Jones' release, the DSS re-arrested him. He was later charged with cybercrime, terrorism, petroleum production and sabotage. Recounting his arrest and detention by Nigeria's secret police in 2016, he told Amnesty International: "It happened on the 21st day of July 2016, precisely at 3:22pm, when armed men breezed into my office, telling me that my office was under investigation. I comported myself well, knowing fully well that I was not a criminal. They showed me a search warrant, which was duly signed by a magistrate. After seeing the warrant, I allowed them to conduct their search, while I watched them closely, in order to make sure that certain incriminating objects were not planted in my office. Lots of documents, all the files on my table, some electronic gadgets, my laptop, iPad, phones, including stamps and envelopes that verified certain payments, were taken away. After doing all this, they whisked me away to their office (the State Command) there in Yenagoa."

Jones Abiri was detained in the cell in Bayelsa State for seven days. During his interrogation, he was made to write a confessional statement admitting he was a militant.⁶

"I was tortured, beaten and much pain was inflicted on me. At that point, they said that if I would agree to whatever crime they pinned on me, based on their findings, I would be set free and that without that, I would be made to undergo all forms of ill treatment. I was treated badly, for the fact that they wanted to obtain particular information from me and were

⁵ Copy of article seen by Amnesty International

⁶ Restive individuals known for oil theft in Nigeria's oil-producing region

ready to do anything to me in order to get the exact confession they wanted from me. They wanted me to confess that I was the leader of a group called Joint Niger Delta Liberation Force, a group I had no idea, concern or knowledge about,” he told Amnesty International.

He narrated the ill treatment that security officials inflicted on him:

“I was tortured, beaten and much pain was inflicted on me. At that point, they said that if I would agree to whatever crime they pinned on me, based on their findings, I would be set free and that without that, I would be made to undergo all forms of ill treatment.

“I was threatened that if I didn’t give them more details about the statement I purportedly made in Bayelsa, they would use pliers to remove my fingernails. I was tortured, beaten, threatened and told to admit exactly what they wanted. They threatened to insert pins into my male organ if I failed to do so,” he told Amnesty International.⁷

Jones was locked up in detention without any form of contact or communication with his family, lawyer or friends. During his incarceration, Nigerian authorities denied that he was in the custody of the DSS in Abuja. However, Amnesty International, Committee for the Protection of Journalists (CPJ), human rights defenders and other media activists called on Nigerian authorities to provide information about Jones’ whereabouts and release him⁸. On 27 July 2018, Jones was hurriedly arraigned at a Magistrate Court in Abuja, making it the first time he would be seen in public since his arrest in July 2016.

On 15 August 2018, he was released on bail, while facing serious charges under Nigeria’s Terrorism (Prevention) (Amendment) Act 2013. On 17 September 2018, a Magistrate Court sitting in Abuja struck out the charges against him on grounds of lack of jurisdiction. On 13 September, a Federal High Court, in a fundamental human rights suit filed by Jones’ lawyer, awarded 10 million naira against the Department of State Security Services, for the illegal detention of Abiri Jones for over two years without trial. The judgement is yet to be obeyed.

Eight months after Abiri Jones’ release, precisely

on 20 May 2019 at about 8pm local time, men suspected to be officials of the Department of State Service re-arrested Jones, while he was in the company of friends at his office premises in Yenagoa, Bayelsa State.

Following his arrest, Abiri Jones was charged with terrorism, petroleum production and cybercrime. His lawyer filed a bail application for his release at the Federal High court in Abuja. On 24 June, the court granted the bail application but he was unable to meet the bail conditions. On 7 October 2019, the High court reviewed Abiri Jones’ stringent bail conditions.

3.2 ARRESTED AND TORTURED FOR FILMING POLICE BRUTALITY

KOFI BARTELS



Kofi Bartels is a broadcast journalist with *Nigeria Info 92.3 FM*, a radio station based in Port-Harcourt, South-South Nigeria. On 4 June 2019 at about 10:15 am, officials of the Special Anti-Robbery Squad (SARS) of the Nigeria Police assaulted Kofi. He was then arrested, detained and tortured for attempting to film policemen beating up a teenager in the city of Port-Harcourt. He told Amnesty International: “I brought out my phone and took a video, but while I was at it and before I could even say ‘Jack...’, one of the men brought out a 2 by 2 inches plank of wood and went for my knees. He kept smashing and

hitting at my knees. When he stopped, he ordered me to get into the bus. I quickly complied, but due to the injuries on my knees, I couldn't move very fast. So he pushed me into the bus and handcuffed me to a suspect. Then they brought out their guns and shot into the air as they sped off. In the bus I was hit, I was slapped. As they were driving away, I felt that my right knee was shattered. I begged them to let me go. I even offered to bail myself out, because I was afraid that anything could happen on the way. They were filled with inexplicable rage when they were beating me."

Kofi was taken to the SARS headquarters in Port-Harcourt, where he was detained in a room and tortured. "My knee was swollen, so I had to drag myself out of the bus on my buttocks. I was taken to a room; it looked like a detention room, it was not like a cell, but a room. My phones were confiscated.

"Two of the four policemen engaged in slapping me one after the other and beating me. Another two joined in beating me up when they heard I had filmed what they had been doing. For about forty-five minutes, I was slapped about. I suffered hearing loss at a point, I couldn't hear! At a point, they took my shoes from me. It was quite unfortunate. I was beaten black and blue. I was not allowed to sit on a chair, I was on the floor on one leg. After a while, I was told I was going to be thrown into jail and that the beating was just the beginning.

"Two of the four policemen engaged in slapping me one after the other and beating me. Another two joined in beating me up when they heard I had filmed what they had been doing. For about forty-five minutes, I was slapped about. I suffered hearing loss at a point, I couldn't hear! At a point, they took my shoes from me. It was quite unfortunate. I was beaten black and blue. I was not allowed to sit on a chair, I was on the floor on one leg. After a while, I was told I was going to be thrown into jail and that the beating was just the beginning.

"One of them said that day was my end in Rivers State. That I had been running my mouth off on radio and discouraging them.

"One of them said that day was my end in Rivers

State. That I had been running my mouth off on radio and discouraging them. They said that because I had filmed them, they had left the boy alone to focus on me. One of them questioned the officers about why I was brought to the office and that they should have 'wasted' me."

After five hours of tortured and interrogation, word got to his neighbours and colleagues and he was released. He told Amnesty International, "The thing was in the news and the head of SARS came to our office and apologised, that the officers had been misguided. After then, the Provost Marshal of the Police in Rivers State invited me for investigation. They said an order came from the IGP in Abuja that they should investigate."

Kofi followed up on his case and attended the orderly room trial of the SARS officers who assaulted him, but he is not sure if justice was served as the case seemed to have been stalled without a tangible outcome. He has filed a fundamental human rights enforcement case against the Nigeria Police.

He described the impact of the incident on him: "Up until now, when I walk I feel pain in my leg and I can't walk as well as I should. I had nightmares at night. I would wake up with bad dreams and all that. I had to talk to a psychologist."⁹

3.3 JOURNALIST ASSAULTED AND DETAINED FOR TAKING PHOTOS OF BRUTALITY BY STATE OFFICIALS

MARY EKERE



Mary Ekere is a journalist with *The Post Newspaper* – a local tabloid based in Uyo, Akwa Ibom State, South Nigeria. On 16 September 2019, officials of the Akwa Ibom State Environmental Protection and Waste Management Agency assaulted Mary for filming their brutality against street traders in the city with her mobile phone. She told Amnesty International: “On that Monday evening, I was passing by Ibom plaza when I saw some people from the environmental sanitation board assaulting and arresting street traders. I was only trying to do my part and my duty of social responsibility and service as a watchdog. In the course of my taking pictures, I was manhandled and bundled into their waiting vehicle, along with a young man they had arrested.

“I could not count the men, there were many. They took my phone. About three of them lifted me into their vehicle. My clothes were pushed up as they carried me into the vehicle, I was wearing a skirt. They hit my leg on the metal door of the vehicle. Inside the vehicle, one of the men hit me in the chest with his elbow and then pushed me into a tight corner. He said that they would not adjust my leg [which was tightly stuck] that that was what I deserved.

“I could not count the men, there were many. They took my phone. About three of them lifted me into their vehicle. My clothes were pushed up as they carried me into the vehicle, I was wearing a skirt. They hit my leg on the metal door of the vehicle. Inside the vehicle, one of the men hit me in the chest with his elbow and then pushed me into a tight corner. He said that they would not adjust my leg [which was tightly stuck] , that that was what I deserved. Then they drove off to the Environmental Court. By the time we got to the Environmental Court, the magistrate had left. This was around 4:00pm. They took me to their office. We spent a few minutes there and then drove again to the court to check if the magistrate had returned, because they had put a call through to her. Upon getting there, the magistrate was not still there, so they had to drive out again. This time, straight to the prison and [they] dumped both of us there. So, I stayed in prison for three days. At the prison, the prison officials did the necessary documentation and I was taken to the female cell where my weave [artificial hair extension] was taken out. I wore the clothes I had on the day I was arrested. I was not given water or food. It was after some time that one of the inmates gave me bread to eat. I was barefoot until Tuesday, the day I was to appear in court, when someone gave me slippers to wear. They didn't even allow me to make a phone call to anybody. I used the phone of the young man arrested with me to call my elder brother, who related the information of my arrest to my office. I was in prison that Monday night. On Tuesday, I was called by prison officials, given the prison uniform and taken to court. In court, I was questioned by the registrar and I pleaded not guilty to the charges of ‘obstruction of duty’ and ‘assault’ levelled against me. So, I was granted bail and there was also a fine of N200, 000 if I failed to appear in court on the stated date. My dad was in court and he met the bail conditions and signed everything, but the magistrate left before he could sign to authenticate my release. It was only my case and that of the boy who was arrested with me that were called in court that day. The case was adjourned until 19 September. The magistrate left the court just after 2:00pm. She did not wait to sign the bail bond for my release, so I was taken back to prison again where I spent another night until members of my union (NUJ) told the state government and the Attorney-General of the state that if I was not released by 12 noon the next day, they would stage a protest. According to reports, at a few minutes before noon, the Attorney-General of the state reached out to the magistrate who was to sign the document (bail bond) for my release and directed her to do so immediately. That was how I was released on Wednesday, having spent three days in prison custody. I was taken to court again the next day, where the magistrate insulted me. My

colleagues were there in court and they can testify to what happened in court that Thursday.

“She said she had read all manner of things that the union (NUJ) had written and what was said in the media and that she was not bothered and that it was none of her concern. She also said that the Attorney-General had to call her.

“...the magistrate insulted me. My colleagues were there in court and they can testify to what happened in court that Thursday.

“She said she had read all manner of things that the union (NUJ) had written and what was said in the media and that she was not bothered and that it was none of her concern. She also said that the Attorney-General had to call her. “She said, if a man has sex with his wife would you go ahead and snap them, all because you are a journalist and then she ordered me out of the dock. She said, ‘Get out of the dock.’ Those were her exact words.

“She said, if a man has sex with his wife would you go ahead and snap them, all because you are a journalist and then she ordered me out of the dock. She said, ‘Get out of the dock.’ Those were her exact words. The Attorney-General had gotten me a lawyer, because before then, there had been no legal representation for me when I was taken to court. The Attorney-General reached a lawyer to represent me, but the magistrate said that the Attorney-General had no right to send anybody or representative and that rather, the Attorney-General should file an appeal to her to discontinue the case. The case was struck out and I was ordered out and I walked out of the court room. Then the magistrate called me back to take my phone that had been confiscated. She told me to delete the picture I took from my phone, which I did before my phone was finally released to me. On Wednesday when I was released, the NUJ pleaded with me to let the state government handle the case. The NUJ told me that the case against me in court would be struck out and that I would be paid damages and compensation, and that I should allow them to handle the case with the state government. So, I am still waiting. I am yet to hear from my state chairman (State Chairman of the NUJ).

“I want all the wrongs done against me to be made right. I was lucky that I was able to make contact with the outside world, because while in prison, I met people who have been detained for over five years and no one even knows that they are there. I would have been detained like them without anyone knowing my whereabouts. Also, what if I were not a journalist and no-one was able to speak out for me? What would have been my fate? What would have been the fate of others? Who will be the next victim? These are questions that need to be addressed.”¹

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3.4 **BLOGGER ARRESTED AND DETAINED FOR FACEBOOK POST**

JAMIL MABAI



Jamil Mabai is a blogger and multimedia expert. He runs a blog known as *Cliqq Magazine*. On 19 September 2016, a team of armed policemen and officials of the Department of State Security Service arrested and detained Jamil for criticising Katsina state government on Facebook over a plan by state authorities to distribute 30,000 coffins across the state while the state government has been unable to pay workers' salaries. He told Amnesty International: "It actually started like a rumour. The media officer to His Excellency (the Governor) said that the state government had given out a contract for metal coffins. So, later that day, I made a Facebook post about the metal coffins, saying that if what I was hearing happened to be true, that the state government was trying to construct metal coffins at a certain amount of money, then people in the state were in trouble. How could a state government give out a contract for the construction of metal coffins? Were they praying for people to die? I also said that a state that was unable to pay its workers' salaries was giving out such contract. I tagged the Senior Special Assistant to the governor, saying that I was awaiting his response on the proposed contract. So the story went viral. Three days later, I began to hear rumours that I would be arrested."

Jamil was arrested in Kaduna while celebrating Eid-El Kabir. He told Amnesty International: "All I can

remember is that I came out that morning. I left my sister's house in Malali and I went to Tudun Wada to see a friend of mine. When I got to Tudun Wada, a Peugeot 406 car pulled up beside me. Before I knew it, there were three other cars too. People came out of the Peugeot 406 car with guns and one of them grabbed me. Two other men wearing kaftans and holding guns also came out, so I asked them what was going on. They told me that when I reach the police station I would know. Then I asked, 'Which police station? Show me your ID [Identification card].' But they did not show me any ID cards, so as they began to drive off, I tried to open the door and get away. That was when the other guys from the 406 brought out an ID card and showed me that they were police officers. One of them even called me by my name."

"The condition of the prison, the way it is, is in itself punishment. There is so much suffering in the prison that people don't even have the energy or the enthusiasm to bully people. The first day I spent in the cell, it was a cell for about fifty people, but there were more than three hundred in there, so we were sandwiched together. The floor was not a smooth floor, it had little stones on it, so that experience was, in itself, punishment..."

After spending four days in a police cell without access to his family, Jamal was arraigned at a Kaduna State Magistrate Court for inciting disaffection against the government. The Magistrate Court had no jurisdiction to try his case, so he was remanded in prison. He was later taken to Katsina where he was remanded in prison. He recounted the period he spent in the Katsina Central Prison to Amnesty International: "The condition of the prison, the way it is, is in itself punishment. There is so much suffering in the prison that people don't even have the energy or the enthusiasm to bully people. The first day I spent in the cell, it was a cell for about fifty people, but there were more than three hundred in there, so we were sandwiched together. The floor was not a smooth floor, it had little stones on it, so that experience was, in itself, punishment. I spent two days there. I was then transferred to a small boys' quarters, like a two-bedroom apartment. I was told that was where they keep 'big men'. It was carpeted, had a mattress, mosquito net, the toilet was clean and there was a wardrobe where you could keep your clothes and all that."

Jamil was arraigned before the same Magistrate Court five times and was eventually released on bail after spending twenty-one more days at the Katsina central prison. On each occasion, the state prosecutor was not present and thereafter stopped coming to court. “I got a tip-off that the government was not interested anymore. The case just went cold, it died a natural death,” he told Amnesty International.

“It’s quite difficult to actually practice real blogging in Katsina. It is very tough for journalists. The freedom to practice your profession based on how you should and by its standards is not accommodated.”

Jamil added, “It’s quite difficult to actually practices real blogging in Katsina. It is very tough for journalists. The freedom to practice your profession based on how you should and by its standards is not accommodated.”¹¹

3.5 BLOGGER ARRESTED, TORTURED AND DETAINED

SAIFULLAHI MIKAILU



Saifullahi Mikailu is a social media activist based in Katsina, North West Nigeria. On 20 December 2017, officials of the Nigeria police Special Anti-Robbery Squad (SARS) arrested, detained and tortured him. He told Amnesty International: “On 20 December 2017, I was sitting in my office when I received a

call from the Governor of Katsina State, inviting me to a meeting. He was not happy about a picture of him wearing female clothes posted on Facebook. That was what made him invite me to the office. I was invited to his office at the state government house and to see him. I arrived at about 2pm to see him. The security men at the gate allowed me in, because they had already been informed of my coming. Before I arrived, he had already called over the deputy governor, the speaker of the House of Assembly and other state officials. He insulted me in their presence.

“When I came in, I greeted the governor. He didn’t respond to my greetings; he just began talking. He asked me how old I was, I responded that I was over 30 years old. He said, ‘If I were your father, would you do those things to me?’ I said, ‘No Sir.’ So, he said, ‘It has happened so many times on social media and I didn’t know who was posting it, but today I was informed that you were the one who was posting it. Though I have no document on my table, since you are the one, you will go answer all queries with the police not me. So, I will not allow you to talk.’ He said. ‘If I do not look after women, who do you want me to look after?’ The people present didn’t say anything.

As soon as he had finished talking, his aide-de-camp began to beat me when I tried to talk to the governor. He slapped me and beat me up in front of all the officials.

“I asked the governor to allow me respond to what he had said about me, but he said there was no need for him to listen to me and that I should go to the police and narrate my story to them. As soon as he had finished talking, his aide-de-camp (ADC) began to beat me when I tried to talk to the governor, he slapped me and beat me up in front of all the officials. The ADC then handed me over to the police and the governor had asked one of his aides, who was in charge of media and publicity to represent him in my case. He asked them to take the police to my car and my office. They asked where I parked my car and the location of the office which I gave them. While in the car, I was forced to give them my Facebook password, which he used to access my account. He found just my account and nothing related to their claim. The aide searched my car and my office they found nothing related to what they claimed. They took away my credentials, my charger and other documents. They returned my credentials when I was released.

¹¹ Interview with Jamil Mabai

He asked them to take me to my car to search it and I went with the complainant, who led the police to my car and my office. While in the car, I was forced to give them my Facebook password, which he used to access my account. He found just my account and nothing related to their claim. They asked where I parked my car and the location of the office which I gave them. The aide searched my car and they found nothing related to what they claimed.

“After searching my car, they took me directly to the SARS office at the police headquarters in Katsina, where I spent five days in detention. While I was in police custody, three officers – the officer in charge of the Special Anti-Robbery Squad [SARS], his 2IC [second-in-command] and the investigative police officer of my case – investigated me under duress. The first day, I was kept in a cell with many other people. The next day, in the middle of the night, I was called out for interrogation. During the interrogation, they told me that they had been asked to interrogate me over the offence I had been accused of and that what they wanted from me was that I should either answer or they would punish me until I did. They said I should choose which I preferred. I told them to first let me write a statement. I wrote my statement, based on my knowledge as the admin of the Facebook group where the picture was posted, and that for the person posting the pictures, I had no relationship or link with him and I had never met the person, we had never spoken by phone. After writing my statement, I handed the statement to the OC [officer-in-charge] SARS. Then he said, ‘We are not satisfied with this. You must answer, you must answer to the offence. But since you cannot answer to it, let me do my job.’ He then asked his 2IC [second-in-command] and his IPO[investigating police officer] to bring out the materials they use to hang armed robbers. They brought them out and hanged me the way they hang armed robbers. My hands were tied behind my back and they inserted wood under my hands and hanged me. I was lifted from the ground and was kept in that position for over twenty minutes. I begged them to stop, then they brought me down. I was out of my senses. They asked me to write that I was the one, so I wrote it to save my life. So, under duress I admitted to the offence. The offence was defamation of character of the Executive Governor on social media. They did not allow anybody to visit me, not even my lawyer. My lawyer attempted to see me at least three times, but they did not let him see me.

I handed the statement to the OC SARS. Then he said, ‘We are not satisfied with this. You must answer, you must answer to the offence. But since you cannot answer to it, let me do my job.’ He then asked his 2IC and his IPO to bring out the materials they use to hang armed robbers. They brought them out and hanged me the way they hang armed robbers. My hands were tied behind my back and they inserted wood under my hands and hanged me. I was lifted from the ground and was kept in that position for over twenty minutes. I begged them to stop, then they brought me down. I was out of my senses. They asked me to write that I was the one, so I wrote it to save my life. So, under duress I admitted to the offence.

“They caused injury to my body and my chest as a result of the torture. They took me to hospital when they observed my situation was becoming worse, because I had been complaining to them that I was having pain in my chest. I became unconscious from the injuries and that was when the SARS police had to take me to hospital. I was in hospital for one week. After I left the hospital, they took me to a court, but the judge was absent at the time, so I was remanded in prison for one week, until when the judge came back. Before I was arrested, my son had been on hospital admission and I had been the one looking after him with my wife. I asked them to allow me go to look after my son, but they refused to let me do so. He later died while I was in detention. Before my arrest, I was writing my second semester exams at the university. I asked them to allow me to go to write my exams, but they wouldn’t let me. I missed four examinations as a result of my incarceration and as a result of that, I could not graduate with my mates.¹² “Upon the judge’s return, I was charged with defamation of character of the Executive Governor. My lawyer applied for my bail after I was taken to court and I was granted bail. After my release, I wrote to the state governor about my ordeal while in prison and his mistake of not allowing me to respond to the allegations before asking the police to interrogate me. In the letter to the Executive Governor, I informed him of what happened to me. He didn’t acknowledge or respond to my letter, which I sent three times, so I decided to take the issue to the media. In the process, I received a call from the office of the

Attorney-General of the state, who invited me to his office and we had a discussion about all that was happening. I explained to him what I knew and he promised to take me to the Executive Governor to discuss and redress the issue. He asked me not to take the issue to the media, but I insisted and called for a press conference to inform the press of what had happened to me, so that it could be shared widely. I sent a letter of invitation to several media houses and the Nigeria Union of Journalists. I invited twenty-two media houses and only four attended my press conference. None of them published the story. I was the only one who published it on social media.

The governor took no action – he didn’t ask me anything, he didn’t say anything, he just said okay, everything is over and told the Attorney-General to withdraw the case against him in court. That was all. ‘I have no time to listen to what you have to say. I found out that you are not the one, so Attorney-General go and withdraw the case against him. I don’t want to hear anything.’”

“I waited for the Attorney-General to take me to the Executive Governor for three weeks and I kept reminding him about that. He didn’t answer my calls until when the last election’s campaign period was approaching. One day, the permanent secretary of the Ministry of Justice called me and she informed me that the Attorney-General wanted to see me. So we met the governor, the attorney general and I. The governor took no action – he didn’t ask me anything, he didn’t say anything, he just said okay, everything is over and told the Attorney-General to withdraw the case against me in court. That was all. ‘I have no time to listen to what you have to say. I found out that you are not the one, so Attorney-General go and withdraw the case against him. I don’t want to hear anything.’” On 25 March 2019, the Magistrate court discontinued the case against Saifullahi after the Attorney-General of the state entered a notice of discontinuance.

3.6 STIGMATISED AND HARRASSED FOR INVESTIGATIVE JOURNALISM

AHMED SALKIDA



Ahmed Salkida is an investigative journalist who has reported extensively on the Boko Haram conflict in North-East Nigeria and the Lake Chad basin. He has been repeatedly arrested and harassed for refusing to disclose the sources of his investigative reporting on the Boko Haram conflict.

On 14 August 2016, Nigerian authorities declared him wanted.¹³ This came a day after he published an article and released a proof of life video of schoolgirls abducted by Boko Haram from Chibok Village in North-East Nigeria on his website.¹⁴ He told Amnesty International: “I was living with my family and as usual, I got a video of the Chibok girls (I always do) and I published the story on the 13th of August about the Chibok girls, and was declared wanted on the 14th of August. I think it was one of the most effective, because it pushed government to act.

“The news of me being declared wanted was carried by Aljazeera, BBC, CNN, both locally and internationally, and I was accused of being linked to a terrorist

¹³ Nigerian Army Press Release. “Nigerian Army Declares Ahmed Salkida (Ambassador) Ahmed U Bolori And Aisha Wakil Wanted”, 14 August 2016: <https://www.army.mil.ng/nigerian-army-declares-ahmed-salkida-ambassador-ahmed-u-bolori-and-aisha-wakil-wanted/>; The Cable, “Army declares journalist, Salkida, wanted for ‘links’ to Boko Haram”, 14 August 2016 <https://www.thecable.ng/breaking-army-declares-salkida-wanted>

¹⁴ <https://salkida.com/>

organisation. Instantly, at that time, I was invited by the Dubai authorities as I was living in Dubai (United Arab Emirate). It was a difficult time for my family. I was very assertive, and I didn't plead, because I knew I had done nothing wrong. I requested for an airplane ticket from the Nigerian government and they sent it to me. Then they made it look like I was arrested at the airport here in Nigeria, whereas I came willingly. So, I was arrested on the 6th of September by Immigration officers, after they sent me an air ticket.

The military took me away. The plane arrived at about quarter past 3, we left the airport at 5pm. I was interrogated at the Military Intelligence Department Office from 5pm until 11pm, with no water or anything. After my interrogation, they told me they had received an order to transfer me to the DSS. The interrogator also told me that I was trending on social media as I was creating a lot of trouble. They locked me up in a room with a soldier and the following day, I was told to get dressed and they took me back to their office, where they told me I was being transferred to the DSS office. They pleaded with me not to tell the DSS office that I had been locked up and I agreed. At the DSS office, they waited one hour. They gave me my phones and asked me to contact my wife. They paid my hotel bills for two weeks, as I had no place to stay and asked a driver to take me there. I stayed in the hotel for two weeks. There was no case against me. They promised to give me an official letter to Dubai Intelligence (UAE Authorities), because UAE authorities had requested me to get some form of official communication from the Nigerian government who had declared me wanted, that I was released without any indictment so that I could come back and continue my stay. I had resided in Dubai for three and half years. I waited for the Nigerian authorities to give me that letter, but it never came, even until today. After two weeks and the expiration of my hotel stay, the letter hadn't come, so, I had no option but to bring my family back to Nigeria."

"The government came out publicly and said I had links to a terrorist organisation and they refused to take back that statement. And then they released me 17 hours later without any indictment, but they feel too big to even apologise. So, the average person on the street sees me as a Boko Haram suspect and that is the stigma I live with, which is even preventing me from getting a job and affecting my source of livelihood."

Ahmad said that his arrest was an attempt by the Nigerian government to discredit him and that was why the government publicly declared him wanted. Narrating the experience, he told Amnesty International: "I had just spoken to the Chief of Army Staff about two weeks before I was declared wanted. I was accused of being linked to a terrorist organisation." Explaining the impact of the human rights violations he suffered, he told Amnesty International: "A government came out publicly and said I had links to a terrorist organisation and they refused to take back that statement. And then they released me 17 hours later without any indictment, but they feel too big to even apologise. So, the average person on the street sees me as a Boko Haram suspect and that is the stigma I live with, which is even preventing me from getting a job and affecting my source of livelihood. I make use of my Twitter handle as a platform for sharing news, because media organisations will not employ me, because if they employ me, they would come under a lot of pressure from government. I used to be a consultant for an international organisation. I was primarily tasked with carrying out conflict assessments, so they know what to or what not to do. They came under a lot of pressure and my services were disengaged. So, I lost my job with the organisation. They told me they had to let me go, not because they didn't value my services, but because they had to choose between their mandate to Nigeria and me as an individual, and I think they were right. There was a time in 2012 that I worked with a media organisation based in Maiduguri. At that time, I published a story on the suicide bomber that blew up the police headquarters and that was the greatest break the newspaper had ever had. The newspaper used to publish ten thousand copies, but with my story, they published one hundred thousand copies and many people photocopied that edition. At that point, the newspaper came under a lot of pressure and I was given the license to work on corruption matters, because they didn't want me to do the Boko Haram story. I eventually resigned from the media organisation.

"I am a big critic of the Nigerian media, because they betrayed me. They never stood by me. It is a society that feeds on rumours without seeking any kind of proof. Also, I am often denied visa when I want to travel outside Nigeria. An embassy official once said to me, 'Salkida, you know you are very controversial and we do not want to get into any trouble with your government, because we are involved in other things that are bigger than you as an individual.' So, again, they had to choose between their relationship with the Nigerian state and me as an individual.

"During my latest ordeal, the government came to

tell me about where I live and my routine, as a subtle threat. And I think that week, when I came under a lot of pressure, I was followed by a car. However, because I have developed the habit of looking over my shoulder over the years, I tend to be very conscious of my movement. Apart from the official harassment there is also the public, who believe everything the government says is true and cannot be challenged. For instance, when government kept saying they had defeated Boko Haram, I came out to debunk this claim, because my sources, who are all Boko Haram members, are alive and as long as they are alive, they are dangerous. During times like this, I came under a great deal of cyber bullying and attacks. I am one of the most popular victims of cyber bullying, because I am the one who releases videos of Shekau, the leader of Boko Haram, videos of attacks, the Chibok girls. I was the one who broke the news of the dead soldiers the military were trying to hide. I released the figures and everything on Twitter. This was my latest ordeal with the Nigerian State, and they told me to stop tweeting about military casualties, because it was going to affect the morale of the soldiers and the outcome of the war. They said I had to be patriotic, because winning the war wasn't only on the battlefield, but they also had to win the war in the media and I am the one giving Boko Haram the space to talk about their feats, progress and achievements. There are times when some people have called to apologise to me after seeing videos on social media that gave credibility to my earlier news. The most I do on Twitter is to mute accounts that bully me."

Salkida claims that the Nigerian government has publicly stated that he has close ties with the armed group, Boko Haram.¹⁵ "The refusal of the government to recall that official ridicule is the worst. The biggest threat, for me, is the stigma and the stigma of being associated with terrorism is worse than what someone who has HIV/AIDS in this part of the world experiences. I can still quote an official of the state security service who told me that since I have refused to compromise and I am doing so well, they have decided to make me vulnerable. My wife and most especially, my teenage daughter have also been through a lot. I once visited a relative with my wife and children and the security man, after announcing our arrival, came back to tell us that he was told to inform us never to come to the house again. In situations like that, I have to turn back and tell my children why it is happening. For each school they have attended I have had to change my last name, but at their present school, one of the children mentioned my last name and now they know they are my children. Many children ask them if they are the children of Salkida, the Boko Haram terrorist. I have had friends who told me to stop calling them, because my phone is being monitored and they do not want to get into trouble."¹⁶

¹⁵ Vanguard, Army declares journalist, two others wanted over Boko Haram, 14 August 2016 <https://www.vanguardngr.com/2016/08/chibok-girls-army-declares-3-persons-wanted/>

¹⁶ Interview with Ahmad Salkida, August 2018

3.7 ARRESTED AND DETAINED FOR REFUSING TO DISCLOSE SOURCES

SAMUEL OGUNDIPE



Samuel Ogundipe is a reporter with *Premium Times* – a leading online medium known for investigative journalism in Nigeria. His journalism work covers areas such as crime, politics and security. He cited attempts to discredit stories he wrote, threat of lawsuit, arrest and detention as some of the attacks he has faced while doing his work as a journalist. On 14 August 2018, men of the Nigeria Police arrested and detained Samuel, after they invited him to their office via a bait phone call, using the mobile phone of one of his colleagues who was in their custody. The police demanded that he reveals his sources for a news article published by *Premium Times*. The news article referred to a report on the investigation into the invasion of the National Assembly by operatives of the Department of State Services (DSS), which the Inspector General of Police (IG), Ibrahim Idris, had submitted to the then Acting President, Prof. Yemi Osinbajo. Other media organisations published the same report. Samuel refused to reveal his sources, even after the police threatened that they would not release him unless he revealed his sources. He was, thereafter, charged with 'criminal trespass' and 'theft of police document'.

Recounting the details of his arrest to Amnesty International, he said: "When the siege at the parliament happened on the 7th of August 2018, the

then acting president, Yemi Osinbajo said that the IG (Inspector General) should prepare a report detailing what happened at the National Assembly when the state security service operatives laid siege to it. I just assumed that the report was due within twenty-four hours, because it was prepared within twenty-four hours and this was very unusual. Immediately the report was presented to the acting president, he ordered the dismissal of the state security services director general on that same day. However, the report that was submitted by the IG to the acting president on the 8th of August was prepared on the 7th of August, I got a copy of the report on the 9th of August. The police accused me of getting a copy of the report even before the acting president had laid hands on it. Of course, this wasn't true. The IG was even angrier about my publication, because the letter wasn't properly written and had some grammatical errors, typos and so on. People started to ridicule the IG after they saw a copy of my story and he wasn't comfortable with that. I wasn't so concerned with the errors in the letter, I was more interested in the contents of the letter, but the general public was interested in it. This led to a major outburst and that led to my arrest. After my arrest on the 14th of August in Abuja via a smart move – they thought to use one of my colleagues as a decoy to arrest me, for fear that I might run away if I knew they were coming to arrest me. They listened in on my phone call conversations by tracking my device (I'm sure they had been doing this for quite a while), to see who I was close to in my office, who I had been in touch with. They call it the soft target. It happened to be Lizzy [not real name], my colleague. They called her and told her she was a suspect in a kidnap situation and was invited to the police station for questioning. She informed the office and the police were asked to write formally, in order to request her presence for questioning. They did, and she went to the police with -the editor-in-chief of *Premium Times*. A call was put through to me via the editor-in-chief (Mr. Mojeed), requesting my presence at the police station and that I had been mentioned as having some sort of connection with a kidnap case. I knew I had not done anything, so I went. When I got to the police station, Lizzy was released and they informed me that I was the main target. They told me immediately the reason for my arrest. They printed out the story I had published and showed it to me, asking if I wrote that story. They also froze my bank account, but I didn't realise it until that moment. I had wanted to make a transfer from my mobile app earlier that day, but it didn't go through. I just assumed it was bad network issues. They showed me my account details and my personal details and then asked if all that information belonged to me. I told them it was mine.

“They accused me of obtaining government documents that were of national security importance and that as a result of that, I had to provide them with my source. I refused to give them the information, because it would ruin their careers and mine too. It is a golden rule for journalists, that they should not reveal their sources of information...”

“They accused me of obtaining government documents that were of national security importance and that as a result of that, I had to provide them with my source. I refused to give them the information, because it would ruin their careers and mine too. It is a golden rule for journalists, that they should not reveal their sources of information. They took me to the force headquarters where I was questioned by the commissioner of police who insisted that I must tell him my source, as that was the person, they had a problem with. I put down my statement, claiming that I wrote the story, but I refused to tell who my source was. While I was writing my statement, they were trying to get a remand warrant from a magistrate to keep me in detention. They kept me in custody at the Guzape tactical squad from the 14th to 17th August 2018. I was kept in a 12 by 12 room with Boko Haram suspects, kidnap suspects from the Abuja-Kaduna express road and bushes, armed robbery suspects and the like. I wrote a diary after my detention, painting a picture of what the inside of a cell was like. This was published in different languages (Spanish, French and others); it was published by *Global Voice*. I was secretly arraigned in a Magistrate Court on the 15th of August 2018. I asked to contact my office and my lawyers; they had already arranged with the magistrate the outcome of the court proceedings. When I got there, the prosecutor went in to see the magistrate for some time while I waited. They came out together and that was so shocking. A charge sheet was prepared immediately, and I was charged with violating the Official Secrets Act of the colonial era, a law that was first promulgated in 1909/1911. The matter was heard within 15 minutes and the magistrate said I should be kept in detention from the 15th to the 20th of August 2018, pending further investigation. The magistrate wasn't aware that I was a journalist and it was when he asked that I should be remanded until the 20th of August that I spoke up and told him that I was a journalist with *Premium Times* and that I had not been allowed to contact my office ever since my arrest. The magistrate asked that I should be allowed to make a phone call. He ordered that a phone be brought to the court room and that I should contact someone, because he couldn't trust that the prosecutor would allow me to

make that phone call. I called the editor-in-chief at *Premium Times*, informing him of how I had been secretly arraigned in court. That was how the story got out. Many organisations around the world, including Amnesty International, were interested in my story. I was released on the 17th of August as opposed to the 20th, as a result of the pressure mounted on the police.

“I wasn’t tortured while I was in custody. I was all over the news and so they treated me with respect.”

“The charges haven’t been fully dismissed. On the 17th of August when I got to court for my bail hearing, the magistrate postponed the hearing until, 7th November 2018 (about three months after). The hearing didn’t hold (7th November), because the magistrate wasn’t available and even the police didn’t show up, so the clerk said that the hearing should be postponed until January 30th 2019. This long adjournment is primarily because there is no case at all. That notwithstanding, *Premium Times* is

pursuing this at the Supreme Court, because there should be a precedent stating whether the police can force a journalist to disclose his source of information/ story or not. *Premium Times* wants damages and compensation for locking me up.

“Many media houses are not allowing their journalists to take up cases or stories as they deem fit, these journalists are not independent as compared to us at Premium Times. Many journalists want to write big stories, but they can only do as much as their bosses allow them and this also shrinks the journalist space.”²

4. RAID AND DEMOLITION OF MEDIA HOUSES

Nigeria's security forces randomly raid media houses, mostly owned by private individuals. The Military, Nigeria Police and Department of State Services (DSS) conduct these raids without notice or search warrants. During these raids, these security operatives forcefully access media houses, destroy, cart away or confiscate newspaper publications and office equipment such as computers, laptops and mobile phones. Also, Amnesty International documented the demolition of two privately-owned media houses in Nigeria.

4.1 DAILY TRUST NEWSPAPERS PUBLISHING HOUSE INVADED BY SECURITY FORCES



© Daily Trust

“...they ransacked our offices, requesting for the reporter who did the story about a planned military operation to retake Baga, one of the towns overrun by Boko Haram. When they had finished ransacking the office, they carted away all the laptops, computers and mobile phones. Then they ordered all our staff to move to the ground floor and then out of the premises. They then sealed off the premises.

Media Trust Limited, publishers of *Daily Trust Newspapers*, is a privately-owned newspaper publishing company based in Nigeria's capital city, Abuja. On Sunday 6 January 2019, a team of armed security forces consisting of the Army, Department of State Security Service and the police invaded the office of *Daily Trust Newspapers*. On the same day, two of its offices in Maiduguri and Lagos were also invaded by the security forces. The management of the media outfit recounted to Amnesty International the invasion of the Abuja office: “We have had our fair share of close shaves with security agencies. This is because we do in-depth stories, especially on the various crises in the country, especially the Boko Haram crisis in the North East, the farmers and herders’ crisis in the North Central and banditry in the North West and then the kidnapping all over the country. On that Sunday at about 1:00pm, our office was invaded by a combined team of security forces, including the Army, the Department of State Security Service and the police. For over four hours they ransacked our offices, requesting for the reporter who did the story about a planned military operation to retake Baga, one of the towns overrun by Boko Haram. When they had finished ransacking the office, they carted away all the laptops, computers and mobile phones. Then they ordered all our staff to move to the ground floor and then out of the premises. They then sealed off the premises. They also arrested our Production Manager. After the invasion, there was public outcry by national and international media organisations.

“If you are to do investigative journalism for vulnerable groups, on crises, rule of law, obviously, you will trample on some toes. These may be government at the national or state level or security agencies. Most times, it is difficult to get the official side of a story, because of all the administrative red tape. In most government agencies, it is not easy to obtain information related to the budget, finances. They have this chain of command. You will be told that maybe it is the permanent secretary you should see or the chairman, or that it's the official spokesperson who can do that. When you contact the spokesperson, he will tell you that he needs clearance from 'the top'. In the security sector, getting information may take you some time. If it is an issue, they have interest in, they sometimes issue press statements giving you what they want you to know, but if you ask further

questions, they will tell you to give them more time to think about it and you may never get the information. Sometimes, when you do your investigation and are unable to get the official side of the story and you go ahead to publish your report, it becomes an issue. They may threaten you or even ask you to withdraw the story, or sometimes attempt to arrest you. Most times when we send out requests for information, we make reference to the Freedom of Information Act, but despite that, we still have a lot of difficulties accessing information the way we should. Our work as a media organisation has been threatened severally. Sometimes when we do a story, we receive letters from government agencies, security establishments, asking us to retract the story. They threaten court action or even invasion; that what we wrote is not true, even though we know that it is true and the public knows so too, because we always authenticate our stories and set the records straight for our large audience.”

He continued “it took us a very long time to sort it out and get our equipment back. There is the need for improvement on freedom of expression in Nigeria, particularly looking at our strategic position in the comity of nations. The journalism profession deserves more freedom in terms of access to information, in terms of the latitude and freedom to operate without fear. Sometimes journalists want to do certain stories and then ask themselves whether they’d be safe if they do. Upcoming journalists are so afraid to undertake serious investigations, because they feel they will be picked on by the powers that be. So there is the need for the National Assembly to see that the Freedom of Information Act is respected to the letter, because it is one thing to have a law, but another thing to implement it. Respecting the laws in Nigeria is a major problem. No one was injured, but our staff were left traumatised. Nobody imagined that in Nigeria under democracy, a prominent media organisation like Daily Trust would be taken over in broad daylight. We have never missed production in the last twenty-one years, but on the day of the invasion we almost did, but our dedicated staff worked under pressure, even without equipment, so we were able to produce our paper on that day, despite the invasion.

“If you are to do investigative journalism for vulnerable groups, on crises, rule of law, obviously, you will trample on some toes. These may be government at the national or state level or security agencies. Most times it is difficult to get the official side of a story, because of all the administrative red tape...”

4.2 PREMIUM TIMES: RAIDED PUBLISHING HOUSE

PREMIUM
Times

© Premium Times

On 17 January 2017, policemen arrested Dapo Olorunyomi, publisher of *Premium Times* online newspaper and Evelyn Okakwu, a *Premium Times* judicial correspondent, during a raid on the office premises.¹⁷ The raid came after the newspaper ran a story on Nigeria’s Chief of Army Staff, alleging that he owned several properties in Dubai that had not been declared, contrary to the Nigerian Army Code of Ethics. The article raised certain questions about the alleged actions of the chief of army staff, which, reportedly, angered him. Dapo told Amnesty International: “On 17 January, a dozen officers of the Nigeria Police Force arrived at our office with a search warrant and one arrest warrant. After searching the premises, they confiscated all the laptops in the office. Thereafter, the police officers who conducted the search and arrests asked me to retract the story against the chief of army staff, citing the allegations as libellous. The police officers also resorted to verbal threats. They said that ‘there would be consequences’ if the story was not retracted.”

Evelyn Okakwu told Amnesty International: “That day, I was in the office when the receptionist came to me and said that some men who said they were my friends were around to see me. It was strange, because I was not expecting anyone. When I came out, I was surprised to see five hefty men dressed in mufti. The men showed me their identity cards and they said they had come to arrest me and my boss. I asked what the problem was, and they told me that when I got to their station, I would find out what the problem was. They searched my publisher’s office, they messed up everywhere. When they saw that

¹⁷ <https://www.vanguardngr.com/2017/01/breaking-police-storm-premium-times-office-arrest-publisher-dapo-olorunyomi/>

I had just a desk and not really an office that they could search, they said we should just go to the police station.

“On the way to the station, the men said to me, “You will learn how not to look for a big man’s trouble.”

When we got to the station at the Police Command Headquarters in Garki, they asked me about the source of that report. I told them to read the story we published, that I could not state anything that was not in the story. They asked me how I got the story and I told them that it was sent to me from my office newsroom. They asked me how the story got to the newsroom. I said I did not know how it got there. The men asked me different questions, trying to confuse me so that I would say what they wanted, but I composed myself. I insisted on one thing and that was that I did not have the information they wanted.

“They said that if I did not disclose the source of the information that we would be locked up. At that point, I became scared. They showed my publisher and I a cell room. There were men and women in that cell. They looked like criminals and the police said they were going to lock us up with these people. I thought, why would the police lock us up with criminals?”

Later on, the police said they were going to keep us in a room and that we would spend the night at the station. I was worried about my publisher, because he was not feeling well and might not be able to withstand the stress if they locked us up. At some point, the Commissioner came out and told the officers to take us to Wuse where the police officers gave us a form to fill. While we were filling the form, I noticed that there was an exchange of communication among the police officers. They started to talk to each other. It seemed to me that they had gotten a new directive. After they spoke to each other, they called my publisher and spoke to him. They then came to me and said that we had been discharged and could leave. This was at just after 11:00pm. The story of our arrest was widely distributed, because my publisher knows many people in Nigeria as far as the media is concerned. A few of my friends who also saw that I was involved also shared the news on social media. The news went around.

“We were told to report at the station for questioning

the next day. The following day when I got to the station, the attitude and tone of the policemen who arrested us the previous day and who were at the station had changed. This time, they were friendly. The men took us to the Commissioner’s office where we met with the lawyer of the Nigerian Army. The Commissioner said that we should try to reach a settlement. My publisher insisted that he would not retract the story, because the story was not false. At that point, I was told to leave. Later on, my publisher told me to do the follow-up story, which we had earlier requested from them but were not given anything on the story, so as to update it with the new development the Army had mentioned. But it was later decided that we should just let the story go, that we should forget about the story. The Army too became less interested after the arrest.

“Because of the incident, I became very sceptical. I started to avoid stories about the military, because they can arrest and intimidate people. It was really scary for me. The environment now is not friendly towards journalists. The threat to journalists is real. The security forces are closing in on journalists. The cybercrime law passed in 2016 is increasingly being used to press charges against journalists who are just doing their job. I feel bad. The authorities check what we do, they check who we speak with, they even listen to our phones. There is generally fear; media houses are now afraid to speak out, even when government is doing wrong. Headlines don’t come out as hard as they ought to. Some journalists would rather spend their time with their families than in jail because of their job.”¹⁸

Speaking further about the arrest, Dapo described the actions of the Nigerian government towards the media as a deliberate attempt to shut out access to information. “Without access, which is the life blood of doing good journalism, it is impossible for journalists to be able to get official information. When state officials do not provide access to information, they say it is a stated policy. Shutting out access is one of the biggest state policies they have done. The conditions that enable freedom of expression are what it [government] attacks,” he told Amnesty International. On Friday 20, January 2017, Dapo Olorunyomi and Evelyn Okakwu were released.

4.3 BREEZE 99.9FM: DEMOLISHED



On 20 May 2017, officials of the State Regulatory Board for Land and Urban Development, Nassarawa State Urban Development Board (NUDB), demolished *Breeze 99.9FM*, a private radio station based in Lafia, Nassarawa State, over alleged violation of land laws. The demolition occurred days after the station aired a programme that brought together representatives of the state government and the labour union, to speak about a strike action by the labour union. The union had embarked on a strike over unpaid salaries of workers in the state on 5 May 2017.

“On 12 May 2017, ‘a stop work order’ notice was pasted on the wall of Breeze FM by NUDB officials. The management of the radio station went to court after responding to NUDB.

“the policemen took position as if they were at a warfront and shot live bullets into the crowd as the caterpillar drove into the station’s building. At this point, everyone started to run. The caterpillar pulled down part of the structure and left. After fifteen minutes, the caterpillar came back and this time, it demolished the larger part of the building. All my equipment was destroyed. The only thing I managed to take out was my transmitter,”

On Saturday 20 May 2017, at about 8:00am in the morning, over 30 men suspected to be thugs, five truckloads of armed policemen in police vehicles and officials of NUDB led by the general manager, came to my office premises. NUDB also came with a ‘caterpillar’ (bulldozer), which was parked in the road opposite the office. By this time a huge crowd of people had gathered here, because people within this neighbourhood know me very well. Within minutes, the policemen took position as if they were at a warfront and shot live bullets into the crowd as the caterpillar drove into the station’s building. At this point, everyone started to run. The caterpillar pulled down part of the structure and left. After fifteen minutes, the caterpillar came back and this time, it demolished the larger part of the building. All my equipment was destroyed. The only thing I managed to take out was my transmitter,” the owner of the radio station told Amnesty International.

He explained further: “We are a duly registered and licensed radio station. The governor commissioned¹⁹ this station infact a representative of the National Broadcasting Commission (NBC) also attended the commissioning ceremony. The regulatory body for the broadcasting industry in Nigeria) attended the commissioning. What we do is balanced reporting, by bringing all the sides to a story together on our platform. If we had done anything professionally wrong, the NBC would have flagged it.”

A staff member of the radio station told Amnesty International that the ripple effect of the demolition of

¹⁹ The commissioning of a radio station is a formal event whereby a State body or official officially flags the launch of a radio station

Breeze 99.9 FM will outlast this discussion.

“...a bad precedent for free press in Nigeria, because it means that once state authorities are not comfortable with your work, they can come after you and this is even worse, because there is a great deal of impunity in this country.”

“It sets a bad precedent for free press in Nigeria, because it means that once state authorities are not comfortable with your work, they can come after you and this is even worse, because there is a great deal of impunity in this country,” another witness told Amnesty International.

On 5 June 2019, a state High Court in Lafia, Nassarawa State, in a judgement ruled that the demolition by the state government on 20 May 2017, was illegal, vindictive, malicious and unconstitutional. A sum of N17,335,500 (Seventeen million, three hundred and thirty five thousand and five hundred naira) was awarded for special damages and N50,000,000 (Fifty million naira) for the general damages incurred as a result of the demolition.²⁰ The Nassarawa state authorities are yet to comply with the judgement.

4.4 FRESH 105.9FM IBADAN: DEMOLISHED

Fresh 105.9FM Ibadan is a private radio station based in Ibadan, Oyo State, South-West Nigeria. The medium has a staff strength of over hundred workers across its two radio stations. The radio stations are owned by broadcaster and singer, Yinka Ayefele. *Fresh FM* received its license on 25 March 2015 and commenced full broadcasting on 31 August 2015. On 19 August 2018, state authorities working with some soldiers demolished the headquarters of *Fresh 105.9 FM* in Ibadan, popularly known as Music House. Equipment worth millions of naira was destroyed.

The management of *Fresh 105.9FM* told Amnesty International: “Last year, 2018, we got a demolition notice from the Oyo State government. We received the letter on August 12 and on August 19, they came to demolish the radio station. They came at about 4:00am to demolish the building. They gave us a demolition notice on the 12th and we went to court to stop the state government, but they still went ahead on Sunday, 19th August 2018, in the wee hours of the morning, to demolish the building.” *Fresh FM* told Amnesty International: “We went to court to stop them, but they still demolished the building, while the determination of the substantial suit to prevent the state

government from demolishing the station was pending. What they based their reason on was that we erected a spiral staircase linking the building to the staff canteen downstairs. They said we did not get government approval for that. That was their reason. If they had wanted to demolish anything at all, I think it should have just been that spiral staircase they complained about and not the entire building.”

“We never got any sanctions from the Nigerian Broadcasting Corporation (NBC) relating to breach of the broadcast code. We had a programme every Saturday, we called it Political Package. It x-rayed the administration of the then government in power, then we would bring in politicians from every side; not just a particular party, from different political parties.

“Our station is not one you can gag. We allow freedom of expression, we allow people to say it as it is, so that was where the problem actually started from. It is not that we are very critical of the government, it is just that our station allows freedom, we allow people to talk. We do not censor what you say on air, except you run afoul of the NBC code.”

“Our station is not one you can gag. We allow freedom of expression, we allow people to say it as it is, so that was where the problem actually started from. That was around March 2018.

“The next thing was that we got a letter from the state Ministry of Environment, that they wanted to inspect our building. We granted their request, then two weeks later, they brought a letter of demolition. They gave us just three days’ notice to evacuate the building. It is not that we are very critical of the government, it is just that our station allows freedom, we allow people to talk. We do not censor what you say on air, except you run afoul of the NBC code.”

²⁰ Court judgement dated 3 July 2019 in suit no: NSD/LF78/2017 made available to Amnesty International



© FRESH 105.9FM

“...it was dark. They came with a bulldozer; they came with soldiers with guns. We had already commenced transmission that day, so we were on air. The soldiers marched up to the studio and ordered those inside to go out. During the demolition, official cars were destroyed. People had to run for their lives, then they shut down the radio station.”

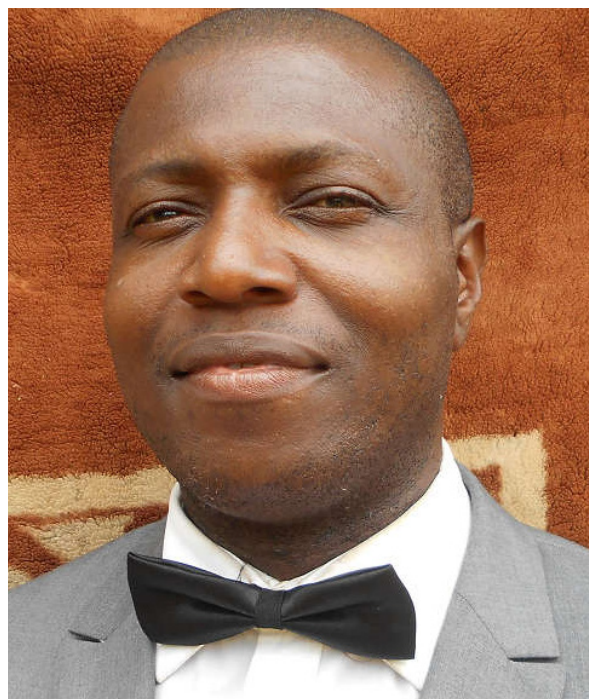
They came in, it was dark. They came with a bulldozer and soldiers with guns. We had already commenced transmission that day, so we were on air. The soldiers marched up to the studio and ordered those inside to go out. During the demolition, official cars were destroyed. People had to run for their lives, then they shut down the radio station. We went to court, but they frustrated us at the court. You know, the state controls the courts. All our moves at the court were frustrated. While we were in court, at a point, their lawyer argued that the state did not carry out the demolition. The governor invited us for a meeting when the public outcry over it became too much for his government to bear. We went for the meeting and that was where it was resolved that the governor was going to rebuild the structure. The governor rebuilt the demolished structure, but he never replaced the equipment running into over 250 million naira. When the governor decided that he was going to build the music place, we stopped going to court and the case died a natural death. We were all affected psychologically.”²¹

²¹ Interview with management of Fresh 105.9 F.M September 2019

5. JOURNALISTS AND MEDIA ACTIVISTS PERSECUTED ON TRUMPED-UP CHARGES

5.1 JOURNALISTS ACCUSED OF CYBERCRIME

DANIEL AND TIMOTHY ELOMBAH



Daniel Elombah has received multiple threats over his publications on his website *elombah.com*, since its establishment in 2009. The online medium offers critical analyses and opinion pieces on the political climate in Nigeria. On 1 January 2018, officials of the Special Anti-Robbery Squad Unit of the Nigeria Police (SARS) arrested and detained Daniel alongside two of his brothers, Timothy and Theo Elombah, at Awka, Anambra State. Recounting the details of their arrest, Daniel told Amnesty International: “It was in the morning. We were still asleep at about 5am, January 1 – New Year’s Day – when I heard loud banging on the door. There was a celebration we’d had the day before, with the family and the in-laws, so we had gone to bed late, so at 5am there was a loud banging and I was the first person to get up. I came to the door and said, ‘Who is that?’ I heard the voice of my elder brother reply, ‘It’s me.’ So, I opened the

door. I saw a number of men all dressed in black and carrying guns. I was taken aback. They said, ‘Are you Tim Elombah?’ I said, ‘No.’ They asked where Tim Elombah was and I didn’t answer at first. By the way, Tim Elombah is my editor-in-chief and happens to also be my brother. He is the editor of the news medium. We were all made to sit on the ground of the family compound, on the bare floor. They didn’t introduce themselves. When about six of my brothers had been rounded up they said, ‘Let’s go.’ I said, ‘Let’s go where? Where are you taking us?’ They now said that they were men of the Special Anti-Robbery Squad. I said, ‘Well, you didn’t introduce yourselves when you were arresting us. So, you are the police?’ They said yes. I said, ‘Okay, I thought you were kidnappers, but if you are the police, then that’s fine. Let’s go wherever you want to take us to.’ So, they

took us to their office in the local government office in Anambra State. Before we left, I told my wife, who called my cousin. We somehow led them on, because in order to speak to my wife, I told them that I had a stomach ulcer and that I needed my wife to bring my medication to me. When she got the medication for me, I told her to call my cousin and to try to follow us, because even though the men had introduced themselves as police officers, with the way they had scaled the compound's wall and the gate, I was sceptical about whether they really were policemen. Who would come to search someone's house in the early hours of the morning without knocking at the gate. They had jumped over the gate, because we did not open the gate for anyone. It was a big family compound with three houses in it. They came right inside to the house where I was sleeping. They had scaled the wall in a manner that did not suggest that they were police officers. So, I wanted them to follow us at a distance, to be sure of exactly where we were being taken to. They took one of the cars and actually started to follow us. As I said, they took us first to the Special Anti-Robbery Squad office.

While we were there, they handed us over to the squad from Awka, the capital of Anambra State. It was led by the State Commandant of the Special Anti-Robbery Squad. It was the State Commandant who, with some other men, put us in another van with three other armed Special Anti-Robbery Squad officers and took us to Awkuzu, which is near Awka in Anambra State; near the state capital where the state SARS has its own state office. It was while we were there that the state commandant now handed us over to the person who had come from Abuja to lead the operation. He introduced himself as an Assistant Superintendent of Police. He said he had come from the office of the inspector general of police. He said they were the Special Tactical Squad [STS] under the inspector general of police. The State Commandant handed us over to him. He now took our names. So, after the introduction and interrogation, as I was waiting in the reception area of the SARS office, the policemen there started to make derogatory remarks about journalists in general and the online media.

All this was going on and I still didn't know why we had been arrested. From what they were saying, it appeared the policemen were all aware that we had been accused of blasphemy in the name of the Inspector General of Police. So, while making all these comments, my younger brother, who, by the way, is a trader and not in any way involved in publishing *elombah.com*, asked them why they were saying such things about us. 'Do you know who we are?' They said 'no'. 'Have you met any of us before?' They said 'no'. 'So why are you saying all these bad things about us, even though you don't actually know us?'

The policeman who had claimed to be an ASP then slapped him. He slapped him about four times. The other three police officers started to punch and kick him. I said, 'Why you hitting him?' The other guy replied, 'If you think you are a lawyer, be a lawyer in your house, not in this police station.'

The policeman who had claimed to be an ASP [Assistant Superintendent of Police] then slapped him. He slapped him about four times. The other three police officers started to punch and kick him. I said, 'Why are you hitting him?' The other guy replied, 'If you think you are a lawyer, be a lawyer in your house, not in this police station.' I said, 'Okay. Well, that he asked you a question does not warrant your abusing him, or that you should start to assault him.'

Daniel continued "while the assault was going on, they said we should undress and that they would take us into the cell. So, we started to get undressed right there at the reception, before the leader, who had brought us from Awka, came out of his office and intervened. He asked them to leave us alone, that they had finished interviewing Timothy, and it was now my turn. I went into the room again and asked why we had been arrested. He said that there was an article Timothy had admitted he published on *elombah.com*. So, I said, 'Okay, why have I also been arrested if Timothy published an article?' He replied that it was because my name was Elombah. They did not know me or whether or not I was in any way involved with *elombah.com*, but because my surname was Elombah I had been brought in. I said, 'How do you know it's a family business?' He said because it was *elombah.com* and my name was Elombah too. I asked him how that made me culpable and asked what the article in question was about. He opened his tablet and brought it up on Google and showed me the article. I recognised the article, but it was not one that had been published on *elombah.com* at all. He showed me an article that had been published on another website."

Daniel then asked for the title of the article and requested to see it, to which a SARS officer responded by performing a Google search on his tablet and showing him an article authored by Dickson Ebiwei on the website *opinionnigeria.com*, and not *elombah.com*.

Daniel Elombah brought this to the attention of the officer, inquiring about the process that had led SARS to associate an article published by Dickson Ebiwei on *opinionnigeria.com* with Daniel and Timothy. The SARS officer was dismissive and claimed that he

had already gone through the process with Timothy, who, allegedly, had admitted that he had written the article and used the name Dickson Ebiowei as a pseudonym.

Recounting how they were released, Daniel told Amnesty International: “My wife and my friends put the news of our arrest on Facebook, on Twitter and WhatsApp forums. A lot of people started to call them [police] and disturb them. Some of my friends in Abuja who had now become aware of the situation, also came to the SARS office in Abuja. They are all lawyers too and they started to intervene. The Deputy Superintendent of Police [DSP] who worked under the Inspector General Police, came in with two other commissioners of police and started to talk with us. They said they would allow us to go, but that we had to admit that we committed a wrong and then we had to apologise to the Inspector General Police. I said, ‘Well I can’t see how I will admit to what I haven’t done and if you detain me here any longer, if I sleep here in this cell, I won’t take kindly to being arrested for something I haven’t done and know nothing about.’ Eventually, they released me and my younger brother Theo on bail at about 12:30pm the next day 2 January 2018, but they detained Timothy and told us to come back the next morning.

“My brother, Timothy Elombah continued to be detained for another twenty-five days after that. When we came back the next day, they took my brother to an Area Court and got a 7-day detention warrant.”

Four days after Daniel and Theo were released from SARS custody, the police summoned Daniel. He told Amnesty International, “I saw that my brother would not be released after the seven days elapsed, so I issued a statement, which I circulated to Nigerian media and which was widely published in the newspapers explaining... that I had not been told why I was arrested or detained with my other brothers.” Daniel reported back to the police and also filed an action for the release of his brother Timothy. Daniel and Timothy were both charged under the Cybercrimes Act and the Terrorism Act for cyberstalking, cyber-intimidation and terrorism related offences.

On 28 January 2018, Timothy was released after a court order was granted to secure his bail.

“This general atmosphere of fear amongst people living in Nigeria is not something that should be accepted.”

In May 2018, a judge declared that there had been an infringement on Daniel Elombah’s fundamental human rights and awarded him N5,000,000 (Five

million naira) in damages. Till date the judgement has not been implemented.

“We tend to be more careful about what we publish on our website. This general atmosphere of fear amongst people living in Nigeria is not something that should be accepted,” Daniel Elombah told Amnesty International.²²

5.2 JOURNALIST ACCUSED OF DEFAMATION FOR EXPOSING CORRUPTION

JAA’FAR JAA’FAR



Jaa’far Jaa’far is an investigative journalist and editor-in-chief of *Daily Nigerian*, an online publication based in Abuja, Nigeria’s capital. He is facing charges for exposing corruption. He told Amnesty International: “On October 14 and 15 2018, I published two videos²³ of a Nigerian governor receiving five million [US] dollars as a bribe. The first video was published on October 14th and the second on October 15th 2018.

He continued: “I received several threats and at a point I had to go into hiding to prevent them from tracing me and knowing where I am, in order to protect my life. The governor is in the habit of receiving kickbacks or bribes on contracts he approves for any project to

²² Interview with Daniel Elombah, August 2018

²³ Another video of Governor Ganduje of Kano State receiving bribe: <https://www.youtube.com/watch?v=nCx7UXpQPF8>

be executed in the state. He collects from 15 to 30 per cent and the contractors have been complaining. One of the contractors, who is a good friend of mine, complained to me about it then I said, 'Why don't we carry out a sting operation? Maybe plant a spy camera on your laptop or any part of your body or on your eyeglasses.' He agreed to that. After doing that, he became afraid and was very concerned for his safety, until I convinced him that he did not have to worry about that, because he had done so with good intentions. So he agreed to give me the clips. Late September of this year, 2018, he gave me the clips. I published them two weeks after receipt. You can see the positive and negative comments they are eliciting. The aftermath has really been dramatic. The threats have been serious. Even at my home in Kano, some hoodlums have been there on four occasions to see whether I was there. Unfortunately for them I wasn't there. On two occasions, they went at about 5.30am, supposedly the time I would come out after the morning prayers but they did not meet me. It is really difficult. I still do not feel safe. Whenever I hear the sound of the gate, if I see people in suits I rush to lock the room so that I can have time to quickly make a call.

"So these are some of the threats. Some come via text messages. There are some people from the government whom I know, who alerted me that the government officials were planning to attack me, because it was their only option since I had refused negotiations over the videos. They were willing to give me whatever amount I proposed. There was somebody in government who said that even if I would agree to take the five million dollars the governor had collected and accepted not to publish the videos, they were ready for that. They tried to use my failure to appear before the House committee in Kano to testify as proof that I was lying. They wanted to see how they could kill the matter and declare me a liar, so I stood my ground. I refused to negotiate with someone who was telling me to state the amount I wanted.

On 25 October 2018, the Kano State House of Assembly requested that Jaa'far Jaa'far testify before its probe panel, in order to investigate the authenticity of the videos. He told Amnesty International: "The House of Assembly formally wrote to me, requesting me to come and testify, because they had constituted a probe panel comprising about seven members, to investigate the authenticity of the video clips we released. They had to invite me to give my testimony on the issue and I would say that the security arrangements made were superb. I never thought I could have such a security arrangement just for my coming, I saw more than 10 police vehicles, dozens of policemen, including three assistant commissioners of police and they escorted me like a king to the

airport. All of them and all of this was courtesy of Amnesty International. Let me say without any fear of contradiction, that I know that without Amnesty's involvement in this, without the pressure they mounted on the police, on the Department of State Security Service (DSS), on the Kano Assembly, on the Kano government, this may not have happened. I may have not had the courage to even sit in my office today and talk to you without Amnesty's intervention, because they have written severally, called a number of security personnel in the country, telling them about my safety my security, and pressuring them to ensure that my safety was guaranteed before, during and after giving testimony before the Kano State House of Assembly. It was really a marvellous outing. I was just too surprised, because I know the nature of Nigeria's policemen. For them to give you such royal treatment, you know that something must have been done at 'the top'.

Jaa'far continued

"They allowed school pupils to come out and protest [during] my testimony and a lot of hoodlums or political thugs attacked many of the civil society organisations that came out in solidarity [with me] during the testimony at the State House of Assembly complex in Kano.²⁴ This is the extent to which they have gone. Right now I can't even go to Kano without a security cover, because I know that if I book a flight today, they would maybe have a record that Jaa'far is coming to Kano."

Stating the difficulty associated with the practice of journalism in Nigeria, Jaa'far Jaa'far shared the frustration being experienced in his own words: "It is very difficult to practice journalism in Nigeria, especially investigative journalism. Despite the enabling laws, you cannot request for certain information. The agencies will either refuse to respond to you with immediacy or not respond at all, and you know that if they refuse we can't drag them to court. The cost of litigation... you understand media organisations in Nigeria. Some of us run non-profit newsrooms and are trying to see how we can get grants to help us carry out some investigations in the country. A lack of access to grants is sometimes what hampers our efforts. If there were grant funds, we could even sue and challenge their position legally. So these are some of the issues. Government agencies don't cooperate, that is why most Nigerians are enthusiastic about the whistle blower policy. Since government officials don't cooperate, everybody is turning to whistle blowers."

24 <https://dailypost.ng/2018/10/25/ganduje-nigerians-react-governor-allegedly-us-es-underage-pupils-protest-5m-bribe-video/>

“It is very difficult to practice journalism in Nigeria, especially investigative journalism. Despite the enabling laws, you cannot request for certain information. The agencies will either refuse to respond to you with immediacy or not respond at all...”

“Journalists go through a lot; incarceration and all that. If freedom of expression or freedom of information is stifled, then the government will not have a watchdog,” he told Amnesty International.²⁵

5.3 JOURNALIST ACCUSED OF CYBERSTALKING FOR EXPOSING CORRUPTION

OBINNA DON NORMAN



Obinna Don Norman is an investigative journalist and the owner of *The Realm News* – an online news medium in Lagos, South West Nigeria. On 1 March 2019, police arrested Norman during a talk show at a local radio station in Umuahia, Abia State, South-East Nigeria. He faces charges of cyberstalking under the Cybercrimes Act.²⁶

Obinna told Amnesty International: “Since 2008, I

have published the exact amount of funds accruing to Abia State from federal allocation and reallocation. I have done that several times through *The Realm News* and also my Facebook account, for those who cannot access the website. So, after we publish in the *Realm* online newspaper, I do so on my Facebook page. I also wrote some articles exposing how many contracts the Abia State government claims were awarded to contractors were never executed, even though they were approved and announced on radio as done. Those were also part of what I wrote in my book.²⁷

“The Abia State government was not comfortable with the revelations I made, because for years nobody had ever challenged the government of Abia State. For a long time, the corruption in Abia State was not actually in the news. What you would hear is how they [government] have done this and done that and this is what I was saying in most of my publications.”

On 23 December 2018, Abia State police declared Obinna wanted via a special police gazette bulletin.²⁸ In the declaration, the police accused him of cyberstalking, sending and posting offensive false messages by means of computer system and network, sedition and blackmail. On 9 January 2019, his lawyer filed a suit for the enforcement of fundamental rights at the Abia State High Court and thereafter, secured an injunction preventing the police from arresting him.²⁹

Obinna continued to speak out until he was arrested in Umuahia in February 2019. He told Amnesty International: “I went on live radio to discuss Abia State allocation and the Paris Club Fund, how pensioners in the state have not been paid since 2013 and how the state government was borrowing. That was my fourth time of being on live radio to discuss the problem in Abia State. At about 11:00am, I was still on air when suddenly, eight men in mufti, led by a Superintendent of Police (SP), came into the studio and interrupted the radio programme.”

“At about 11:00am, I was still on air when suddenly, eight men in mufti, led by a superintendent of police (SP), came into the studio and interrupted the radio programme.”

Police took Obinna to the Abia State police command, where he was detained for five hours without access

²⁵ Interview with Jaa'far Jaa'far November 2018

²⁶ Certified True Copy of charge sheet obtained by Amnesty International

²⁷ Don Obinna Norman published a book titled *Raped & Enslaved: Abia's Era of Kleptocracy*

²⁸ Copy of bulletin with reference number CR/2585/ABS/DFA/VOL 1.97 obtained by Amnesty International

²⁹ Acknowledgement copy of suit obtained by Amnesty International

to or any form of communication with his lawyer. He was, thereafter, arraigned at a Magistrate Court a few minutes before the official closing time of the court, which resulted in the court's inability to hear his case. "The Magistrate, a woman, said that it was almost 5pm, so she could not take my case. Again, they took me to another Magistrate Court in Umuahia and the magistrate said that he had no jurisdiction and that I should be remanded in custody until 2 April 2019.

"At the hearing, when my lawyer came to court, he discovered that my charge sheet had been amended to include kidnapping, illegal possession of firearms and inciting violence, in addition to the charges brought against me. Due to the additional charges, the magistrate ordered that I be remanded in prison until 24 April 2019. My lawyer then filed an application for my bail and the application was granted on 8 April and the case is still ongoing. Attack on journalists in Nigeria is an attack on freedom, and attack on democracy because a democracy without free press cannot survive. Journalists in Nigeria cannot be exonerated from these attacks. They allowed the government to continue with these attacks. They defend the government and take sides. Journalists sold themselves to the government so government is taking advantage of this vulnerability. " he told Amnesty International.³⁰

5.4 ON-AIR PERSONALITY HARASSED GLORIA MABEIAM BALLASON



30 Interview with Don Obinna August 2019

ENDANGERED VOICES: ATTACK ON FREEDOM OF EXPRESSION IN NIGERIA

Amnesty International

Gloria Mabeiam Ballason is a lawyer, a columnist for *BluePrint* newspaper and chief executive officer of House of Justice—a non-profit organisation in Kaduna State. For six years, she ran a radio programme called House of Justice on Liberty Radio 91.7 FM in Kaduna State. The programme provided a platform for victims of human rights violations to share their experiences and demand for justice. She told Amnesty International: "On 17 January 2017, I was invited to the state house in Kaduna alongside over two hundred lawyers and there, the governor made an open declaration to the president of the Nigerian Bar Association that I was a security threat to the state and that he was going to arrest and prosecute me. That wasn't the first time. In the course of my programme, because the way our radio programme runs, people whose rights have been abused come on the programme to share their experiences and what we try to do is to get all the parties present and try to resolve it." Citing several instances where her work through her radio programme to ensure accountability for human rights violations has come under threat, she said, "There have been times when we have received open threats. I remember there was a time some persons were killed at the Nigerian Defence Academy and it came up on the programme and that became a huge issue, because the National Broadcasting Commission said that the radio station had flouted rules. The Army sent a number of persons to our office, to say that the father of the deceased should have known, because he also was a retired officer. He ought to have known that those rules do not apply. So, as far as the radio issue is concerned it is something that has been happening."³¹

Being a columnist interested in writing articles on various national issues, Gloria also mentioned that her work was attacked. She told Amnesty International: "The governor of our state had mentioned that I had written articles about him, and he felt that the articles had incensed the state and it was capable of turning the state against him. Instead of waiting for him to file a matter in court, because then he was seriously picking people up and throwing them in jail, I decided to take the first step and filed the matter. Thankfully, by May 2017, the court was able to find that indeed my right to freedom of expression had been violated and my life was under threat, because the governor, at about that time, had even sent policemen to our office to arrest me. Because our organisation had a very good working relationship with the security agencies, they had informed me before time. They [government] had also blocked two of my lines, but we had an insider who was able to reveal that as well. After the court case and the judgement that went against the state governor, the next thing he did was to pick another article that had been written in the

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papers and he got the state Attorney-General to do a petition to the national body of the Nigerian Bar Association, asking them to punish me because I had written an article that infringed on his person and in his words, ‘defamed his person.’”

Speaking further on attacks against her radio programme, Gloria highlighted undue censoring by Nigeria’s regulatory authority on media – the National Broadcasting Commission – as another difficulty she encountered.

She reiterated: “What the NBC [National Broadcasting Commission] did to me they have been doing to a lot of people. Stories are censored in the name of you have gone against NBC rules. At some point I had to say you’ve got to give me these NBC rules and point out to me where the violations had taken place. There is all that blanket talk about NBC rules, but almost all media houses are being censored and if you ask around, people would tell you their own stories.”

In March 2018, her radio programme, House of Justice, was suspended from Liberty Radio FM. Recounting the process that led to the final shutdown of the radio programme, she told Amnesty International: “I was in the office one of the days and the legal adviser of the radio house sent me a text [message] that they [the radio station] were going to review the terms of engagement and that in the meantime, our programme, which had run for six years was suspended. So we called our own legal adviser and our own media advisers and they asked

me a question, because it was the second time we were being taken off air because the government felt threatened. So they asked me if I honestly felt that the programme could continue with these hiccups I’d had twice. I knew that the answer was in the negative, so they advised that instead of going back, we should just suspend the programme.

“I am all for balanced reporting, but I am against shutting down civic spaces. I am against stopping citizens from saying how they feel. We should respect the rule of law, as we often say on our radio programme as we sign off. We say that the people should insist on the force of law and not the law of force... People cannot tell their stories about what is affecting them anymore and I really feel sorry about it,” she told Amnesty International.

“I am all for balanced reporting, but I am against shutting down civic spaces. I am against stopping citizens from saying how they feel. We should respect the rule of law, as we often say on our radio programme as we sign off. We say that the people should insist on the force of law and not the law of force.”

6. MEDIA ACTIVISTS WRONGLY ARRESTED FOR ONLINE POST

6.1 **BLOGGER ARRESTED FOR A BLOG HE DID NOT WRITE**

UTITOFON MORGAN UKPONG



Morgan Ukpung is a blogger. He runs the website *www.sitippe.com*, a blog site that mainly publishes news of happenings in Akwa Ibom State, South-South Nigeria. On 3 December 2018, police arrested and detained him for two days for a blog he said he did not write. Thereafter, he was made to face defamation charges in court.

He told Amnesty International: "On 18 October 2018, the governor of Akwa Ibom State, Mr Godswill Akpabio, adopted a petition by his lawyer that I should be arrested, investigated and charged for writing a story against him. The story was about politicians keeping money totalling up to one trillion naira in three banks. On that day, I got a call from Akwa Ibom Headquarters police station, Ekonna.

The police called me from the number that was given in the petition. So, on 1st or 2nd of November 2018, I went to the police headquarters at Ikot Akpan Abia, after being invited. On reaching there, I met the Deputy Commissioner of police, who now gave me the petition by a serving Senator and I was shocked because the story was not mine. I had not written it and the website was not mine. I was asked to give a statement. I wrote in my statement that I knew nothing about the website and the story. I publish for *www.sitippe.com* which everybody in the state knows me for. I was in police custody for two days. While in their custody, the police did not try to intimidate or harass me. After two days, we now went to the Magistrate Court. When we got there, from the number of policemen I saw outside, I thought they had brought a Boko Haram prisoner to court! The senator had to send some of his vehicles to be with me. When taking me to court they did so as if they were conveying a Boko Haram criminal. There were police in a convoy of over eight trucks. On reaching the court, I was granted bail in the sum of 10,000,000 (Ten million naira) and a surety. I met my bail conditions that day and left. The main hearing was to be two weeks later. So, on 21 December 2018, we went to court, but the court didn't sit. The next was in January. The court sat, but they were not represented. The next was around 20 January 2019.

"On reaching the court I saw the usual large number of policemen. I called my lawyer and told him about the crowd of policemen in court. I then went to park my car somewhere and waited for my lawyer to come. When he arrived we went into court together. In court they withdrew the case from the Magistrate Court and I was taken to the police station again. At the police station they told me that I would be charged afresh. I was taken to the Federal High Court and given a five-count charge. They had gone back to my website and looked for news to add to my charges and that was how I was charged on a fresh count".

Morgan continued: "On the day I was arraigned, the Judge granted me bail and I met the bail conditions that day and I left. So, the case started, but it dragged on. The petitioners were not always in court whenever the case was called, so the Judge gave a ruling that if they would not come to court, he was

going to strike out the case. So, after we had been in court for over six months, one fateful day, 19 June 2019, when we got to the Federal High Court, they said they wanted to withdraw the charges. But my lawyer said no, that the case should rather be struck out for lack of diligent prosecution. So, the case was dismissed.”

“I write for only my blog. When an event happens, the bloggers in Akwa Ibom are always the first to break the news and newspapers then copy our stories. Since 2013 I have been posting on my page, but I started a website in 2015. On my website, I report news mainly and other events. This was my first encounter with the police or any politician concerning a story I had published on my blog.

The police said they had nothing against me. They even brought a bail bond and it was signed before a call now came and they were asked not to release me. I was not the one who published the story, they made a mistake. But because they thought I was a supporter of an opposition party, they went to look for other charges against me. Just imagine if I had done that story myself, I would have been in prison by now. In my case they knew I didn't write the story, but they still didn't leave me alone. So, one has to be careful about what they post on the internet, whether true or false, because if someone petitions you, before you would get justice it would take a long time.”

“The arrest really affected a lot of things. I now realise that if you are invited to the police station over anything you write, the process of getting justice would take a long time. I no longer post as I used to. I don't have the zeal to do anything that has to do with investigative journalism, I don't do that anymore. I would rather spend my energy on other things,” he told Amnesty International.³²

7. JOURNALIST FORCED TO FLEE

OHIMAI AMAIZE



Ohimai Amaize is a journalist and presenter on *Kakaaki Social* segment of the morning show on African Independent Television (AIT). He fled Nigeria following alleged threats to his life. His segment on AIT was suspended after the National Broadcasting Commission (NBC) sent warning letters to AIT. He recounted his story to Amnesty International: “What I’ve tried to do is to make a connection between the major conversations about Nigeria and how these things connect with the little things that happen every day that nobody really pays attention to. So, I try to make a connection between the small issues and the big issues. It was a programme that was designed to bring the conversations that Nigerians were having in the Nigerian social media into the mainstream media spotlight.”

He recounted to Amnesty International the online trolls, verbal threats and stalking by unidentified people that he experienced. According to him: “The attacks I started getting came from what I would call social media influencers who are affiliated to the

government. They started attacking me online, that I was biased, that I was one-sided, that I was not bringing the conversation that was favourable to the government into the national spotlight, which was completely false, because the thing with social media is that you can’t manipulate it in that sense. What does not exist cannot be manufactured. I’m not the one creating the content, my job was just to present.”

Ohimai explained how difficult it was to access relevant information needed to do his job. He told Amnesty International: “There were days I literally begged for content. I begged the people who were supporting the government that, this is what is trending today. I haven’t seen anyone from your side talking about this and definitely I am expected to broadcast it tomorrow, and I would get nothing. Those records are there. The tweets are there on social media; you can look them up.”

Speaking further about the attacks, he told Amnesty International: “Between January and March 2019, ahead of elections, the tension heated up. The attacks came in a flurry of hateful Twitter comments. I became concerned for my security, because this was a live television programme, so my whereabouts were known to everyone. You could tell that Ohimai would be on AIT every morning from 8:00 to 8:20am. You could see the clothes I was wearing, you knew that this was me, you could know my whereabouts. There were subtle comments, subtle warnings that ‘we are watching you, we know what you are doing, you’ve got to be careful.’ On one occasion, I noticed that some people were trailing my car and actually taking a picture of my car and its plate number. Normally, I should have reported that to the police immediately, but I have a very strong religious disposition.

“The clampdown on journalists and activists in Nigeria has created a hostile environment for freedom of expression in Nigeria and the implications are far reaching. What this means is that Nigerian citizens can no longer hold opinions critical of their government without fear or concern about being arrested, detained or disappeared, he told Amnesty International.” On 11 June 2019, Ohimai left Nigeria.”

8. LEGAL FRAMEWORK

8.1 PROVISIONS OF INTERNATIONAL AND REGIONAL INSTRUMENTS

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS

Nigeria has ratified the International Covenant on Civil and Political Rights (ICCPR), which places legally binding obligation on State Parties to respect, protect, promote and ensure that all humans enjoy the rights recognised in the Covenant. It further provides that each State Party undertakes to take necessary steps to adopt such laws or other measures as may be necessary to give effect to the rights recognised in the Covenant.

Under Article 19 of the ICCPR, the right to freedom of expression includes the “freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of a person’s choice”. It states: The exercise of the rights provided for in paragraph 2 of this Article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect of the rights or reputations of others;
- (b) For the protection of national security or of public order, or of public health or morals.

AFRICAN CHARTER ON HUMAN AND PEOPLES’ RIGHTS (ACHPR)

Article 9 of the African Charter on Human and Peoples’ Rights establishes the right to freedom of expression and access to information in particular. It provides as follows:

1. Every individual shall have the right to receive information.
2. Every individual shall have the right to express and disseminate his opinions within the law.

Unlike the provisions of the ICCPR, this provision of the African Charter does not contain any restrictions.

In 2002, the African Commission on Human and Peoples’ Rights (ACHPR) adopted the Declaration

of Principles on Freedom of Expression in Africa. The declaration was meant to expand the scope of the right to freedom of expression and access to information in the African Charter.

Article II of the Declaration succinctly states that:

1. No one shall be subject to arbitrary interference with his or her freedom of expression.
2. Any restrictions on freedom of expression shall be provided by law, serve a legitimate interest and be necessary and in a democratic society.

Article XII of the Declaration further states that:

1. States should ensure that their laws relating to defamation confirm to the following standards:
 - No one shall be found liable for true statement, opinions or statements regarding public figures which it was reasonable to make in the circumstance,
 - Public figures shall be required to tolerate a greater degree of criticism, and
 - Sanctions shall never be so severe as to inhibit the rights to freedom of expression, including by others.
2. Privacy laws shall not inhibit the dissemination of information of public interest.

The Declaration, which is currently under review by the ACHPR, seeks to address new areas and advances in technology such as access to information online.³³

The ACHPR has also adopted a number of resolutions regarding freedom of expression and press freedom. These include Resolution on the Deteriorating Situation of Freedom of Expression and Access to Information in Africa 2010 and Resolution on the Safety of Journalists and Media Practitioners in Africa 2011.

³³ Draft Declaration of Principles on Freedom of Expression and Access to Information in Africa: https://www.achpr.org/public/Document/file/English/draft_declaration_of_principles_on_freedom_of_expression_in_africa_eng.pdf

8.2. DOMESTIC FRAMEWORK

THE CONSTITUTION OF THE FEDERAL REPUBLIC OF NIGERIA

The 1999 Constitution of the Federal Republic of Nigeria (as amended) is the supreme law of Nigeria. It guarantees the freedom of the press, which is one of pillars of the right to freedom of expression. This is clearly outlined in Section 39 subsection (1) and (2). Subsection (1) provides that “every person shall be entitled to freedom of expression, including freedom to hold and to receive and impart ideas and information without interference.” Subsection (2) states that “without prejudice to the generality of subsection (1) of this section, every person shall be entitled to own, establish and operate any medium for the dissemination of information, ideas and opinion.” Subsection (2), however, states that private ownership of a television or wireless broadcast station for any purpose whatsoever must be authorised by the president. Section 45 of the 1999 Constitution (as amended) places limitations on the freedom of expression in the interest of defence, public safety, public order, public morality or public health. The restriction of press freedom on these grounds is applicable to print, electronic, and online media.

In addition to the Nigerian constitution, there are domestic legislations such as the Freedom of Information Act and the Cybercrimes Act, that impact on press freedom in Nigeria. Also, agencies such as the National Broadcasting Commission (NBC) and the Nigerian Press Council perform regulatory functions, which has a direct impact on freedom of expression in Nigeria.

THE FREEDOM OF INFORMATION ACT, 2011

The Freedom of Information Act was enacted on 28 May 2011 as a specific law to facilitate rights to access to information in Nigeria.³⁴ The law provides access to public records and information, making them freely available, subject to the extent consistent with the public interest and the protection of personal privacy. The 32 sections of the Freedom of Information Act extensively addresses a wide range of issues relating to access to public records. These include the right of access to public information, records of information to be kept by public institutions, applying for and obtaining information and classes of information on which access ‘may’ or ‘must’ be denied. Journalists and media activists told Amnesty International that often, their requests to Nigerian authorities for information are met with a refusal, particularly when regarding the use of public funds, accountability and corruption. The inability to access public information presents a key challenge

in the implementation of the Freedom of Information Act by the Nigerian authorities.

THE CYBERCRIME ACT (PROHIBITION, PREVENTION, ETC) ACT, 2015

The Cybercrime Act 2015 addresses offences related to the prohibition, prevention, detection, prosecution and punishment of cybercrimes in Nigeria, as well as promotes cybersecurity. Section 24 (1)(a) of the Cybercrime Act states that “any person who knowingly or intentionally sends a message or other matter by means of a computer system or network that is grossly offensive, pornographic or of an indecent, obscene or menacing character or causes any such message or matter to be so sent” has committed an offence under the act and shall be liable for punishment. Similarly, Section 24(1)(b) provides that any person who knowingly or intentionally spreads messages or other matter by means of a computer network system “for the purpose of causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidation, enmity, hatred, ill will or needless anxiety to another or causes such a message to be sent” faces the same possibility of punishment.

Since the passage of the Cybercrimes Act, Nigerian authorities and their agents have frequently used the provisions of the Act, particularly section 24, to harass, intimidate, arbitrarily arrest and detain, and unfairly prosecute journalists, bloggers and media activists who express views perceived to be critical of the government, whether at the federal or state levels, and of government officials. The Annex to this brief contains the full provisions of section 24 of the Act. The Act does not define use of vague terms like “inconvenience,” “annoyance” or “insult” which leaves room for vague interpretation and further makes it easy to be used to harass journalists, bloggers and media practitioners.

TERRORISM (PREVENTION) ACT 2011 AS AMENDED BY TERRORISM (PREVENTION AND PROHIBITION) ACT 2013

This Act provides a legal framework for addressing acts of terrorism and related crimes. It covers issues of terrorism as it relates to national security as well as issues of arrest, jurisdiction and terrorism funding. Despite its vague definition of terrorism in Section 1(2), it prescribes the death sentence as the punitive measure for terrorism-related offences in Nigeria.

Section 12(2)(a) of the Terrorism Act (as amended)

³⁴ <https://www.cbn.gov.ng/F01/Freedom%20of%20Information%20Act.pdf>

states: A person or body corporate who knowingly in or outside Nigeria directly or indirectly, willingly does, attempts or threatens any act of terrorism, commits an offence under this Act and is liable on conviction to maximum of death sentence.

The Act also provides security and intelligence officials with broad and overriding powers to search, arrest or detain individuals suspected of terrorism, without judicial oversight. Section 25 (a-e) of the Act empowers the National Security Adviser or Inspector General of Police to enter and search any place, persons, or vehicle “without warrant”, if the officer has reason to suspect that an offence is being committed. The officer may also search, detain, and arrest any person if he has a reasonable suspicion that the person has committed or is about to commit an offence under the Act.

Section 26 of the Act empowers the Attorney-General of the Federation, the National Security Adviser or the Inspector General of Police “for the purposes of the prevention or detection of offences or the prosecution of offenders give such direction as appear necessary to any communication service providers in intelligence gathering”. Section 28(1) also allows the detention of a terrorism suspect for 24 hours by security officers without access to any other person except the suspect’s medical doctor and the detaining agency’s lawyer. These wide powers provided by the Act are capable of being abused by state authorities and officials of security and intelligence agencies, particularly in declaring anyone a terrorist. The abuse of these powers is often applied in the arrest and detention of journalists and media activists, as documented in the cases of journalists and media activists interviewed by Amnesty International. Anyone prosecuted under the Cybercrime law and Terrorism Act run the risk of fines, imprisonment and the death sentence, making the expression of views and opinions through print, electronic or social media in Nigeria a dangerous task.

9. CONCLUSION AND RECOMMENDATIONS

As the cases in this brief show, the Nigerian authorities at both federal and state levels have violated and repressed the human rights of bloggers, journalists, broadcasters and social media users. Nigerian authorities have legally binding obligations to respect, protect, promote and fulfil the rights to freedom of expression, freedom of information, media freedom and personal liberty in Nigeria. In this regard, Amnesty International recommends that the Nigerian authorities at both the federal and state levels:

- Immediately end violations and abuses of the rights to freedom of expression, freedom of information, media freedom and personal liberty, by ensuring that journalists, bloggers and media activists have access to information and are able to do their job freely without any fear of reprisal;
- Thoroughly and effectively investigate allegations of attacks against journalists, bloggers and media activists and bring to justice anyone suspected to be responsible through fair trials;
- Adopt appropriate measures towards the full and effective realisation of rights to freedom of expression, freedom of information, media freedom and personal liberty and ensure the effective implementation of the Freedom of Information Act (2011);
- Take urgent steps to amend the Cybercrime Act (2015) and other laws that unduly restrict the rights to freedom of expression, freedom of information, media freedom and personal liberty and bring all such laws in strict compliance with Nigeria's international human rights obligations and commitments; and
- Issue clear directives to the police, the military, officials of the DSS and other state agents to refrain from applying existing laws in a manner that restricts or interferes with rights to freedom of expression, freedom of information, media freedom and personal liberty of journalists, bloggers and other media practitioners.

Annex

Section 24 of the Cybercrime Act (Prohibition, Prevention, Etc) Act 2015:

- (1) Any person who knowingly or intentionally sends a message or other matter by means of computer systems or network that -
 - (a) is grossly offensive, pornographic or of an indecent, obscene or menacing character or causes any such message or matter to be so sent; or
 - b) he knows to be false, for the purpose of causing annoyance, inconvenience, danger, obstruction, insult, injury, criminal intimidating, enmity, hatred, ill will or needless anxiety to another or cause such a message to be sent:

commits an offence under this Act and shall be liable on conviction to a fine of not more than N7, 000, 000.00 or imprisonment not more than 3 years or to both such fine and imprisonment.
- (2) Any person who knowingly or intentionally transmits or causes the transmission of any communications through a computer system or network –
 - (a) to bully, threaten or harass another person, where such communication places another person in fear of death, violence or bodily harm or to another person;
 - (b) containing any threat to kidnap any person or any threat to harm the person of another, any demand or request for ransom for the release of any kidnap person, to extort from any person, firm, association or corporation, any money or other thing of value; or
 - (c) containing any threat to harm the property or reputation of the addressee or of another or the reputation of a deceased person or any threat to accuse the addressee or any other person of a crime, to extort thing of value:

commits an offence under this Act and shall be liable on conviction –

 - (i) in the case of paragraphs (a) and (b) of this subsection, to imprisonment for a

term of 10 years and/or a minimum fine of N25,000,000.00 and

- (ii) in the case of paragraph (c) and (d) of this subsection, to imprisonment for a term of 5 years and/or minimum fine of N15, 000, 000.00
- (3) A court sentencing or otherwise dealing with a person convicted of an offence under subsections (1) and (2) may also make an order, which may, for the purpose of protecting the victim or victims of the offence, or any other person mentioned in the order, from further conduct which –
 - (a) amounts to harassment; or
 - (b) will cause fear of violence, death or bodily harm; prohibit the defendant from doing anything described/specified in the order.
- 4) A defendant who does anything which he is prohibited from doing by an order under this section, commits an offence and shall be liable on conviction to a fine of not more than N10,000,000.00 or imprisonment for a term of not more than 3 years or to both such fine and imprisonment.
- 5) The order made under subsection (3) of this section may have effect for a specified period or until further order and the defendant or any other person mentioned in the order may apply to the court which made the order for it to be varied or discharged by a further order.
- 6) Notwithstanding the powers of the court under subsections (3) and (5), the court may make an interim order for the protection of victim(s) from further exposure to the alleged offences.

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ENDANGERED VOICES

ATTACK ON FREEDOM OF EXPRESSION IN NIGERIA

In Nigeria, the civic space continues to shrink. Nigerian authorities have carried out consistent attack on journalists and media activists through verbal and physical assault, indiscriminate arrest, torture, detention, prosecution through trumped-up charges and abuse of the Cybercrime and Terrorism laws. This research documents these attacks and the failure of the Nigerian authorities to investigate these human rights violations and hold perpetrators to account.

Amnesty International concludes that the Nigerian authorities have legally binding obligations to respect, protect, promote and fulfill the rights to freedom of expression, freedom of information, media freedom and personal liberty in Nigeria. The Nigerian authorities as a matter of urgency should ensure that journalists and media activists can do their work without fear of attack.

Index: AFR 44/9504/2019
Original language: English

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