

Speaker: Ms. Aneesa Sattar Sial



Human Rights Council.

11th Session. 11 June 2008.

Item: 6. UPR- Country – Nigeria

Individual Oral Statement- Islamic Human Rights Commission.

Mr. President,

The Islamic Human Rights Commission remains saddened about the right to fair trial and due process in Nigeria. The Government of Nigeria is not only in breach of its international human rights obligations, but the policies of the government are also not compatible with the standards of fairness and due process defined by Sharia law and the Nigerian constitution itself.

Many trials in Sharia courts fail to conform to international standards of fairness and do not respect due process even as defined by Sharia legislation.

The ongoing research of Islamic Human Rights Commission in Sokoto, northern Nigeria, clearly shows that detainees not only lack legal representation but also they are not informed about their basic rights. Those rights, which are granted by international human rights law, Islamic legislation and the Nigerian Constitution itself.

In July 2007 a popular Sunni cleric, was shot by unknown gunmen. He died the following day in hospital. In a wake of violence following the assassination, Shia groups were reported to have been attacked in residential areas by mobs carrying machetes, and several homes were destroyed.

After ten days of detention, 112 of the detained members were taken to court and charged with 'refusal to submit to authorities and preventing police from carrying out their duties'. Kasimu Rimin Tawaye, a leading member of the Islamic Movement, and sixteen other members were

charged with 'causing public disturbance, conspiracy to break the law and using arms'; however the case was adjourned until 9 August 2007. But no court hearing was held on the date in question and the latest count reveals that 115 people remain in detention without having been tried. They have also been separated into different groups to be tried in different courts.

We are concerned that the current general practice adopted by the Nigerian government in Sokoto is not proportionate to their stated aim and therefore amounts to unlawful discrimination under international human rights law.

Islamic Human Rights Commission takes the position that Nigerian Government should Launch a transparent, comprehensive and impartial inquiry and uphold the principle of fair trial which should not contravene Nigeria's international obligations to guarantee individuals the right to equality before the law.

Thank You Mr. President.