
The Child Rights Manual: *Training Materials*

Nigeria



This activity was made possible with support from the American people delivered through the U.S. Agency for International Development (USAID). The contents are the responsibility of UNICEF and BHRC and do not necessarily reflect the opinion of USAID or the U.S. Government.

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1. CASE STUDY: Child Marriage

Amina lived with her parents, her two older brothers and three younger sisters in a small village in Kano State (alternative: Sokoto, Borno, Bauchi, Gombe, Katsina, Zamfara, Yobe, Kebbi). She went to the local school with students from the five neighbouring villages.

A few days after Amina's 13th birthday a man from a neighbouring village visited Amina's father at their family home. Amina saw this man occasionally at the market; he was about the same age as her father. Her father and the man spent a few hours talking behind closed doors. Before the man left, her father called Amina into the house and introduced her to him.

A week later Amina's family dressed her up and took her to the forest where they met the man and some other people. At that point Amina was told that she was about to become the man's third wife. Amina started crying, saying that she did not want to marry him. Amina's father told her that he had promised her to the man who was paying the family money for Amina's hand, and therefore she was obliged to follow her father's decision.

Amina did not want to marry the man and so she tried to escape. Her brothers caught her and brought her back to the wedding ceremony. They threatened to beat her if she did not obey her father.

(The marriage has not been registered and no records of the ceremony are available)

After the wedding, Amina was taken to her alleged husband's village several kilometres from her family home. She was not allowed to go to school because she was fully occupied with housework. Whenever her alleged husband attempted to consummate the marriage she would flee to her parents' home but her parents kept sending her back. On one occasion her father flogged her, saying that he would kill Amina if she did not return to her husband. The flogging resulted in bleeding and Amina was left with scars on her back.

Finally, Amina's alleged husband raped her. The assault was so violent that she sustained severe injuries. Amina was taken to the hospital by her mother who ordered her not to talk about the assault to anyone. At the hospital, Amina's mother said that it was a family matter, so nobody asked any questions. Amina was frightened and ashamed and kept silent.

(Many young women in Nigeria are at risk of HIV infection by their older husbands)

On return from the hospital, Amina spent a few days in her family home and she begged her parents to let her stay there. Her parents said that was impossible because they did not have the money to repay her alleged husband.

Three days after the attack Amina was returned to her alleged husband. Her parents told her that from now on she had to be an obedient wife, that she had to listen to her alleged husband and do everything he asked her to do.

1. CASE STUDY: Child Marriage

The first night back at her alleged husband's house Amina decided to run away. A few days later a member of the CPN found her begging on the street for food and water. She looked very hungry, tired, distressed and scared.

1.1. Case management

It is a weekday, 3 August, and you are on your way to the local market. Suddenly, you notice a young girl standing at the side of the road begging for food and water. She looks tired, weak, hungry and thirsty. When you ask her for her name she says nothing and looks away. You ask her why she is not in school but she remains silent and starts walking away from you. You follow her and ask her where her parents are and where she is from but she does not respond to your questions. The girl is dirty and you can see that she has nothing but her clothes. You are concerned that the girl may be at risk of further abuse if she stays on the streets, and you feel she needs to be in a safe place.

Questions

Please respond to the three general questions below and write your answers in the boxes provided on the next page. You may consider the section of the manual that provides guidelines on dealing with child victims.

Question 1

What steps should you take? In what order? Why?

Question 2

Who would you consider involving in the process?
At what stage?

Question 3

What evidence would you collect, if any?
In what order and when?

1. CASE STUDY: Child Marriage

Some of the people you should consider involving

In your analysis please consider the following actors that could get involved in the case at various stages or that you may wish to contact to get assistance or advice. Please note that this list is not exhaustive, you may wish to add other relevant people or disregard those that you think have no role to play in this case.

- | | | | |
|---|-------------------------------------|---|---|
| ✓ | Police | ✓ | Family/Juvenile courts |
| ✓ | Social workers | ✓ | Media |
| ✓ | Prosecutor | ✓ | Religious leaders |
| ✓ | Lawyers | ✓ | Local leaders |
| ✓ | Doctors and medical staff | ✓ | UN human rights mechanism |
| ✓ | Governmental institutions | ✓ | Regional human rights mechanism |
| ✓ | Local school | ✓ | Domestic human rights mechanisms |
| ✓ | Governor of the State | ✓ | Parents or guardian |
| ✓ | UNICEF | ✓ | University law clinics |
| ✓ | CPN members | | |
| ✓ | Nigerian human rights bodies | | |
| ✓ | NGOs | | |

Answer 1

Answer 2

1. CASE STUDY: Child Marriage

Writing up the interview

Using the notes made by the note taker during the role play, you should now write up the interview in as detailed, accurate and legible a way as possible in the box below:

Name of interviewee:
Name of interviewer:
Date of interview:
Time of interview:
Location of interview:

1.3. Case management preparing a case file

In this exercise you will practise how to prepare a case file. You will be asked to record the case in a clear, logical and consistent manner. You must ensure that all the necessary information is recorded and that all the collected information is in the same format and collated in one place, including supporting documents. You may wish to refer to the section of the manual that provides guidelines for the use of the logbook.

General questions

Before you proceed with the exercise please consider the following questions:

Why is it important to preserve the evidence systematically?

What specific information should be recorded in the case file?

When would you record the information in the case file?

Answer 1

1. CASE STUDY: Child Marriage

Answer 2

Answer 3

1. CASE STUDY: Child Marriage

Practical exercise

On 3 August, at approximately 1.30pm, you find Amina on the street begging for food and water. At first she does not want to speak to you but after you introduce yourself and explain to her that you wish to help her and that she is safe with you, she tells you that she is a run-away spouse. She agrees to come with you to the CPN office to talk to you about her situation.

On the way, at 2.30pm, you telephone your CPN colleague Biola Yoruba who has some experience in dealing with young girls who have been forced by their families to marry older husbands. She agrees to come to the office to help you deal with the case and interview Amina.

Upon arrival at the office at 3.30pm you register Amina under entry 20. You also take a photo of her for identification purposes. Amina tells you that she comes from Kano State, from a small village not far from Rano. She tells you that both her parents are alive and that she has two older brothers and three younger sisters. She tells you that she is 13 years old and that she was attending school until her alleged husband took her away from her parents' home. She says she wants to go back to school.

When your colleague Biola Yoruba arrives, at approximately 4.30pm, she interviews Amina who tells her about the forced marriage, the flogging and the rape. She tells Biola that she does not want to go back to her alleged husband or her family but that she does not want to stay on the streets. Biola suggests that for the time being, for security reasons, Amina's family and her alleged husband should not be contacted.

Biola writes a referral letter to the Ministry of Social Welfare requesting social work involvement and delivers the letter that day, while you telephone IPO Greg Okoro to report Amina's case. Greg Okoro suggests that you bring Amina to the police station for an interview the next morning.

Biola returns from the Ministry of Social Welfare and is told that the social worker is not able to pick up Amina that day. Biola kindly offers to take the girl to her place for the night. Amina agrees and now she seems less scared and more secure.

The next day you take Amina to the police station where she gives a formal statement to IPO Greg Okoro repeating what she has already explained to Biola. The IPO requests money for transport so that he can investigate the matter. You explain that you are not able to do this as it is against your NGO's policy. Although he seems a bit reluctant, Greg Okoro promises to investigate the matter.

In the afternoon, at around 4.00pm, you contact the Ministry of Social Welfare and they inform you that they will not be able to assist with Amina's case. They give you a list of child centres. You need to find suitable accommodation for Amina.

A week later you contact the IPO Greg Okoro at the police station to inquire about the progress of the investigation. He informs you that the police contacted Amina's parents and her alleged husband but that they all refused to discuss the situation, saying it was a family matter. However, the police managed to get the medical evidence from the doctor that examined Amina after the rape so there is a possibility of prosecuting Amina's alleged husband.

1. CASE STUDY: Child Marriage

Exercise: preparing a case file

In this exercise you will be asked to prepare a case file on the basis of the information provided in the scenario above. The following standard forms have been designed to assist you in organising the case file, recording the events, and gathering and documenting the evidence.

Coversheet

Logbook

Event log

You may wish to consult the section of the manual that explains how to fill out these forms. Each page of the logbook should record no more than one event. The event log should contain a summary of the information recorded in the logbook.

Coversheet

CASE IDENTIFICATION NUMBER			No.
PERSONAL INFORMATION			
Full name of child		Previous name(s)	
Age		Date of birth	
Gender		Tribe	
Marital status		Number of children	
Language(s) spoken		Religion	
Contact telephone number			
LOCATION			
Origin	Address/Town/Village:	LGA:	STATE:
Home address	Address/Town/Village:	LGA:	STATE:

1. CASE STUDY: Child Marriage

Current location (if different)	Address/Town/Village:	LGA:	STATE:
CARE OF CHILD			
Mother / father / guardian / aunt / uncle / sibling / other (please circle)			
PARENT OF CHILD			
Father	Name:	Nationality:	Address:
	Address/Town/village:	LGA:	State:
	Contact telephone number		
Mother	Name:	Nationality:	Address:
	Address/Town/village:	LGA:	State:
	Contact telephone number		
OTHER INFORMATION			
Household structure		Siblings:	
School(s) attended		Level of education	
General health		Medical condition	
Level of cooperation		Previous arrests, charges, convictions	
CASE WORKER			
Name		Contact telephone number	

1. CASE STUDY: Child Marriage

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person
making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

1. CASE STUDY: Child Marriage

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

1. CASE STUDY: Child Marriage

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person
making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

1. CASE STUDY: Child Marriage

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

1. CASE STUDY: Child Marriage

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

Name of person
making entry:

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

1. CASE STUDY: Child Marriage

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

1. CASE STUDY: Child Marriage

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

Name of person
making entry:

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

1. CASE STUDY: Child Marriage

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

1. CASE STUDY: Child Marriage

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person
making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

1. CASE STUDY: Child Marriage

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

1. CASE STUDY: Child Marriage

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

Name of person
making entry:

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

1. CASE STUDY: Child Marriage

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

1. CASE STUDY: Child Marriage

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

Name of person
making entry:

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

1. CASE STUDY: Child Marriage

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

1. CASE STUDY: Child Marriage

Event Log

Date of event	Time of event	Date of entry	Time of entry	Event	Document	Name of person making entry

1. CASE STUDY: Child Marriage

Event Log

Date of event	Time of event	Date of entry	Time of entry	Event	Document	Name of person making entry

1. 4. Complaint procedures

Amina's parents convince her not to file charges for rape against her husband. They tell her that her husband has not committed a crime because, being her husband, he was entitled to sleep with her. She, as his wife, should subject herself to him and do what he asks her to do. After spending a month at the centre in Kudun, Amina returns to her parents' house. Her parents promise the social workers that they will let her stay at home. Amina wants to terminate the marriage but her parents tell her that it is not possible to do so. Although Amina does not want to be with her husband, her parents try to convince her to go back to him. She keeps refusing to do so. However, about three months after she returns home from the centre, Amina's parents forcibly return her to her husband. Amina cannot escape because she is not allowed to leave the house and she is constantly supervised by her husband's other wives and their children. The CPN members ask the police to intervene but they refuse to do so because they consider that it is a private matter that should be resolved within the family. The police do not consider the conduct of Amina's family and her husband to be criminal because it seems to correspond with local customs. The family are not aware they have broken the law.

Recourse to national, regional and International mechanisms

General

- Which of Amina's rights have been violated? By whom? Under what legislation?
- If you were familiar with Amina's case, would you do anything to help her?
- What steps would you take? When? How?
- What advocacy and education strategies could you implement to safeguard Amina?

Domestic mechanisms

- Which domestic authorities would you contact?
- If domestic authorities did not intervene, would you consider complaining to any domestic human rights bodies?
- If yes, how would you write a complaint and what information would you provide?
- Where would you send the complaint?
- What chances do you think you have of succeeding with your complaint?
- What would you do to follow up the complaint?

International mechanisms

- Would you consider using any of the UN special procedures?
- If yes, which special procedure might you use in Amina's case?
- What information would you provide in the complaint?
- Would you consider using the UN Human Rights Council complaints procedure?
- What are the criteria for using this procedure?
- Can individuals file complaints for violations of their rights?
- Are there any other procedures that you could use to bring human rights violations to the attention of UN Human Rights Council with the aim of putting pressure on Nigeria?
- Would you consider filing a complaint with any of the Treaty Bodies?

1. CASE STUDY: Child Marriage

- If yes, which one would you chose?
- What information would you provide in the complaint?
- If not, are there any other possible ways to bring human rights violations to the attention of the Treaty Bodies with the aim of putting pressure on Nigeria?

Regional mechanisms

- Would you consider using any of the regional mechanisms to bring a claim for breaches of Amina's human rights?
- If yes, which regional mechanism(s) could you use? Why? What are the criteria?
- What information would you provide in your complaint?
- If not, are there any other ways of bringing human rights violations to the attention of any of the regional mechanisms?

Exercises

In this exercise, you may chose one or more of the international, African and domestic level procedures to complain about the violations of Amina's rights.

Complaint to the UN Human Rights Council or Special Procedures Mandate Holders

Please write in the box below a complaint either to the UN Human Rights Council or to one of the special procedures mandate holders. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the UN Human Rights Council's complaints procedure and the complaints procedure of the special procedures mandate holders.

1. CASE STUDY: Child Marriage

Complaint to the UN Treaty Bodies

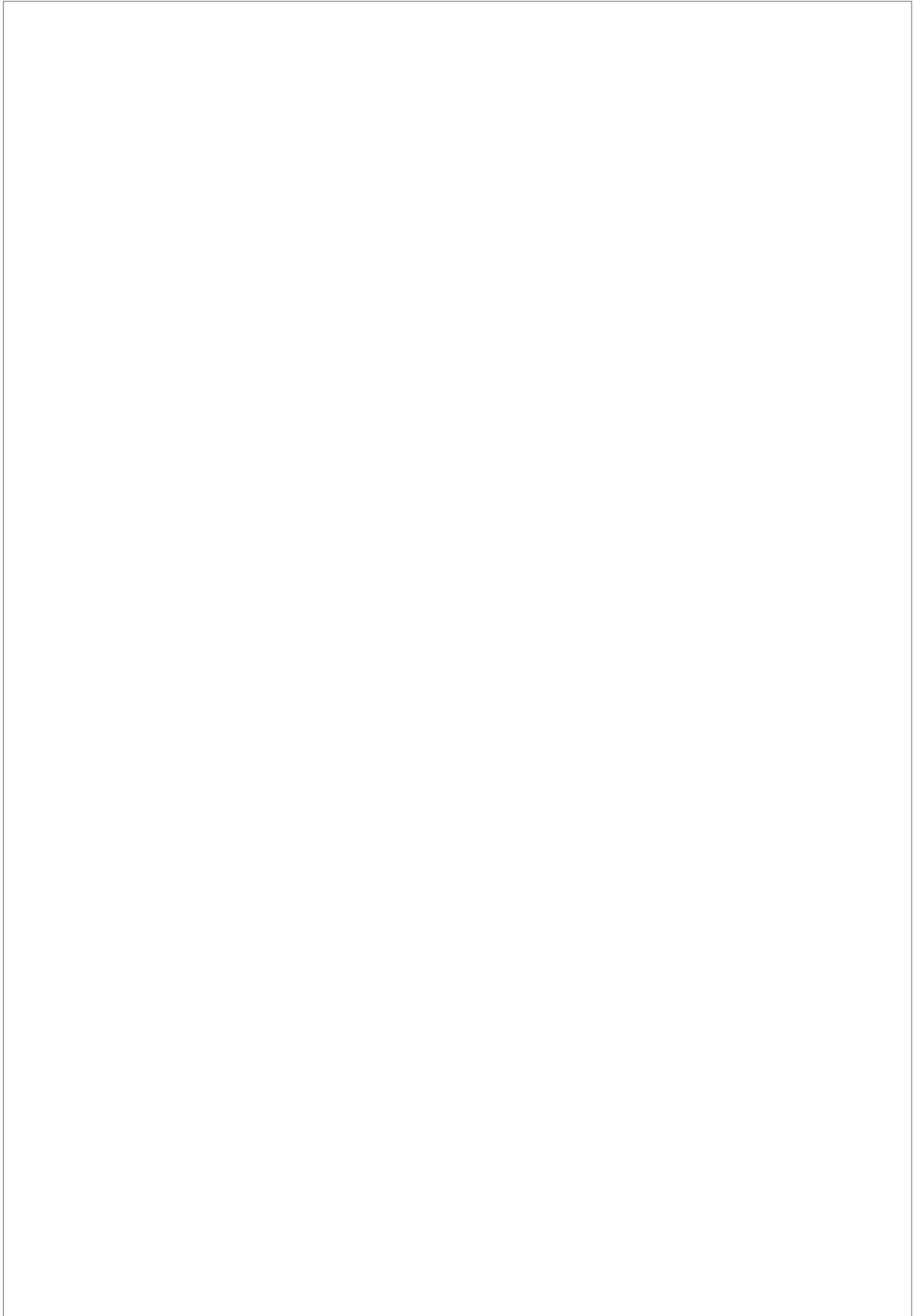
Please write in the box below a complaint to any of the UN Treaty Bodies. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the UN Treaty Bodies. If there is no individual complaints procedure available for a particular UN Treaty Body, consider what other procedures could be used to bring the problem of child marriage to the attention of the relevant Treaty Body (maybe through an NGO or the CPNs).

1. CASE STUDY: Child Marriage

Complaint to the African Regional Human Rights Bodies

Please write in the box below a complaint to any of the African (regional) human rights monitoring bodies. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the African human rights bodies.

1. CASE STUDY: Child Marriage



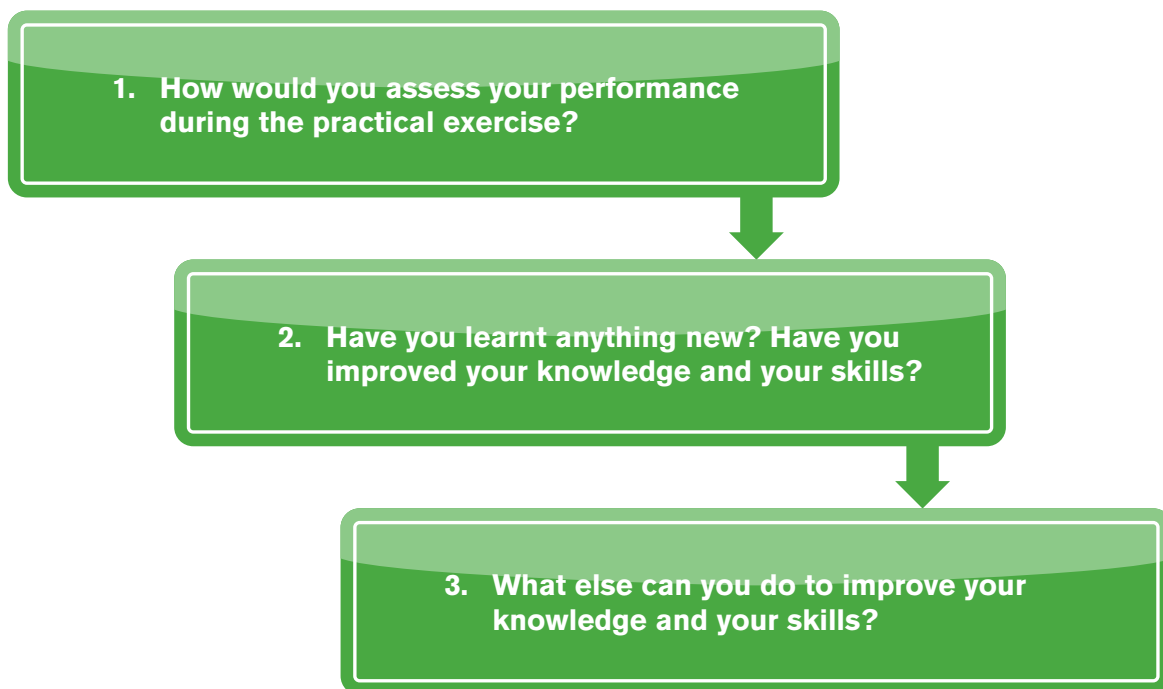
1. CASE STUDY: Child Marriage

Complaint to the National Human Rights Commission or the Special Rapporteur on Child Rights

Please write in the box below a complaint to the National Human Rights Commission and the Special Rapporteur on Child Rights. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the National Human Rights Commission and the complaints procedure.

1.5. Overview and conclusion

After you have finished all the exercises in the case study, please consider the following questions:



2. CASE STUDY: Witchcraft Stigmatisation

It is a Sunday morning, 11 January. A boy called Olofu Bassey is at home with his father, Emmanuel Bassey, stepmother, Grace Ita, and his younger half-brother and half-sister. The family is getting ready to go to the local church. They live in Idung Udo Ekiki in Akwa Ibom State.

Olofu's mother died when he was about 2 years old. When his mother was alive Olofu's family lived in the same village as Olofu's Aunt Alice and her family. Olofu moved with his father to Idung Udo Ekiki after his mother died.

At the church, the family attends a service held by Pastor Thomas. It is a regular Sunday service usually attended by all the members of the local community.

Towards the end of the service Pastor Thomas starts preaching about witches and warns the congregation against them. He blames the witches for death, disease, misfortune, and everything bad that happens in the local community. His speech becomes more and more loud and aggressive. He says, "We have to kill all the witches!" Then he turns towards Olofu's family and points at Olofu. He shouts, "He is a witch, he is a witch! Get him! Punish him!"

His father and Pastor Thomas grab Olofu and take him out of the church. Someone hands Pastor Thomas a pair of hand-made handcuffs that he uses to tie Olofu to a pole in front of the church. Pastor Thomas takes out a whip and starts whipping Olofu.

The villagers gather around them. They encourage Pastor Thomas and shout at Olofu. Some of them have weapons and threaten to kill Olofu.

(Pastor Thomas has previously called some other children witches in this village and others. The State authorities have done nothing to investigate his actions and he remains a highly respected figure in the local community)

2.1. Case management

You are working in the CPN office on 11 January. At approximately 2.15pm, the office receives a call from an anonymous male caller who says that he has just seen a child being whipped in front of a crowd outside the local church in Idung Udo Ekiki, about half an hour from the CPN office. The child had apparently been in a great deal of distress and the caller was very troubled. It is decided that an emergency mission should take place.

With two other CPN members, Utibe Ikot and Mfon Okposi, you drive to Idung Udo Ekiki. You arrive at about 3pm and drive through the village to the church. Upon arrival, you find Olofu sitting in front of the church visibly upset and in pain. The boy is obviously terrified and is in some hand-made handcuffs. He clearly has sore wrists from the handcuffs but they are not bleeding. He has no other visible injuries. Mfon Okposi immediately attends to the child.

2. CASE STUDY: Witchcraft Stigmatisation

No parent is identified.

The crowd referred to by the anonymous caller has dispersed, but you and Utibe Ikot are able to ask a number of people on the street what happened and they confirm that the child was whipped by the local pastor approximately an hour before because the pastor said he was a witch. One person mentions that he remembers the pastor calling the boy a witch on a previous occasion and has heard that the boy sustained an acid attack by his father. He did not have any further information. The people refuse to give their names for the purposes of obtaining more information at a later date.

Once Mfon Okposi has attended to Olofu, you try to find the pastor and Olofu's father, but are unable to locate them. You leave a note at Olofu's father's house indicating where Olofu can be found and how to contact them.

The boy is practically silent on the journey and appears scared, hungry and very tired. You consider that he will remain acutely traumatised and tired for at least two days.

Questions

Please respond to the three general questions below and write your answers in the boxes provided on the next page. You may want to look at the section of the manual that provides guidelines on dealing with child victims.

Question 1

What steps would you take? In what order? Why?

Question 2

Who would you consider involving in the process?
At what stage?

Question 3

What evidence would you collect, if any?
In what order and when?

2. CASE STUDY: Witchcraft Stigmatisation

Some of the people you should consider involving

In your analysis please consider the following people that could get involved in the case at various stages or that you may wish to contact to get assistance or advice. Please note that this list is not exhaustive, you may wish to add other relevant people or disregard those that you think have no role to play in this case.

- | | | | |
|---|-------------------------------------|---|---|
| ✓ | Police | ✓ | Family/Juvenile courts |
| ✓ | Social workers | ✓ | Media |
| ✓ | Prosecutor | ✓ | Religious leaders |
| ✓ | Lawyers | ✓ | Local leaders |
| ✓ | Doctors and medical staff | ✓ | UN human rights mechanism |
| ✓ | Governmental institutions | ✓ | Regional human rights mechanism |
| ✓ | Local school | ✓ | Domestic human rights mechanisms |
| ✓ | Governor of the State | ✓ | Parents or guardian |
| ✓ | UNICEF | ✓ | University law clinics |
| ✓ | CPN members | | |
| ✓ | Nigerian human rights bodies | | |
| ✓ | NGOs | | |

Answer 1

Answer 2

2. CASE STUDY: Witchcraft Stigmatisation

Writing up the interview

Using the notes made by the note taker during the role play, you should now write up the interview in as detailed, accurate and legible a way as possible in the box below:

Name of interviewee:
Name of interviewer:
Date of interview:
Time of interview:
Location of interview:

2.3. Case management preparing a case file

In this exercise you will practise how to prepare a case file. You will be asked to record the cases in a clear, logical and consistent manner. You must ensure that all the necessary information is recorded and that all the collected information is in the same format collated in one place, including supporting documents. You may wish to refer to the section of the manual that provides guidelines for the use of the logbook

General questions

Before you proceed with the exercise please consider the following questions:

Why is it important to preserve the evidence systematically?

What specific information should be recorded in the case file?

When would you record the information in the case file?

Answer 1

2. CASE STUDY: Witchcraft Stigmatisation

Answer 2

Answer 3

2. CASE STUDY: Witchcraft Stigmatisation

Practical exercise

Olofu was driven back to the CPN centre immediately.

On the way, at 3.15pm, you telephoned IPO Michael Okon at Eket police station informing him of the situation.

At 4:30pm Olofu is booked in at the CPN centre, he is registered under entry 30 and his personal details (name; date of birth; parents; siblings; village; school; contact details for other carers) are recorded there and in the logbook assigned to his case.

Between 5.00pm and 7.30pm Olofu is photographed by Utibe Ikot and his injuries noted by Mfon Okposin. He gives his first account of events to Mfon Okposin, who notes them down and includes them in the logbook.

Olofu's first account to Mfon Okposin on 11 January reads as follows:

My name is Olofu. My birthday is 11 March but I do not know what year I was born. I am younger than my male cousin (the son of Aunt Alice) and he is 12. I am older than my female cousin and she is 7. I am scared of going back to live in the village with my father and Pastor Thomas. He is the pastor in my village. My father was told I was a witch. My father's name is Emmanuel Bassey. This started about three months ago. He has poured acid on my chest because he said I was a witch. I was taken to hospital by my Aunt Alice and I told her that my father did it. She is my mother's sister and has always been very kind to me. We did not tell the hospital because we thought I would have to go back and live with my father in his village and we didn't want to cause trouble. Aunt Alice believes in witches, but does not believe that children can be witches. She is very kind to me and the other children in my village. I would be happy to live with Aunt Alice since she lives in a separate village and I could go to a different school.

(Until it is established that Olofu can live with his Aunt, he will not answer further questions)

You decide to contact the social worker Lucky Inyang. She arrives a few hours later and takes Olofu to the safe house. The next day, on 12 January, you and Lucky Inyang take Olofu to the hospital at Emmanuel General Hospital, Hospital Road, Eket. On 14 January, Olofu gives Lucky Inyang a second account, which reads as follows:

I grew up in the same village as my Aunt Alice, but moved with my father when my mother died. I do not know how long ago this was, but I was very young. My father has had two children with his new wife. He does not harm them. His new wife isn't very nice to me. Her name is Grace Ita. She is close to Pastor Thomas and I have seen them talking in the village many times. I do not know what she said to him. I was called a witch by the village pastor after he talked to Grace Ita.

I like playing football. There is no television in the village. I also like fishing. I went to school in the local village, but since I was called a witch I have not attended because the teachers believe Pastor Thomas that I am a witch. I stopped going to school before I was burned with acid.

2. CASE STUDY: Witchcraft Stigmatisation

One day, not very long ago, my father came home and said I was a witch. I do not know what made him say this. Everyone in the village then started saying it because the pastor had said it to them.

After he called me a witch, my father threw acid on me and it burned my chest. You cannot see the scar with my top on. He also cut my thighs with a knife. He did this at the same time he threw acid on me. The cuts have healed. The burn covers most of my chest.

I ran away to my Aunt Alice the next day. She took me to hospital where we told them that I had had an accident. They didn't ask many questions. We gave them our names.

After that I had to go and live back in the village. No one will talk to me. I have had to live outside as my father will not let me sleep inside the house, and Grace Ita just gives me scraps and leftovers for food, rather than letting me sit with the others to eat. I have found some food myself and sometimes beg for it by the road.

I tried to go back to school after I was burned, but they would not let me in. I did not show them my injuries.

Pastor Thomas does not want me to stay in the village. He said I had to be punished as a witch. The day I was rescued he had whipped me in front of the other villagers. The whip marks are on my back and my legs. He whipped me a lot. It hurt.

[The whip marks are only visible for about a day after the rescue]

The pastor was saying I would have to be killed when he was whipping me. The villagers were all screaming at me, including my father. I do not remember how long it lasted. I just remember crying and then the staff from the CPN coming to me.

I do not know who called the CPN. It may have been a man who was in the village delivering water. He was driving a company van. I did not see the name clearly and cannot remember. I do not want to go back there. If I was safe, I would give evidence.

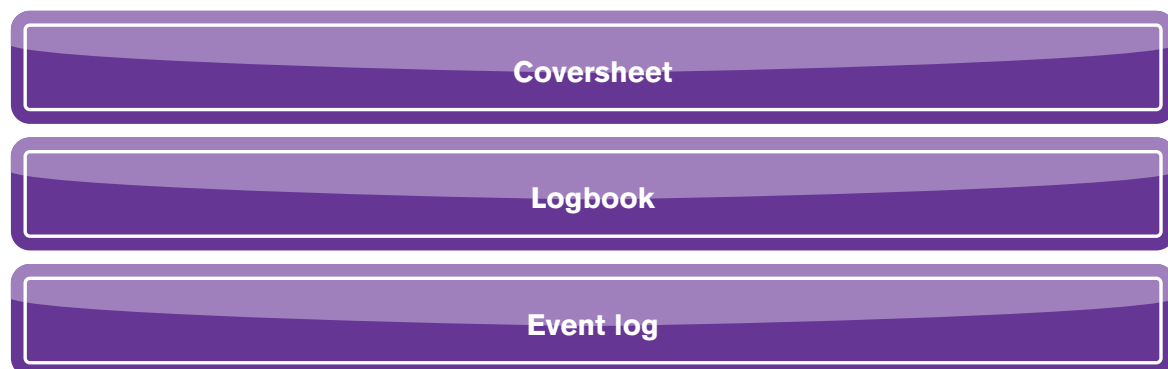
A day later, on 15 January, you and Lucky drive Olofu to the police station at Eket. He gives a statement to the police repeating the information that he already provided to Lucky Inyang and Mfon Okposin.

Contact is made with the police and the prosecution several times, namely on 20 January, 27 January and 7 February. There are a number of further medical visits and updates received from the prosecution. Each time, the details are recorded in the logbook.

2. CASE STUDY: Witchcraft Stigmatisation

Exercise: preparing a case file

In this exercise you will be asked to prepare a case file on the basis of the information provided in the scenario above. The following standard forms have been designed to assist you in organising the case file, recording the events, and gathering and documenting the evidence.



You may wish to consult the section of the manual that explains how to fill out these forms. Each page of the logbook should record no more than one event. The event log should contain a summary of the information recorded in the logbook.

Coversheet

CASE IDENTIFICATION NUMBER			No.
PERSONAL INFORMATION			
Full name of child		Previous name(s)	
Age		Date of birth	
Gender		Tribe	
Marital status		Number of children	
Language(s) spoken		Religion	
Contact telephone number			
LOCATION			
Origin	Address/Town/Village:	LGA:	STATE:
Home address	Address/Town/Village:	LGA:	STATE:

2. CASE STUDY: Witchcraft Stigmatisation

Current location (if different)	Address/Town/Village:	LGA:	STATE:
CARE OF CHILD			
Mother / father / guardian / aunt / uncle / sibling / other (please circle)			
PARENT OF CHILD			
Father	Name:	Nationality:	Address:
	Address/Town/village:	LGA:	State:
	Contact telephone number		
Mother	Name:	Nationality:	Address:
	Address/Town/village:	LGA:	State:
	Contact telephone number		
OTHER INFORMATION			
Household structure		Siblings:	
School(s) attended		Level of education	
General health		Medical condition	
Level of cooperation		Previous arrests, charges, convictions	
CASE WORKER			
Name		Contact telephone number	

2. CASE STUDY: Witchcraft Stigmatisation

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

Name of person
making entry:

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

2. CASE STUDY: Witchcraft Stigmatisation

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

2. CASE STUDY: Witchcraft Stigmatisation

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

Name of person
making entry:

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

2. CASE STUDY: Witchcraft Stigmatisation

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

2. CASE STUDY: Witchcraft Stigmatisation

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

Name of person
making entry:

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

2. CASE STUDY: Witchcraft Stigmatisation

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

2. CASE STUDY: Witchcraft Stigmatisation

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

Name of person
making entry:

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

2. CASE STUDY: Witchcraft Stigmatisation

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

2. CASE STUDY: Witchcraft Stigmatisation

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

Name of person
making entry:

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

2. CASE STUDY: Witchcraft Stigmatisation

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

2. CASE STUDY: Witchcraft Stigmatisation

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person
making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

2. CASE STUDY: Witchcraft Stigmatisation

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

2. CASE STUDY: Witchcraft Stigmatisation

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person
making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:

Case entry number:

Date of event:

Time of event:

Description of event:

2. CASE STUDY: Witchcraft Stigmatisation

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

2. CASE STUDY: Witchcraft Stigmatisation

Event Log

Date of event	Time of event	Date of entry	Time of entry	Event	Document	Name of person making entry

2. CASE STUDY: Witchcraft Stigmatisation

Event Log

Date of event	Time of event	Date of entry	Time of entry	Event	Document	Name of person making entry

2.4. Complaint procedures

Olofu's story is not an isolated incident. Throughout Nigeria belief in child witches is widespread. Children are particularly vulnerable to accusations of witchcraft and the resulting stigmatisation. Children that have been stigmatised as witches or wizards face serious violence and persecution. They may also be killed. Children stigmatised as witches face long-term discrimination, this includes being denied access to medical treatment, schooling and the job market. Due to exclusion and abandonment these children are denied their family life, access to and participation in a local community and access to religious freedom. Accusations of witchcraft and subsequent ill treatment are most commonly carried out by church personnel and/or family members. Although some States have adopted legislation criminalising witchcraft stigmatisation, there have not been many prosecutions. You would like the Nigerian authorities to put in place and implement effective measures to prevent witchcraft stigmatisation throughout Nigeria and to punish the perpetrators.

Recourse to national, regional and international mechanisms

General

- Which of Olofu's rights, and rights of other stigmatised children, have been violated by witchcraft stigmatisation? By whom? Under what legislation?
- Do you have any suggestions as to how to eradicate the harmful and dangerous belief in witches and witchcraft stigmatisation?

Domestic mechanisms

- Which domestic authorities would you contact?
- If the domestic authorities did not respond, would you consider complaining to any of the domestic human rights bodies?
- If yes, how would you write a complaint and what information would you provide?
- Where would you send the complaint?
- What chances do you think you have of succeeding with your complaint?
- What would you do to follow up the complaint?

International mechanisms

- Would you consider using any of the UN special procedures?
- If yes, which special procedure might you use to address witchcraft stigmatisation?
- What information would you provide in the complaint?
- Would you consider using the UN Human Rights Council complaints procedure?
- What are the criteria for using this procedure?
- Can individuals file complaints for violations of their rights?
- Are there any other procedures that you could use to bring human rights violations to the attention of UN Human Rights Council with the aim of putting pressure on Nigeria?
- Would you consider filing a complaint to any of the Treaty Bodies?
- If yes, which one would you chose?
- What information would you provide in the complaint?
- If not, are there any other possible ways of bringing human rights violations to the

2. CASE STUDY: Witchcraft Stigmatisation

- Would you consider filing a complaint to any of the Treaty Bodies?
- If yes, which one would you chose?
- What information would you provide in the complaint?
- If not, are there any other possible ways of bringing human rights violations to the attention of the Treaty Bodies with the aim of putting pressure on Nigeria?

Regional mechanisms

- Would you consider using any of the regional mechanisms for bringing a claim for breaches of children's rights as a result of witchcraft stigmatisation?
- If yes, which regional mechanism(s) could you use? Why? What are the criteria?
- What information would you provide in your complaint?
- If not, are there any other ways of bringing human rights violations to the attention of any of the regional mechanisms?

Exercises

In this exercise, you may chose one or more of the international, African and domestic level procedures to complain about the violations of Olofu's rights.

Complaint to the UN Human Rights Council or Special Procedures Mandate Holders

Please write in the box below a complaint either to the UN Human Rights Council or to one of the special procedures mandate holders. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the UN Human Rights Council's complaints procedure and the complaints procedure of the special procedures mandate holders.

2. CASE STUDY: Witchcraft Stigmatisation

Complaint to the UN Treaty Bodies

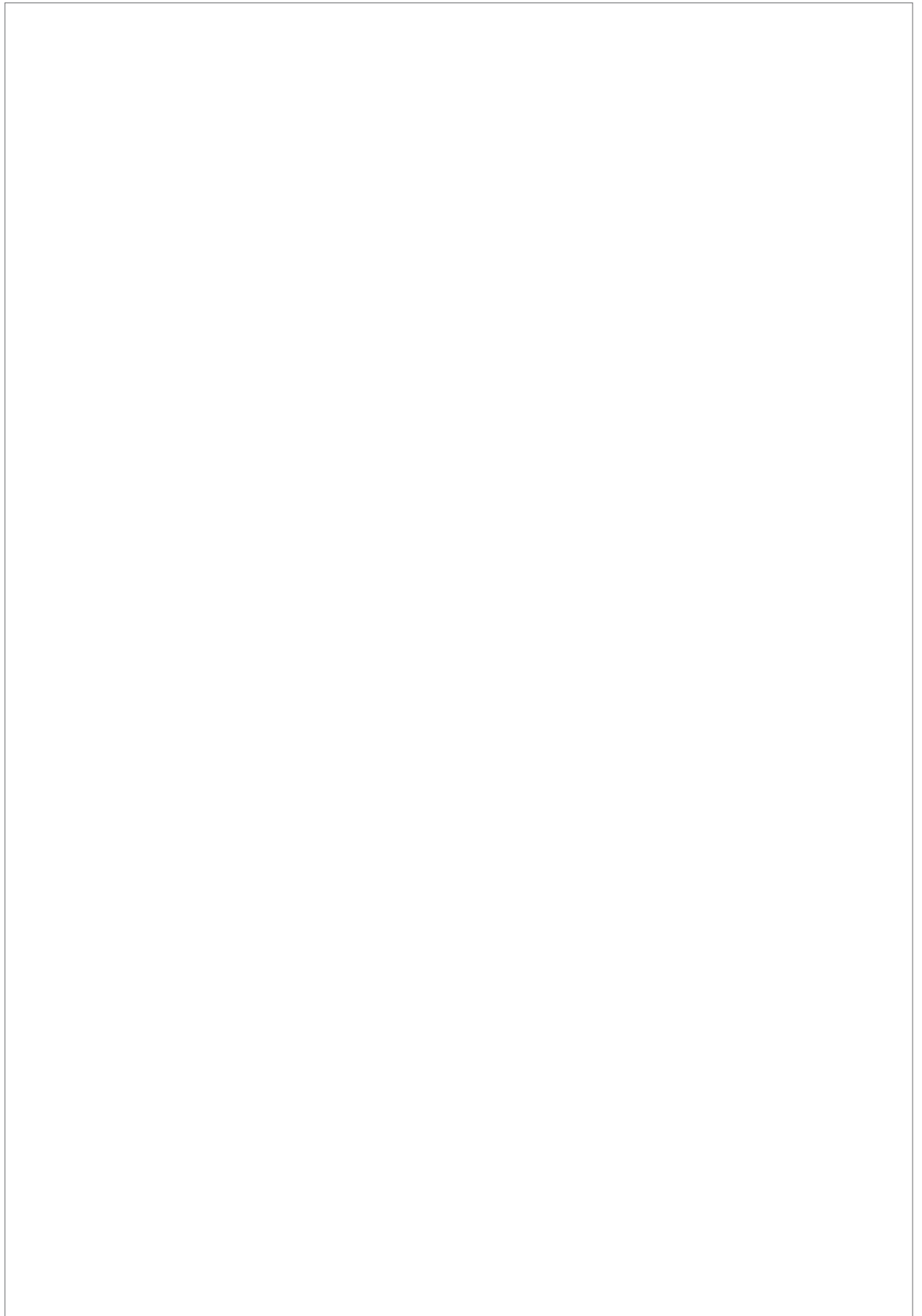
Please write in the box below a complaint to any of the UN Treaty Bodies. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the UN Treaty Bodies. If there is no individual complaints procedure available for a particular UN Treaty Body, consider what other procedures could be used to bring the problem of witchcraft stigmatisation to the attention of the relevant Treaty Body (maybe through an NGO or the CPNs).

2. CASE STUDY: Witchcraft Stigmatisation

Complaint to the African Regional Human Rights Bodies

Please write in the box below a complaint to any of the African (regional) human rights monitoring bodies. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the African human rights bodies.

2. CASE STUDY: Witchcraft Stigmatisation



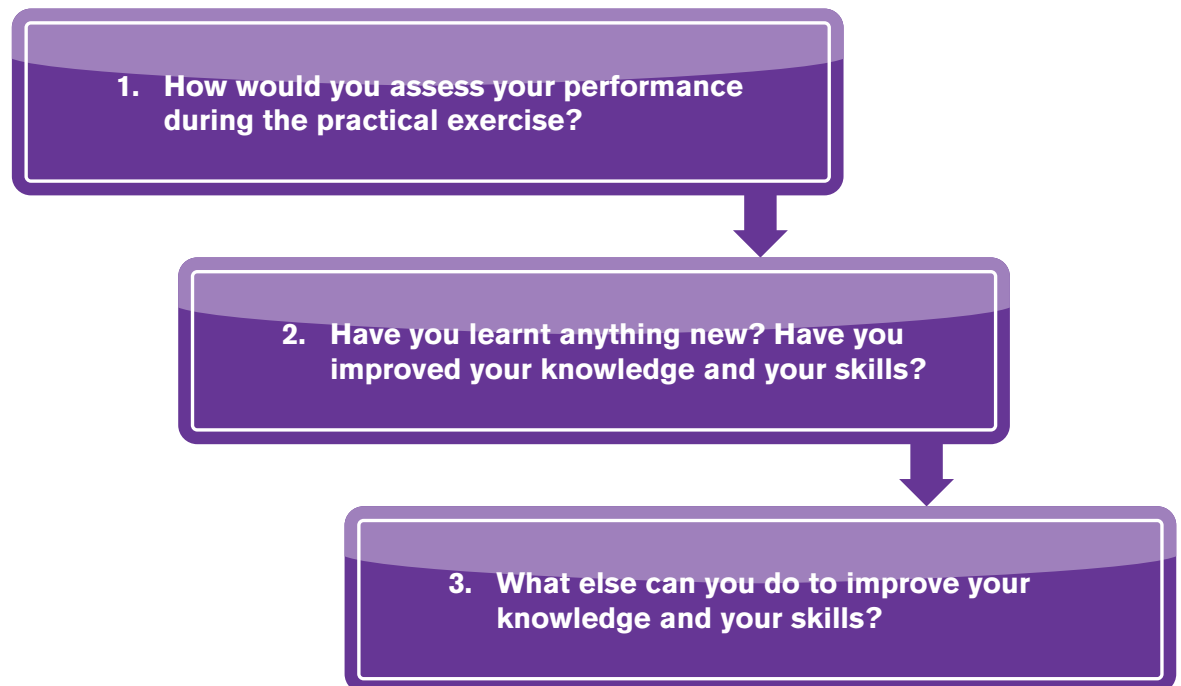
2. CASE STUDY: Witchcraft Stigmatisation

Complaint to the National Human Rights Commission or the Special Rapporteur on Child Rights

Please write in the box below a complaint to the National Human Rights Commission and the Special Rapporteur on Child Rights. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the National Human Rights Commission and the complaints procedure.

2.5. Overview and conclusion

After you have finished all the exercises in the case study, please consider the following questions:



3. CASE STUDY: Terrorism Offences

3. CASE STUDY: Terrorism Offences

On Monday morning, 12 September, you receive a call from a woman who asks for help in relation to her son, Tobi. She explains that Tobi was arrested together with two of his friends, Weke and Okpara, by the police in Borno State the day before on suspicion of being involved with terrorist activities. You find out that the three boys, all of them under 18 years of age, were arrested close to the petrol station at around 10pm and taken to the local police station. Weke and Okpara are 17 years old and Tobi is 16.

(Tobi's mother had no further information about the whereabouts of her son and his friends or about the offences alleged against them)

It has been well known that since the bomb attacks and shootings blamed on the militant Islamist group, Boko Haram, the police have adopted a number of measures to improve the security situation in Borno State. In particular, the police have significantly increased their presence on the streets and established a large number of checkpoints. The police have carried out raids in many parts of the State, arresting any person suspected of being involved in terrorist activities.

You decide to call the police station in Kama to obtain further information about the arrest and whereabouts of the young men. Although you introduce yourself as a CPN member the policeman that you've reached is not willing to give you any information due to security concerns. You decide to drive to the police station, which is located not far from Maiduguri, to investigate the situation in person.

At the police station, you are at first ignored by the policemen who refuse to respond to your queries. After insisting that you are there to protect children's rights, one of the police officers, Isaac Bwala, whom you know from your previous visits in relation to the CPN's child protection activities, decides to look up the police file of the three young men.

Isaac Bwala tells you that Weke, Tobi and Okpara have been arrested because the police suspect them of being involved in terrorist acts. The police file contains no specific information about the alleged terrorist offences and no charges have yet been filed against the three young men. After the arrest they were detained in prison.

You ask Isaac Bwala whether he knows that the young men are under 18 years of age. He says that the file does not contain any record of their age but that the police believe that they are over 18 years.

According to the police file the three young men have not been represented by a lawyer. So far any request for contact with the young men has been rejected for security reasons.

3.1. Case management

You have just spoken to the police officer, Isaac Bwala, about the arrest and detention of the three young men, Weke, Tobi and Okpara, for their alleged involvement in terrorist activities. Although the police are satisfied that the three young men are over 18 years of age, you continue to argue that they are under-age and should be treated in accordance with the international standards of child justice administration.

3. CASE STUDY: Terrorism Offences

(In the aftermath of the terrorist attacks there have been reports of increased use of brutality by police against people in custody, including beatings, torture and other inhuman treatment)

Questions

Please respond to the three general questions below and write your answers in the boxes provided on the next page. You may wish to consult the section of the manual that provides information on child justice administration.

Question 1

What steps would you take to prove the age of the three detained terrorist suspects?

Question 2

What steps would you take to ensure that the three terrorist suspects are treated in a manner appropriate to their age, in compliance with the standards of juvenile justice? In what order? Why?

Question 3

Who would you consider involving in the process? At what stage?

Question 4

What evidence would you collect, if any? In what order and when?

3. CASE STUDY: Terrorism Offences

Some of the people you should consider involving

In your analysis please consider the following actors that could get involved in the case at various stages or that you may wish to contact to get assistance or advice. Please note that this list is not exhaustive, you may wish to add other relevant people or disregard those that you think have no role to play in this case.

- | | | | |
|---|-------------------------------------|---|---|
| ✓ | Police | ✓ | Family/Juvenile courts |
| ✓ | Social workers | ✓ | Media |
| ✓ | Prosecutor | ✓ | Religious leaders |
| ✓ | Lawyers | ✓ | Local leaders |
| ✓ | Doctors and medical staff | ✓ | UN human rights mechanism |
| ✓ | Governmental institutions | ✓ | Regional human rights mechanism |
| ✓ | Governor of the State | ✓ | Domestic human rights mechanisms |
| ✓ | UNICEF | ✓ | Parents |
| ✓ | CPN members | ✓ | University law clinics |
| ✓ | Nigerian human rights bodies | | |
| ✓ | NGOs | | |

Answer 1

Answer 2

Answer 3

3. CASE STUDY: Terrorism Offences

Answer 4					
Evidence	From whom	When	Where	Why	Other

3.2. Role play: interviews

In this exercise you will practise conducting interviews. The group will be divided into groups of three. The interviews are conducted by the CPN members involved in the case. You will be asked to play the role of an interviewer, interviewee or note taker. You have to prepare the questions and consider the best approach to dealing with the interviewee, taking account of circumstances and the sensitivity of the subject matter. You may wish to consult the section of the manual that provides best practise guidelines on how to take witness statements.

- Scenario 1 CPN member interviews **the (three) terrorist suspect(s)**
- Scenario 2 CPN member interviews **the policemen that arrested them**
- Scenario 3 CPN member interviews **the police officer Isaac Bwala**
- Scenario 4 CPN member interviews **other policemen at the police station**
- Scenario 5 CPN member interviews **the guard at the detention facility**
- Scenario 6 Who else would you want to interview?

Role Play

No.	Questions

3. CASE STUDY: Terrorism Offences

Writing up the interview

Using the notes made by the note taker during the role play, you should now write up the interview in as detailed, accurate and legible way as possible in the box below:

Name of interviewee:
Name of interviewer:
Date of interview:
Time of interview:
Location of interview:

3.3. Case management

Preparing a case file

In this exercise you will practise how to prepare a case file. You will be asked to record the cases in a clear, logical and consistent manner. You must ensure that all the necessary information is recorded and that all the collected information is in the same format and collated in one place, including supporting documents. You may wish to refer to the section of the manual that provides guidelines for the use of the logbook

General questions

Before you proceed with the exercise please consider the following questions:

Why is it important to preserve the evidence systematically?

What specific information should be recorded in the case file?

When would you record the information in the case file?

Answer 1

3. CASE STUDY: Terrorism Offences

Answer 2

Answer 3

3. CASE STUDY: Terrorism Offences

Practical exercise

It is Monday 12 September, around 3pm. You arrive at the police station in Kama, which is located not far from Maiduguri. You speak to the police officer at the information desk who refuses to give you any information about the arrest and detention of the three young men. He says that he does not know about the case and he is not allowed to give you any information for security reasons.

Half an hour after your arrival you notice a police officer who you have worked with on previous CPNs' child protection cases. His name is Isaac Bwala and he is familiar with the CPNs' work. You ask him about the case and he confirms that the young men were arrested and brought to the police station on Sunday evening. He states that after their interrogation they were taken to a nearby prison where they have been detained ever since. You tell Isaac that the boys are underage and he looks at their police file to verify this information. He says that there is no information about their age and that if the police thought that they were underage they would have noted that information on the police file.

You express your concern about the boys and ask Isaac Bwala for permission to visit them in the prison. He says that he has to get authorisation from his superintendent and asks you to wait for him at the station. He leaves and you wait for him for about an hour. When he comes back he says that the visit is not allowed for security reasons. You tell him that the visit is urgent because you need to check the wellbeing of the detainees. After an hour of negotiating with him he finally decides to allow a visit. However, for security reasons only a lawyer is allowed to visit the detainees.

At this point you call your friend, Victor Ogunto, who is a lawyer and CPN member. He arrives at the police station at 6pm. You explain the situation to him and ask him to interview the young men about the incident and get all other relevant information about the case. He goes to the prison where Weke, Tobi and Okpara are detained. It is a prison for adults where the convicted are held together with the detainees. There is no separate facility for detainees due to lack of resources.

When Victor Ogunto meets the three young men he sees that they have bruises on their faces, Weke and Tobi have split lips and Okpara is limping. Their clothes are stained with blood. Okpara also complains about pain in his abdomen and asks to be examined by a doctor but no medical assistance is given to him.

They tell Victor Ogunto that the police picked them up on Sunday evening while they were walking to the petrol station. They did not know the reason for their arrest but the police were calling them terrorists.

At the police station they were beaten up and taken to the prison. They have not received medical attention. They have not been asked about their age. Weke, Tobi and Okpara tell Victor Ogunto that they have never been arrested before and that they have no police record. They have not been given any legal representation and they are concerned that their parents do not know where they are.

Weke, Tobi and Okpara tell Victor Ogunto that they are friends from school and they spend a lot of time together. They all live in Kama. Okpara's family moved to Borno from Gombe about ten years ago. All three boys go to the local boys' school in Kama. Each of them has three siblings. Okpara was injured in a car accident about three years ago and has been limping since.

3. CASE STUDY: Terrorism Offences

An hour later, Victor Ogunto returns and tells you the boys' story. You tell the police that the boys are underage and should therefore be kept separately from adults. You also tell them that, as detainees, they must not be kept in a prison together with convicted persons but must instead be held in a separate detention unit. You ask the police to call a social worker who needs to be involved in any police dealings with underage children.

You ask the police about the boys' injuries and the police tell you that they vigorously resisted their arrest and for that reason the police had to use special measures to control them. You ask the police to call a doctor to examine the boys. When the doctor arrives he examines the boys, takes photos of the injuries and makes a record. You ask the doctor to give you a copy of the medical evidence.

You return to the police station two days later to follow up on the case. You find out that the boys are still detained in prison but are now being kept separately from the adults. They have not yet been charged with any offences but they have been given a legal representative.

You come back three weeks later and the young men are still detained without charge. You visit the police station every three weeks to check on the case. Three months later the young men are still detained without charge. When you raise the issue of their prolonged detention without charge, the police tell you that they pose a terrorist threat and need to be detained until the investigation is complete.

After spending six months in detention Weke, Tobi and Okpara are released. No charges have been filed against them. Upon release, they return to their families.

Exercise: preparing a case file

In this exercise you will be asked to prepare a case file on the basis of the information provided in the scenario above. The following standard forms have been designed to assist you in organising the case file, recording the events, and gathering and documenting the evidence.

Coversheet

Logbook

Event log

Detention log

You may wish to consult the section of the manual that explains how to fill out these forms. Each page of the logbook should record no more than one event. The event log should contain a summary of the information recorded in the logbook.

3. CASE STUDY: Terrorism Offences

Coversheet

CASE IDENTIFICATION NUMBER			No.
PERSONAL INFORMATION			
Full name of child:		Previous name(s):	
Age:		Date of birth:	
Gender:		Tribe:	
Marital status:		Number of children:	
Language(s) spoken:		Religion:	
Contact telephone number:			
LOCATION			
Origin:	Address/Town/Village:	LGA:	STATE:
Home address:	Address/Town/Village:	LGA:	STATE:
Current location: (if different)	Address/Town/Village:	LGA:	STATE:
CARE OF CHILD			
Mother / father / guardian / aunt / uncle / sibling / other (please circle)			
PARENT OF CHILD			
Father	Name:	Nationality:	Address:
	Address/Town/village:	LGA:	State:
	Contact telephone number:		

3. CASE STUDY: Terrorism Offences

Mother	Name:	Nationality:	Address:
	Address/Town/village:	LGA:	State:
	Contact telephone number:		
OTHER INFORMATION			
Household structure:		Siblings:	
School(s) attended:		Level of education:	
General health:		Medical condition:	
Level of cooperation:		Previous arrests, charges, convictions:	
CASE WORKER			
Name:		Contact telephone number:	

3. CASE STUDY: Terrorism Offences

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person:
Making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

**Child's name:
Case entry number:**

**Date of event:
Time of event:**

Description of event:

3. CASE STUDY: Terrorism Offences

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

3. CASE STUDY: Terrorism Offences

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person:
Making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

**Child's name:
Case entry number:**

**Date of event:
Time of event:**

Description of event:

3. CASE STUDY: Terrorism Offences

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

3. CASE STUDY: Terrorism Offences

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person:
Making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

**Child's name:
Case entry number:**

**Date of event:
Time of event:**

Description of event:

3. CASE STUDY: Terrorism Offences

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

3. CASE STUDY: Terrorism Offences

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person:
Making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

**Child's name:
Case entry number:**

**Date of event:
Time of event:**

Description of event:

3. CASE STUDY: Terrorism Offences

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

3. CASE STUDY: Terrorism Offences

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person:
Making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

**Child's name:
Case entry number:**

**Date of event:
Time of event:**

Description of event:

3. CASE STUDY: Terrorism Offences

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

3. CASE STUDY: Terrorism Offences

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person:
Making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

**Child's name:
Case entry number:**

**Date of event:
Time of event:**

Description of event:

3. CASE STUDY: Terrorism Offences

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

3. CASE STUDY: Terrorism Offences

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person:
Making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

**Child's name:
Case entry number:**

**Date of event:
Time of event:**

Description of event:

3. CASE STUDY: Terrorism Offences

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

3. CASE STUDY: Terrorism Offences

Event Log

Date of event	Time of event	Date of entry	Time of entry	Event	Document	Name of person making entry

3. CASE STUDY: Terrorism Offences

Event Log

Date of event	Time of event	Date of entry	Time of entry	Event	Document	Name of person making entry

3. CASE STUDY: Terrorism Offences

Detention Monitoring Log

CIN	Name of Client	Age	Sex	Address/ LGA/ State/ Town	Detention Facility	Visit Date	Length of Detention	Offence	Court	Legal Aid	Present Status	Status of proceedings	CPN Intervention*
			(M/F)		(Police, remand home, borstal, prison, other)		(24 hours, 24-27 hours, 2-21 days, more)	(E.g. stealing, assault, robbery, terrorism offences, rape)	(Upper area court, magistrate court, high court, federal high court)	(Y/N)	(In custody/ in family care)		

3. CASE STUDY: Terrorism Offences

* CPN intervention: free legal representation in court/settled out of court/ensured that medical treatment was received/perfected bail condition at the court or police/representation made to police/other.

3.4. Complaint Procedures

Weke, Tobi and Okpara have been arrested by the police on suspicion of being involved in terrorist activities. They have been detained in a regular prison together with adult prisoners. The police have been torturing all three of them in order to obtain a confession from them about their alleged involvement with terrorism. They have been regularly mistreated by the prison guards. No medical assistance has been offered to them. From time to time they have been held in solitary confinement for a day or two. Their families have not been informed of their whereabouts. When their families contacted the police to ask about their children, the police intentionally withheld information and pretended to know nothing about the boys. When you ask the police where they have moved the boys, they refuse to respond, arguing that they are not allowed to share the information for security reasons. You are concerned about the boys' fate knowing that they might be subjected to police brutality and abuse. Time is passing and it has already been a number of weeks since you first made contact with them at the time of their arrest.

Recourse to national, regional and international mechanisms

General

- Which rights of the three boys have been violated? By whom? Under what legislation?
- Would you do anything to help them? What steps would you take? When? How?
- What advocacy and education strategies can you implement to safeguard the boys?

Domestic mechanisms

- Which domestic authorities would you contact?
- If the domestic authorities did not respond, would you consider complaining to any of the domestic human rights monitoring bodies?
- If yes, how would you write a complaint and what information would you provide?
- Where would you send the complaint?
- What chances do you think you have of succeeding with your complaint?
- What would you do to follow up the complaint?

International mechanisms

- Would you consider using any of the UN special procedures?
- If yes, which special procedure might you use in this particular case?
- What information would you provide in the complaint?
- Would you consider using the UN Human Rights Council complaints procedure?
- What are the criteria for using this procedure?
- Can individuals file complaints for violations of their rights?

3. CASE STUDY: Terrorism Offences

- Are there any other procedures that you could use to bring human rights violations to the attention of the UN Human Rights Council with the aim of putting pressure on Nigeria?
- Would you consider filing a complaint to any of the Treaty Bodies?
- If yes, which one would you chose?
- What information would you provide in the complaint?
- If not, are there any other possible ways of bringing human rights violations to the attention of the Treaty Bodies with the aim of putting pressure on Nigeria?

Regional mechanisms

- Would you consider using any of the regional mechanisms for bringing a claim for breaches of the rights of the three boys?
- If yes, which regional mechanism(s) could you use? Why? What are the criteria?
- What information would you provide in your complaint?
- If not, are there any other ways of bringing human rights violations to the attention of any of the regional mechanisms?

Exercises

In this exercise, you may chose one or more of the international, African and domestic level procedures to complain about the violations of Weke, Tobi and Okpara's rights.

Complaint to the UN Human Rights Council or Special Procedures Mandate Holders

Please write in the box below a complaint either to the UN Human Rights Council or to one of the special procedures mandate holders. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the UN Human Rights Council's complaints procedure and the complaints procedure of the special procedures mandate holders.

3. CASE STUDY: Terrorism Offences

Complaint to the UN Treaty Bodies

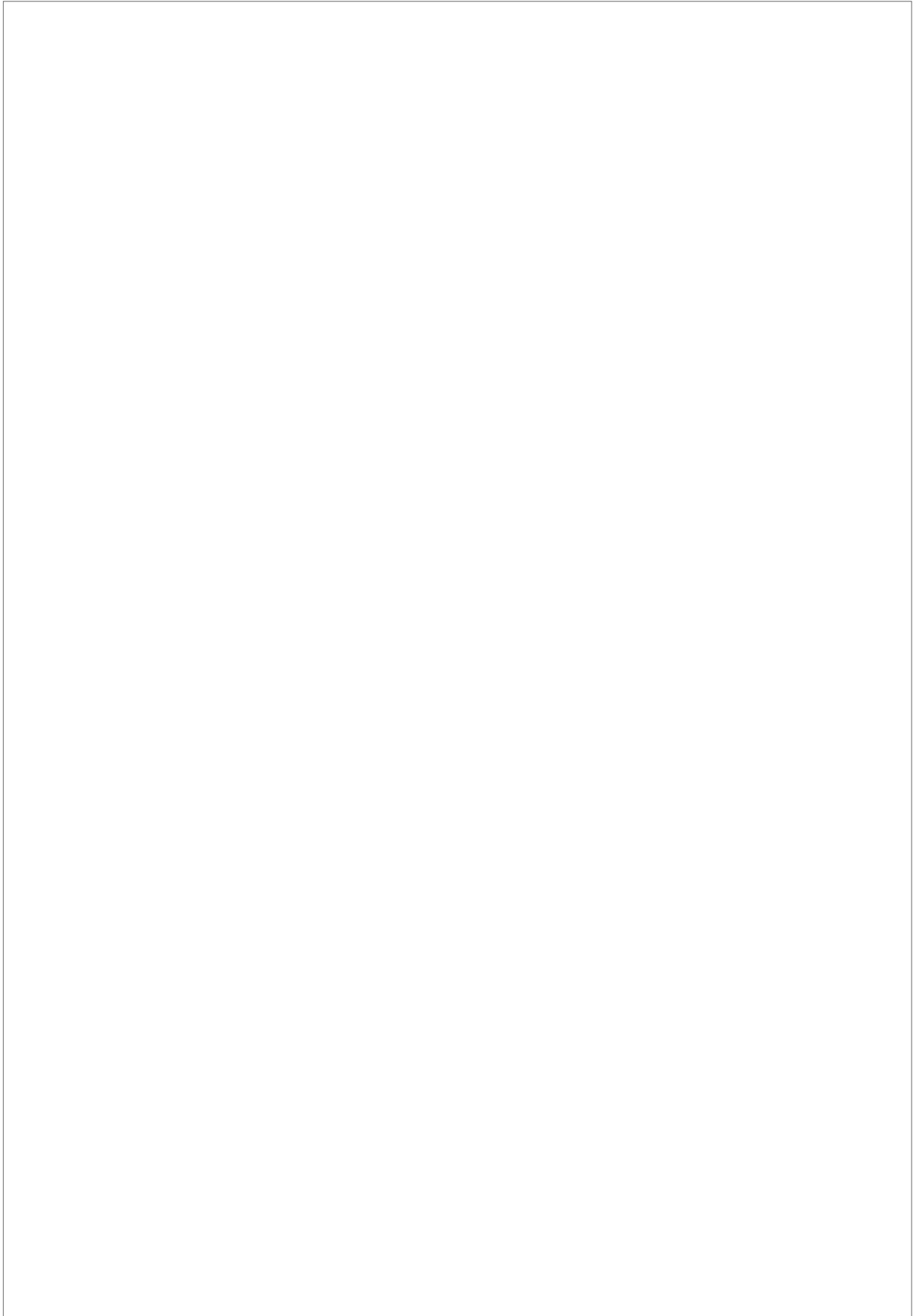
Please write in the box below a complaint to any of the UN Treaty Bodies. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the UN Treaty Bodies. If there is no individual complaints procedure available for a particular UN Treaty Body, consider what other procedures could be used to bring the human rights violations to the attention of the relevant Treaty Body (maybe through an NGO or the CPNs).

3. CASE STUDY: Terrorism Offences

Complaint to the African Regional Human Rights Bodies

Please write in the box below a complaint to any of the African (regional) human rights monitoring bodies. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the African human rights bodies.

3. CASE STUDY: Terrorism Offences



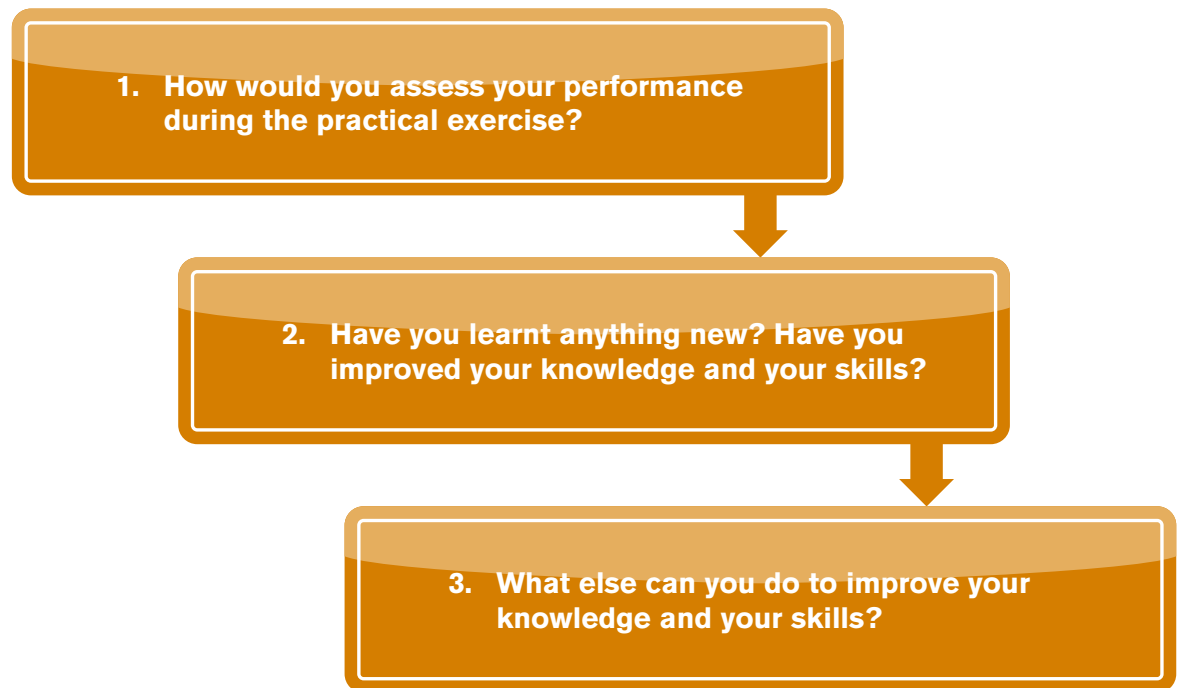
3. CASE STUDY: Terrorism Offences

Complaint to the National Human Rights Commission or the Special Rapporteur on Child Rights

Please write in the box below a complaint to the National Human Rights Commission and the Special Rapporteur on Child Rights. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the National Human Rights Commission and the complaints procedure.

3.5. Overview and Conclusion

After you have finished all the exercises in the case study, please consider the following questions:



4. CASE STUDY: Street Children

In a residential area by the seaside in Lagos city, a large number of kids have been living in self-made shelters on the beach, in abandoned buildings, under the bridges or even under trucks or cars. In order to survive they sell food and drinks on the beach and wash the windshields of vehicles in heavy traffic. Many of the young girls are involved in prostitution. The street kids often harass and beat each other up. Many of them are using drugs. Among the street children who live in this area are a girl called Tinu and a boy called Prince.

Tinu, whose age is unknown, was brought to Lagos city by a friend of her parents to work for his family. Tinu's parents, who live in Ondo State, received \$50 for sending Tinu to work for their friend. Tinu was responsible for housework and for taking care of two young children. After having worked there for about three years in very harsh conditions, including regular beatings, with not much food and rest, the family members accused her of stealing. Tinu decided to flee. The family reported her alleged crime to the police. Since then Tinu has been living on the street. She supports herself by selling water but often she begs for food.

One Tuesday 4 October, Tinu is on the street begging for food when she sees a police officer approaching. She tries to flee but the police officer catches her. The police officer, Israel, asks her what she is doing there and Tinu responds that she was just resting. The police officer does not believe her and accuses her of wandering, begging and pick pocketing. He tells her that if she were innocent she would not have tried to flee. He takes Tinu to the police station.

Prince left his home because he was continually beaten and bullied by his father. His mother was unable to protect him from his abusive father. On occasions, the police were contacted but nothing was done to help Prince and his mother. Since he left home, Prince has been living on the streets of Lagos city. He has been washing cars and hanging out with other street children. They usually sleep under the bridge or inside the buses parked under the bridge. Prince has been arrested once before for theft and has spent a few months in a remand home.

One Saturday 8 October, amid complaints by local residents of stealing, robberies, assaults and the general increase of crime in the residential area, the police organised a raid. During the raid a number of street children - boys and girls - are arrested and taken to the police station, including Prince. Before Prince is taken to the police station a police officer offers to release him if Prince pays him some money. Prince has no money to bribe the officer so he is taken to the police station.

(It is a well-known fact that the police use cruelty and excessive force during raids. Many children end up being beaten and severely injured by the police)

4.1. Case management

As part of your CPN activity in Lagos State you monitor children's detention facilities. This week you are assigned to visit two local police stations (A & B) and their detention facilities in Lagos city.

You arrive at police station A on Saturday 8 October at about 10 am. You speak to a police officer called Pascal and ask him whether any children have been detained at the police station. He tells you that a girl called Tinu, of unknown age, has been detained at the police station for the last

4. CASE STUDY: Street Children

four days. The police found her and arrested her about two months after the family for whom she used to work accused her of stealing. The police arrested her after seeing her wandering on the streets and begging for food.

On Monday 10 October, you visit police station B at around 4 pm. You speak to a police officer called Francis who tells you that a group of youngsters had been apprehended over the weekend although he is unable to provide any details about the case. He suggests that you return the next day when the police officer, Charles Okon, who was in the patrol unit that brought the youngsters to the police station, will be at work.

The next day you return to police station B to speak to Charles Okon about the detention of a group of youngsters. He tells you that the group of boys and girls were arrested during a raid that was carried out in a residential area of Lagos after the residents complained of an increase in crime. Charles Okon tells you that the group of street children were released earlier that morning, except for a boy called Prince. Prince, who claims to be 15 years old, was taken to the nearby prison because of the lack of space at the police detention facility.

(No information is available about the offences that he has allegedly committed)

Questions

Please respond to the three general questions below and write your answers in the boxes provided on the next page. You may wish to consult the section of the manual that provides information on child justice administration.

Question 1

What steps would you take to ensure that the detainees are dealt with in accordance with the appropriate standards of child justice administration? In what order? Why?

Question 2

What steps would you take to establish the age of the detainees?

Question 3

Who would you consider involving in the process? At what stage?

Question 4

What evidence would you collect, if any? In what order and when?

4. CASE STUDY: Street Children

Some of the people you should consider involving

In your analysis please consider the following actors that could get involved in the case at various stages or that you may wish to contact to get assistance or advice. Please note that this list is not exhaustive, you may wish to add other relevant people or disregard those that you think have no role to play in this case.

- | | | | |
|---|-------------------------------------|---|---|
| ✓ | Police | ✓ | Family/Juvenile courts |
| ✓ | Social workers | ✓ | Media |
| ✓ | Prosecutor | ✓ | Religious leaders |
| ✓ | Lawyers | ✓ | Local leaders |
| ✓ | Doctors and medical staff | ✓ | UN human rights mechanism |
| ✓ | Governmental institutions | ✓ | Regional human rights mechanism |
| ✓ | Local school | ✓ | Domestic human rights mechanisms |
| ✓ | Governor of the State | ✓ | Parents or guardian |
| ✓ | UNICEF | ✓ | University law clinics |
| ✓ | CPN members | | |
| ✓ | Nigerian human rights bodies | | |
| ✓ | NGOs | | |

Answer 1

Answer 2

Answer 3

4. CASE STUDY: Street Children

Answer 4					
Evidence	From whom	When	Where	Why	Other

4. CASE STUDY: Street Children

Writing up the interview

Using the notes made by the note taker during the role play, you should now write up the interview in as detailed, accurate and legible way as possible in the box below:

Name of interviewee:
Name of interviewer:
Date of interview:
Time of interview:
Location of interview:

4.3. Case management

Preparing a case file

In this exercise you will practise how to prepare a case file. You will be asked to record the cases in a clear, logical and consistent manner. You must ensure that all the necessary information is recorded and that all the collected information is in the same format collated in one place, including supporting documents. You may wish to refer to the section of the manual that provides guidelines for the use of the logbook.

Questions

Before you proceed with the exercise please consider the following questions:

Why is it important to preserve the evidence systematically?

What specific information should be recorded in the case file?

When would you record the information in the case file?

Answer 1

4. CASE STUDY: Street Children

Answer 2

Answer 3

4. CASE STUDY: Street Children

Practical exercise

At police station A, after having obtained information about Tinu's detention, you ask the police officer, Pascal, to see her. You find Tinu locked up with adults, both male and female. You ask the police officer to keep her separate from adults and male detainees. You speak to Tinu and record her statement. You inform the police that they are not allowed to keep Tinu in detention for the offence of "wandering" because there is no such offence in any legislation. Police officer Pascal tells you that Tinu is to be detained until the investigation is complete.

A week later, while visiting police station A, your CPN colleague Sally Akande, who is a social worker finds out that the family for which Tinu used to work has been informed of her arrest and is asking the Prosecutor to charge her with stealing. You ask your CPN colleague, who is a lawyer, to represent Tinu before the juvenile court if she is charged. A week later charges against Tinu are filed. After the juvenile court refuses to grant Tinu bail she is admitted to a local remand home. You are aware the Child Rights Act 2003 stipulates that every child has a right to parental care and protection and feel it is in the best interests of Tinu that her parents are found and told about the situation. It is also important to educate Tinu's family about the law surrounding selling and trafficking children.

At police station B, you have just found out about Prince's detention. You drive to the prison where he is being detained. You notice that Prince is locked up with four adult male prisoners who have all been convicted of their crimes and are serving their sentence in the prison. The room is very dirty, it stinks and there is a lot of garbage on the floor. The room has only four mats for sleeping.

You speak to Prince who tells you that about ten police officers raided the area where he lived and arrested a group of children. Prince maintains that the children have done nothing wrong and that he does not know the reason for the police raid. During the raid the police beat them and verbally abused them. The girls were also sexually harassed. After they were captured, the police threatened to put them in prison if they did not pay for their release. The children had no money so the police took them to the police station. The police did not give the children a specific reason for their arrest, they just generally blamed them for crimes committed in the area.

Prince is unaware of the fact that the other children have been released and that he is the only one kept in detention. When you speak to Prince you notice bruises on his face, arms and legs. You examine him and write a note describing his injuries.

A week later, Sally Akande visits the prison to follow up on Prince. She finds out that the Prosecutor has filed charges against Prince accusing him of a number of thefts in the residential area. Prince has not been represented by a lawyer. Sally Akande asks a CPN member who is a lawyer to represent Prince at the court. The juvenile court refuses Prince's bail and he is admitted to a remand home pending his trial.

It is important to locate Prince's family. You are concerned there may be other children in Prince's family who may be at risk of abuse and decide this will need to be assessed by the social worker once the family are located.

4. CASE STUDY: Street Children

Exercise: preparing a case file

In this exercise you will be asked to prepare a case file on the basis of the information provided in the scenario. The following standard forms have been designed to assist you in organising the case file, recording the events, and gathering and documenting the evidence.

Coversheet

Logbook

Event log

Detention log

You may wish to consult the section of the manual that explains how to fill out these forms. Each page of the logbook should record no more than one event. The event log should contain a summary of the information recorded in the logbook.

Coversheet

CASE IDENTIFICATION NUMBER			No.
PERSONAL INFORMATION			
Full name of child		Previous name(s)	
Age		Date of birth	
Gender		Tribe	
Marital status		Number of children	
Language(s) spoken		Religion	
Contact telephone number			
LOCATION			
Origin	Address/Town/Village:	LGA:	STATE:

4. CASE STUDY: Street Children

Home address	Address/Town/Village:	LGA:	STATE:
Current location (if different)	Address/Town/Village:	LGA:	STATE:
CARE OF CHILD			
Mother / Father / guardian / aunt / uncle / sibling / other (please circle)			
PARENT OF CHILD			
Father	Name:	Nationality:	Address:
	Address/Town/village:	LGA:	State:
	Contact telephone number:		
Mother	Name:	Nationality:	Address:
	Address/Town/village:	LGA:	State:
	Contact telephone number:		
OTHER INFORMATION			
Household structure:		Siblings:	
School(s) attended:		Level of education:	
General health:		Medical condition:	
Level of cooperation:		Previous arrests, charges, convictions:	
CASE WORKER			
Name:		Contact telephone number:	

4. CASE STUDY: Street Children

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

**Name of person:
Making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

**Child's name:
Case entry number:**

**Date of event:
Time of event:**

Description of event:

4. CASE STUDY: Street Children

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

4. CASE STUDY: Street Children

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

Time of entry:

Name of person:
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Signature:

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Follow up action:

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Time of event:**

Description of event:

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4. CASE STUDY: Street Children

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Name of person:
Making entry:

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:
Case entry number:

Date of event:
Time of event:

Description of event:

4. CASE STUDY: Street Children

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

4. CASE STUDY: Street Children

Logbook

LOGBOOK

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Date of entry:

Time of entry:

**Name of person:
Making entry:**

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

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Case entry number:**

**Date of event:
Time of event:**

Description of event:

4. CASE STUDY: Street Children

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Follow up action:

4. CASE STUDY: Street Children

Logbook

LOGBOOK

CASE IDENTIFICATION NUMBER:

Date of entry:

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Making entry:

Signature:

DESCRIPTION AND ACCOMPANYING DOCUMENTS

Child's name:
Case entry number:

Date of event:
Time of event:

Description of event:

4. CASE STUDY: Street Children

Any further relevant information:

Accompanying documents (place these in a safe place or staple to the logbook):

Follow up action:

4. CASE STUDY: Street Children

Event Log

Date of event	Time of event	Date of entry	Time of entry	Event	Document	Name of person making entry

4. CASE STUDY: Street Children

Event Log

Date of event	Time of event	Date of entry	Time of entry	Event	Document	Name of person making entry

4. CASE STUDY: Street Children

Detention Monitoring Log

CIN	Name of Client	Age	Sex	Address/ LGA/ State/ Town	Detention Facility	Visit Date	Length of Detention	Offence	Court	Legal Aid	Present Status	Status of proceedings	CPN Intervention*
			(M/F)		(Police, remand home, borstal, prison, other)		(24 hours, 24-27 hours, 2-21 days, more)	(E.g. stealing, assault, robbery, terrorism offences, rape)	(Upper area court, magistrate court, high court, federal high court)	(Y/N)	(In custody/ in family care)		

4. CASE STUDY: Street Children

* CPN intervention: free legal representation in court/settled out of court/ensured that medical treatment was received/perfected bail condition at the court or police/representation made to police/other.

4.4. Complaint procedures

As described in the scenario above, the police frequently organises raids during which street children are beaten, mistreated, sexually abused, subjected to inhuman treatment or other forms of abuse. Often children are arrested and taken to police stations where they are detained for prolonged periods of time. Some of the children are charged with offences of begging and wandering on the streets. During their detention they are often kept in prisons with adults where they continue to be mistreated. They are not provided with medical assistance, they are not properly fed and they have no access to education or recreation. Many of the children who end up living on the streets are victims of trafficking (particularly female children), the sale of children and economic exploitation, including domestic servitude. Often the reason children end up on the streets in the first place is because they are running away from abuse at home. In your complaint you may wish to draw attention to the human rights violations of street children in general as well as in the particular cases described in the scenario above.

Recourse to national, regional and international mechanisms

General

- Which rights of the street children have been violated? By whom? Under what legislation?
- Would you do anything to help them? What steps would you take? When? How?
- What advocacy and education strategies can you implement to safeguard Tinu and Prince?

Domestic mechanisms

- Which domestic authorities would you contact?
- If the domestic authorities did not respond, would you consider complaining to any of the domestic human rights monitoring bodies?
- If yes, how would you write a complaint and what information would you provide?
- Where would you send the complaint?
- What chances do you think you have of succeeding with your complaint?
- What would you do to follow up the complaint?

International mechanisms

- Would you consider using any of the UN special procedures?
- If yes, which special procedure would you use for cases involving street children?
- What information would you provide in the complaint?
- Would you consider using the UN Human Rights Council complaints procedure?
- What are the criteria for using this procedure?
- Can individuals file complaints for violations of their rights?

4. CASE STUDY: Street Children

- Are there any other procedures that you could use to bring the human rights violations of street children to the attention of the UN Human Rights Council with the aim of putting pressure on Nigeria?
- Would you consider filing a complaint to any of the Treaty Bodies?
- If yes, which one would you chose?
- What information would you provide in the complaint?
- If not, are there any other possible ways of bringing human rights violations to the attention of the Treaty Bodies with the aim of putting pressure on Nigeria?

Regional mechanisms

- Would you consider using any of the regional mechanisms for bringing claims for breaches of the rights of street children?
- If yes, which regional mechanism(s) could you use? Why? What are the criteria?
- What information would you provide in your complaint?
- If not, are there any other ways of bringing human rights violations to the attention of any of the regional mechanisms?

Exercises

In this exercise, you may chose one or more of the international, African and domestic level procedures to complain about the violations of Tinu and/or Prince's rights.

Complaint to the UN Human Rights Council or Special Procedures Mandate Holders

Please write in the box below a complaint either to the UN Human Rights Council or to one of the special procedures mandate holders. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the UN Human Rights Council's complaints procedure and the complaints procedure of the special procedures mandate holders.

4. CASE STUDY: Street Children

Complaint to the UN Treaty Bodies

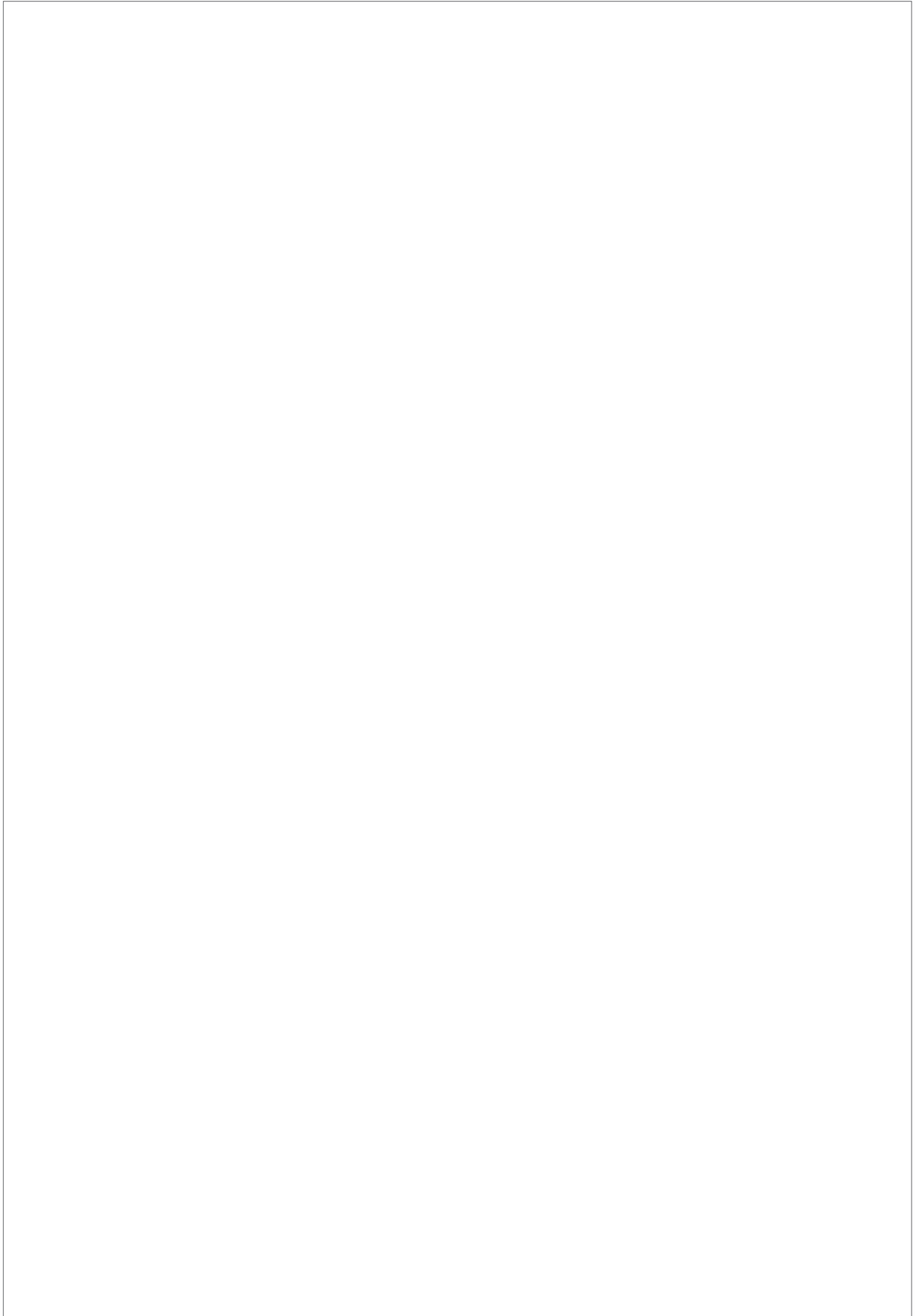
Please write in the box below a complaint to any of the UN Treaty Bodies. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the UN Treaty Bodies. If there is no individual complaints procedure available for a particular UN Treaty Body, consider what other procedures could be used to bring the problem of child marriage to the attention of the relevant Treaty Body (maybe through an NGO or the CPNs).

4. CASE STUDY: Street Children

Complaint to the African Regional Human Rights Bodies

Please write in the box below a complaint to any of the African (regional) human rights monitoring bodies. You should choose which one to use based on the circumstances of the case and the relevant application criteria. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the African human rights bodies.

4. CASE STUDY: Street Children



4. CASE STUDY: Street Children

Complaint to the National Human Rights Commission or the Special Rapporteur on Child Rights

Please write in the box below a complaint to the National Human Rights Commission and the Special Rapporteur on Child Rights. Please include all relevant information and the address to which the complaint is to be sent. You may wish to refer to the part of the manual that provides information on the National Human Rights Commission and the complaints procedure.

4.5. Overview and conclusion

After you have finished all the exercises in the case study, please consider the following questions:

