



WEST AFRICA REPORT April 2021

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Abbreviations

ECOWAS Economic Community of West African States

FGM Female Genital Mutilation

GHRD Global Human Rights Defence

UNFPA United Nations Fund for Population Activities

UNHCR United Nations High Commission for Refugees

UNOCHA United Nations Office for the Coordination of Humanitarian Affairs

Introduction

This report aims at highlighting differentiating human rights-related occurrences as present in the western African continent. Its specific focus will be on Mali, Nigeria, Sierra Leone, as well as Togo. It is of crucial importance to highlight the significant progressions and retrogressions of the beforementioned countries and thus, covers selected key occasions as was present throughout April 2021. Global Human Rights Defence (GHRD) calls upon the international and national communities, stakeholders as well as governments for constructive policy changes and the support of one another in realizing the full enjoyment of human rights of every individual, with a specific focus on those belonging to marginalized and minority groups.



Mali

Country Background



The Republic of Mali is a landlocked country located in the western African continent, bordering Algeria, Burkina Faso, Côte d'Ivoire, Guinea, Mauritania, Niger, as well as Senegal. Its national flag holds a specific meaning to the country; green symbolizes the fertility of its land, gold purity, and the mineral wealth of the country, red symbolizes the bloodshed for achieving independence from France. According to the United Nations Fund for Population Activities (UNFPA), the Republic

of Mali– accounting for 1,240,192 square kilometers – is home to little over 20,9 million citizens. The country is divided into 10 regions and 1 district with Bamako as its capital and largest city. The density of its population is overwhelmingly found in the southern half of the country, with greater density along the country's border with Burkina Faso.

The climate in the country varies from subtropical to arid with a hot and dry season from February to June, rainy, humid, and mild from June to November, and cool and dry from November to February. Burkina Faso is a semi-presidential republic led by the Head of State, Interim President Assimi Goïta, who serves the interim presidential seat since May 24, 2021. It gained its independence, from France as its colonizing power, on September 22, 1960. To date, the country's legal system remains to be based on the French civil law model in conjunction with customary law, with the possibility of judicial review of legislative acts in the



Constitutional Court. Similarly, its official language is French, however, Bambara, Peuhl, Dogon, Maraka, Malinke, Sonrhai, Minianka, Tamacheq, Senoufo, Bobo – among other ethnic languages – are frequently utilized throughout the country.



The Malian Struggle in Outlawing FGM Practices



The women's rights NGO named 'Equality Now' accused the government of Mali on April 12, 2021, of lacking to protect girls and women from grave and systematic violations by failing to outlaw female genital mutilation (FGM). To date, 9 out of 10 women and girls in Mali have undergone the ancient ritual, which aims at a partial or total removal of the external female genitalia – which can cause serious health problems. Equality Now jointly filed a case with two partner organizations before the Economic Community of West African States (ECOWAS)

Court of Justice after years of unsuccessful campaigns for anti-FGM laws.

FGM is practiced across Africa - as well as parts of Asia and the Middle East - and is often seen as necessary for social acceptance and to improve the marriage prospects of girls and women. However, health experts assert that both girls and women can bleed to death or die from related infections, as well as fatal childbirth complications later in life. Attempts by the



Malian government to criminalize FGM failed in 2002 and 2009 due to the fierce opposition from religious leaders. Concerns have likewise been raised regarding reports of girls and women originating from countries that prohibit the FGM and the alike practices – such as Burkina Faso, Benin, and Togo – who moved to Mali to undergo FGM in order to avoid prosecution. Mali is a party to international human rights instruments, including the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol), which includes articles concerning the elimination of harmful practices, such as FGM.³ Nevertheless, the Malian government failed to criminalize the practice.⁴

3. African Union (2003) "Protocol To the African Charter on Human and Peoples' Rights on the Rights of Women in Africa"

^{1.} Daniel Finnan (2021, 12th April) "Women's rights group take Mali to regional court over inaction against FGM" https://www.rfi.fr/en/africa/20210412-women-s-rights-groups-take-mali-toregional-court-over-inaction-against-fgm-ecowas-africa-health

^{2.} Nita Bhalla (2021, 12th April) "Mali's failure to ban female genital mutilation challenged in West Africa's top court" https://www.timeslive.co.za/news/africa/2021-04-12-malis-failure-to-banfemale-genital-mutilation-challenged-in-west-africas-top-court/

^{4.} https://au.int/en/treaties/protocol-african-charter-human-and-peoples-rights-rights-women-africa AllAfrica (2021,12th April) "Mali Govt to Face ECOWAS Court for Failure to Ban FGM" https://allafrica.com/stories/202104121070.html



Nigeria

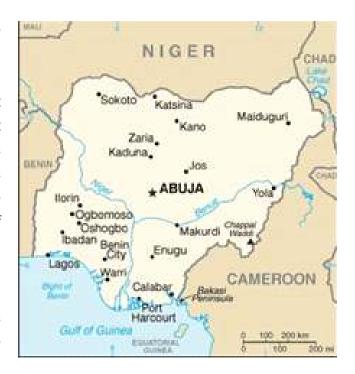
Country Background



The Federal Republic of Nigeria is a country located in the western African continent, bordering Benin, Cameroon, Chad, as well as Niger. Its national flag holds a specific meaning to the country; green symbolizes the forests and abundant natural wealth of the country; white symbolizes peace and unity. According to the UNFPA, the Federal Republic of Nigeria – accounting for 923,768 square kilometers – is home to little

over 211,4 million citizens. The country is divided into 36 states and 1 territory with Abuja as its capital and Lagos as its largest city, followed by Kano, Ibadan, Abuja, Port Harcourt, and Benin City. The Federal Republic of Nigeria holds the largest population of any African nation with significant population clusters being scattered throughout the country – with the highest density areas being in the country's south and southwest regions.

The climate in the country varies from equatorial in the south, to tropical in the center, and arid in the north. The Federal Republic of Nigeria is a federal presidential republic led by the Head of State, President Muhammadu Buhari, who serves the presidential seat since May 30, 2015, for a second term. It gained its independence, from the United Kingdom as its colonizing power, on October 1, 1960. To date, the country's legal system remains to be a mixture of English common law in conjunction with Islamic law in 12 northern states, as well as traditional law. Similarly, its official language is English, however, Hausa, Yoruba, Igbo, Fulani – among over 500 additional indigenous languages – are frequently utilized throughout the country.





Prison Break in Owerri



In the early hours of April 5, 2021, armed men raided a correctional facility in Owerri, located in the state of Imo, on the southern coast of Nigeria. The armed men used guns as well as dynamites to enter the facility. The prisoners freed by the attackers were seen fleeing on the streets of Owerri, leaving behind suitcases and other personal belongings, such as religious books. As the prison break resulted in approximately 1,800 inmates

fleeing, Owerri residents grew nervous. This despite the state's reassurance that Owerri is secure and that everyone can continue their day-to-day life.⁷

With the 1,800 inmates on the run, Owerri residents are not the only ones anxious regarding the implications of the prison escape. In fact, on April 13, 2021, regional commanders of the Ghana Immigration Service have been asked to stay alert in case some of the escapees try to cross into Ghanaian territory. Thus, in addition to the large-



scale manhunt launched by Nigerian officials, Ghana is doing its share by increasing its presence around normally non-surveyed routes into the country. The Head of Public Relations of the Ghana Immigration Service, Mr. Michael Amoako Atta, confirmed that they are in touch with Nigerian forces and the two maintain a good working relationship.⁸

Although no group has publicly claimed responsibility for the attack, the Inspector General of Police, Muhammed Adamu, who has since been replaced by the force's Deputy Chief, Usman Alkali

- 5. Premium Times. (2021, 04 05). Gunmen storm Nigerian prison, free inmates. Premium Times. https://www.premiumtimesng.com/regional/ssouth-west/453248-breaking-gunmen-storm-nigerian-prison-free-inmates.html
- 6. Alozie, C. (2021, 04 05). Updated: Thousands of Fleeing Inmates Abandoned Luggage on Owerri Streets. Vanguard. https://www.vanguardngr.com/2021/04/updated-thousands-of-fleeing-inmates-abandoned-luggage-on-owerri-streets/
- 7. Africa News and AFP. (2021, 04 06). Nigeria police chief sacked after jailbreak attack. Africa News. https://www.africanews.com/2021/04/06/destroy-to-the-last-man-nigeria-vows-to-go-after-group-blamed-for-jail-raid/
- 8. Kuria, G. (2021, 04 13). Ghana raises alarm over escaped Nigerian prisoners. China Global Television Program -. https://africa.cgtn.com/2021/04/13/ghana-raises-alarm-over-escaped-nigerian-prisoners/



Baba, insinuated that the prison break was orchestrated by the Indigenous People of Biafra (IPOB). IPOB is known as being a group of secessionists demanding independence in the form of their own state in southern Nigeria. To date, it remains at odds with the Nigerian government following the ethnic war in Biafra from 1967 to 1970 that led to the death of almost one million people, most of whom were ethnic Igbo. Nevertheless, IPOB leader Nnamdi Kanu stated that his group had nothing to do with the attacks that led to the prison break. Thus, experts, including Senator Iroegbu, a security analyst, warned that the Nigerian government blaming IPOB could cause further tension between the group and the state as such.

Suspension of Humanitarian Assistance in Damask and Dikwa, Borno State



The United Nations Office for the Coordination of Humanitarian Affairs (UN-OCHA), an United Nations agency focused on strengthening international responses to complex emergencies and natural disasters, stated that it is deeply concerned about the recent attacks on humanitarian operations in the Dikwa and Damask areas of the north-eastern Borno state, located in north-east Nigeria.¹¹ It therefore temporarily suspended humanitarian actions in

the before mentioned areas.12

The suspension of the humanitarian operation in the Dikwa and Damask areas follows attacks on 14 April 2021 targeting at least five NGO offices and vehicles, during which equipment belonging to UN-OCHA was destroyed and burned by assailants. The assailants looted and burned down private homes, a police station, a medical clinic as well as the United Nations



^{9.} Africa News and AFP. (2021, 04 06). Nigeria police chief sacked after jailbreak attack. Africa News. https://www.africanews.com/2021/04/06/destroy-to-the-last-man-nigeria-vows-to-go-after-group-blamed-for-jail-raid/

^{10.} Obiezu, T. (2021, 04 09). Nigerian Authorities Blame Separatist Group for Massive Jailbreak. Voice of America News. https://www.voanews.com/africa/nigerian-authorities-blame-Abel Ejikeme (2021, 18th April) "Nigeria: UN Suspends Humanitarian Operations in Dikwa and Damasak Following Boko Haram Attacks" https://www.arise.tv/nigeria-un-suspends-humanitarian-operations-in-dikwa-and-damasak-following-boko-haram-attacks/

^{11.} Statement on United Nations Operation in North-East Nigeria https://reliefweb.int/sites/reliefweb.int/files/resources/ocha_nga_hcstatementontheattackindamasak_17042021.pdf



High Commission for Refugees (UNHCR) facility.¹³ According to the UNHCR, the rebel attack of 14 April 2021 drove out as many as 80 percent of the population of Damask while up to 65,000 people were on the move feeling from the Damask and Dikwa areas.¹⁴ With the deliberate and targeted attacks on humanitarian premises and aid workers, hundreds of thousands of vulnerable people would be left without food and shelter as the violence in the region has become the main driver of food insecurity in Nigeria.¹⁵

Seven Years Since the Chibok Mass Abduction



The world was shocked as on April 14, 2014, a group of 279 schoolgirls in Chibok – a northern town in Borno State, Nigeria – were taken hostage by the armed group Boko Haram. Accordingly, April 14, 2021, marks seven years since the mass abduction. Some abducted girls were able to escape on their own, others were released following intense campaigning by civil society as well by means of negotiating efforts from the Nigerian government. However, to date, over 100 girls remain in captivity along

with children abducted in subsequent attacks.¹⁷ The terrorist organization Boko Haram was founded in 2002 to arguably overthrow the Nigerian government and create an Islamic State. The name itself, Boko Haram, translates to 'Western Education is Forbidden'.¹⁸

Although it has been seven years after the mass abduction, no arrest nor prosecution has been imposed by the Nigerian government, allowing the issues to persist. Recent attacks targeting students and learning institutions across northern Nigeria forced over 600 educational facilities to close their doors in Katsina, Kaduna, Zamfara, and



Jigawa. Attacks targeting schoolchildren and educational institutions reveal an extreme disregard towards the right to education by perpetrators. The closing of the schools increased the dropout rates, literacy levels, as well as exacerbating child marriages and early pregnancies of school-age girls.

^{13.} AP News Agency (2021, 16th April) "Thousands flee attacks in Nigeria, clashes continue, says UN" https://apnews.com/article/africa-nigeria-geneva-united-nations-21008336b58697b98f3a937266324aad

^{14.} Peter Kenny (2021, 17th April) "Nigeria: Armed Insurgents Target Aid Groups in Borno State Attacks" https://allafrica.com/stories/202104170032.html

^{15.} Adegwu John (2021, 16th April) "Nigeria: Foreign - EU Condemns Attacks On Civilians, Humanitarian Workers in Damasak" https://allafrica.com/stories/202104160672.html

^{16.} Aljazeera (2021, 14th April) "Nigeria: 7 years after Chibok mass abduction, still no solution" https://www.aljazeera.com/news/2021/4/14/nigeria-7-years-after-chibok-mass-abduction-still-no-solution

^{17.} Amnesty International (2021, 14th April) "Nigeria: Seven years since Chibok, the government fails to protect children"https://www.amnesty.org/en/latest/news/2021/04/nigeria-seven-years-since-chibok-the-government-fails-to-protect-children/

^{18.} BBC News (2014, 6th May) "Nigeria's Boko Haram Explained" https://www.bbc.com/news/av/world-africa-27048076



Following the Chibok mass abduction, a multi-million-dollar plan was launched and backed by the United Kingdom, aiming at increasing school security in Nigeria. However, the plain failed to stop further abductions and provide adequate protectionary measures to schoolchildren throughout Nigeria. The plan intended to protect over 500 schools as well as building new classrooms, fences, and providing armed guards. Although the plan provided learning materials for children in camps for displaced people, it was abandoned in 2016, less than two years after its establishment.



In addition, the recent kidnappings in north and north-west Nigeria reveal the failure of developing effective policies aimed at improving school safety. Blocks of classrooms were built, yet poorly constructed, and the ability of barbed wire and fences to prevent attacks by Boko Haram remains limited. The role of the United Kingdom's Foreign, Commonwealth, and Development Office (FCDO) was to provide expert advice and develop safe school guidelines, however, all funding was directed and managed by the Nigerian

government. The collapse of the initiative in 2016 reflected a change of government in Nigeria in 2015, as infrequent meetings and change of policy by the then-newly elected President Muhammadu Buhari hindered the activities.



Sierra Leone

Country Background



The Republic of Sierra Leone is a country located in the western African continent, bordering Guinea, as well as Liberia. Its national flag holds a specific meaning to the country; green symbolizes the agriculture, mountains, and natural resources of the country, white symbolizes unity and justice, blue symbolizes the sea and the country's natural harbor in Freetown. According to the UNFPA, the Republic of

Sierra Leone – accounting for 71,740 square kilometers – is home to little over 8,1 million citizens. The country is divided into 4 provinces and 1 area with Freetown as its capital and its largest city. The density of its population is found in clusters located in the lower elevations of the south and western regions of the country, with the northern third of the country being less populated.

The climate in the country is tropical, hot, and humid with a summer rainy season from May to December and a winter dry season from December to April. The Republic of Sierra Leone is a presidential republic led by the Head of State, President Julius Maada Bio, who serves the presidential seat since April 4, 2018, for a first term. It gained its independence, from the United Kingdom as its colonizing power, on April 27, 1961. To date, the country's legal system remains to be a mixture of English common law in conjunction with customary law. Similarly, its official language is English, however, Mende is the principal vernacular in the southern regions, Temne in the northern



regions, Krio (English-based Creole, spoken by the descendants of freed Jamaican slaves who were settled in the Freetown area) – among other ethnic languages and vernaculars throughout the country.



Collaborative Support for Individuals with Autism

On the occasion of World Autism Day, as taken place on 2 April 2021, telecommunication provider Orange Telecom announced its intended partnership with the Sierra Leone Autism Society. The latter started with merely a few children but expanded significantly – resulting in the establishment of varying activities and opportunities, including support groups. The Society furthermore established a school for children with autism in conjunction with organizing activities to enhance community support as well as reducing the risk for children with autism to be subjected to isolation.



Autism is a spectrum condition in which its effects differ from person to person. Individuals on the autism spectrum may face difficulties - among other things - in a social environment. They may be sensitive to light, sounds and have a high focus on specific topics of interest. It may be challenging to gain support from social services, educational and mental health institutions as well as being misunderstood by familiars, such as family members or friends.²⁰

The Executive Director of the Sierra Leone Autism Society, Ms. Mary Penntimity, stated that the organization is providing individuals with autism – including family members – with supportive means. Noteworthy is the fact that it is the first time that Orange Telecom is cooperating with a health-related institution in order to help children as such. The beforementioned partnership is aimed at raising awareness of autism at large. 21

^{20.} National Autistic Society. (2021). What is autism. https://www.autism.org.uk/advice-and-guidance/what-isautism?gclid=Cj0KCQjwppSEBhCGARlsANIs4p4hlqejw6wxw1ldArjLGhRPwHR5ooIT-6Kcm2zP3qH1xjhmzpsYd-oaAow1EALw_wcB

^{21.} Sierra Leone: Orange Joins Salone Autism Society to Raise Awareness. (2021, April 2). AllAfrica.Com. https://allafrica.com/stories/202104020214.html; Orange joins Salone Autism Society to raise awareness. (2021, April 1). Sierra Leone Concord Times. http://slconcordtimes.com/orange-joins-salone-autism-society-to-raise-awareness/



The Implications of the Cyber-Crime Bill on Human Rights

The Sierra Leonean government introduced on April 10, 2021, a proposed Cyber-Crime Bill (2021) in what it claims to be an attempt to tackle cybercrime and boost safety and security on digital platforms. ²² However, there has been a public outcry from Sierra Leoneans and freedom of expression advocates in and outside the country – who do not share the government's view of the proposed Bill.



The media and Sierra Leoneans fear that when the Bill is passed into law, it will greatly infringe on the rights of enjoyment of freedom and expression. Nevertheless, Sierra Leone's Minister of Information and Communications, Mohamed Rahman Swarray, reacted to the beforementioned by stating on his Facebook account that he is "excited" about the introduction of the Bill. He continued by assuring the citizens that the Bill will not tamper with the freedoms and human rights of the citizens as the Bills aims at protecting citizens in a digital space. Accordingly, the Bill will simultaneously enforce the African Union's Malabo Accord (the Malabo Convention) as well as the Economic Community for West-African States (ECOWAS) Directive on Cyber-Crime and Data Protection.

The Malabo Convention enjoins states to adopt adequate legal measures in the area of cybersecurity. However, such measures shall not infringe on the rights of citizens as guaranteed under the national constitution and African Charter on Human and People's Rights on the freedom of expression, the rights to privacy, and trial.²³ Yet, the proposed Bill has the potential to breach data protection and privacy rights enjoined on Sierra Leonean citizens.²⁴ It furthermore provides the Sierra Leonean police forces with increased discretion to arrest and seize any stored computer data as well as obligating people to share their data. Consequently, the latter remains to be problematic in the field of law, medicine, journalism – among others – as confidential information may be obliged to share without prior approval of the information holder(s).²⁵

^{22.} AfricaFex News (2021, 10th April) " How Sierra Leone is Hiding Behind the Fight Against Cybercrime to Abuse Digital Rights" https://www.africafex.org/digital-rights/how-sierra-leone-is-hiding-behind-the-fight-against-cybercrime-to-abuse-digital-rights

^{23.} The Malabo Convention (2000) https://au.int/sites/default/files/treaties/29560-treaty-0048__african_union_convention_on_cyber_security_and_personal_data_protection_e.pdf; The African Charter on Human and Peoples Rights https://au.int/sites/default/files/treaties/36390-treaty-0011__african_charter_on_human_and_peoples_rights_e.pdf

^{24.} Abdul Rashid-Thomas (2021, 1st April) "Twenty-one scary things in Sierra Leone's cybercrime Bill you must know before it becomes law" https://www.thesierraleonetelegraph.com/twenty-one-scary-things-in-sierra-leones-cybercrime-bill-you-must-know-before-it-becomes-law/

^{25.} Thomas, A. R. (2021, April 1). Twenty-one scary things in Sierra Leone's cybercrime Bill you must know before it becomes law. SIERRA LEONE TELEGRAPH. https://www.thesierraleonetelegraph.com/twenty-one-scary-things-in-sierra-leones-cybercrime-bill-you-must-know-before-it-becomes-law/



Togo

Country Background



The Togolese Republic is a country located in the western African continent, bordering Benin, Burkina Faso, as well as Ghana. Its national flag holds a specific meaning to the country; the five horizontal stripes symbolize the five different regions of the country, the red square symbolizes the loyalty and patriotism of the Togolese people, green symbolizes hope, fertility, and the country's agriculture, yellow symbolizes the country's mineral wealth and faith that hard

work and strength will bring prosperity. The star, furthermore, symbolizes life, purity, peace, dignity, as well as the country's independence. According to the UNFPA, the Togolese Republic – accounting for 56,785 square kilometers – is home to little over 8,5 million citizens. The country is divided into 5 regions with Lome as its capital and its largest city. The Togolese Republic is one of the more densely populated African nations with the majority of its population residing in rural communities whereby the density is the highest in the country's southern regions as well as the areas surrounding the Atlantic coast.

The climate in the country is tropical, hot, and humid in the south and semiarid in the north. The Togolese Republic is a presidential republic led by the Head of State, President Faure Gnassingbé, who serves the presidential seat for a fourth term since May 4, 2005. It gained its independence, from France as its UN trusteeship administrating power, on April 27, 1960. To date, the country's legal system is in total based on customary law. The country's official language is French; however, Ewa and Mina are the two primary languages utilized in the southern regions, Kabye and Dagomba being the primary languages in the northern regions.







Identity For All Children in Commune Lacs 1

The municipality of commune Lacs 1, near the town of Aneho in southwestern Togo, wants to guarantee a legal identity to all children born. Mayor Alexis Aquereburu announced on April 2, 2021, that a program is launched in the commune to make sure that all children born are registered and as such entitled to a legal identity. The project, which is funded by the Fonds D'Urgence Identité Afrique – an organization aimed at helping countries across the continent in establishing a legal identity for all citizens – will allow to clear up the civil status of approximately 2.941 students in the area. The hope is that by 2025, no child will be left without a civil status in the municipality.²⁶



The Fonds D'Urgence Identité Afrique currently estimates over 95 million children under the age of 5 not being registered at birth throughout Sub-Saharan Africa. They furthermore project that the beforementioned number could rise to 115 million by 2030 as such.27 The organization explains that families are often unable to register their children due to ongoing conflicts in the state, illiteracy, the costs associated with registration, or due to a lack of adequate infrastructure.28 Nevertheless, legal

identity is important to ensure the effectiveness of the public policy, one's access to basic state services such as healthcare, employment, marriage, or even voting.²⁹

^{26.} Nael, R. (2021, 04 06). Togo-Commune Lacs 1 : Zéro enfant sans identité, le pari du maire Aquereburu. Ici Lome. https://icilome.com/2021/04/togo-commune-lacs-1-zero-enfant-sansidentite-le-pari-du-maire-aquereburu/

^{27.} Fonds D'Urgence Identité Afrique. (n.d.). Situation in Africa. Fonds D'Urgence Identité Afrique. https://urgenceidentiteafrique.org/en/situation-in-africa/

^{28.} Fonds D'Urgence Identité Afrique. (n.d.). Main causes of non-registration. Fonds D'Urgence Identité Afrique. https://urgenceidentiteafrique.org/en/main-causes-of-non-registration/

^{29.} Fonds D'Urgence Identité Afrique. (n.d.). Benefits of Legal Identity. Fonds D'Urgence Identité Afrique. https://urgenceidentiteafrique.org/en/benefits-of-legal-identity/

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