Name of Organization:Basic Rights Counsel Initiative (BRCI)

Location: Calabar, Cross River State, Nigeria.

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**ABOUT US**

Basic Rights Counsel Initiative is a not-for-profit making organization based in Calabar, and we are committed to promoting and safeguarding the rights of vulnerable children and indigent women. We are non-partisan organization officially registered with the Corporate Affairs Commission of Nigeria on March 3, 2011.

**Written contribution for the elaboration of a study on the situation of the violation and abuses of human rights rooted in harmful practices related to the accusations of witchcraft and ritual attacks, as well as stigmatization.**

Witchcraft branding is an offence punishable under Sections 210 to 215 of the Nigerian Criminal Code Act, LFN 2004. The criminal code prohibits accusing, or even threatening to accuse someone of being a witch. And the Child Rights Act of 2003 makes it an offence to subject any child to physical or emotional torture, or submit them to any inhuman or degrading treatment.

However, this widespread practice has been seen continuously among many communities especially in the southern region of the country which engage in this criminality without any regard for the law. Unsurprisingly, the majority of [victims of this abhorrent practice are children](https://www.aljazeera.com/indepth/features/nigeria-fear-child-witchcraft-ruins-young-lives-181112055349338.html) who are [easily tagged witches or wizards](https://www.trtworld.com/magazine/pentecostal-pastors-continue-to-brand-children-as-witches-in-nigeria-22281) and, in most instances, are made to suffer emotional and physical abuses which often result in depression, injuries, deformity and even death. Branding children witches and pushing them out of their homes into the street has remained a major social issue in Cross River State and the neighboring Akwa Ibom State in Nigeria.

**Measures put in place to ensure the elimination of harmful practices amounting to human rights violations related to accusations of witchcraft and ritual attacks.**

Basic Rights Counsel Initiative has been involved in various advocacy aimed at ensuring the elimination of harmful practices amounting to human rights violations related to accusations of witchcraft and ritual attacks, as well as stigmatization. In May 2019, our organization embarked on a project. “Combating Witchcraft Branding in Cross State (EWBS) The project lasted for 24 months.

The main focus of the project was aimed at raising awareness on the negative effects of this harmful practice and to advocate for a change in the mindset of traditional and religious leaders. This was achieved through a detailed advocacy campaign targeted at traditional, religious and social leaders in the State. We carried out a far-reaching sensitization campaign to reach out to the general populace, especially in rural communities where this practice is still widespread.

**Objectives of the project.**

1. To reduce the incidence of child witchcraft branding and molestation in Cross River State.
2. To increase community members understanding of the adverse effects of witchcraft branding and molestation on their development and socio-economic wellbeing.
3. Engage Traditional and Religious leaders to act as a first line of defense for children branded as witches
4. Strengthen institutions responsible for investigating and prosecuting cases of Child witchcraft branding and molestation in Cross River State.
5. Combat the stigma associated with helping children branded as witches or wizards.
6. Facilitate the review of the Cross-River Child Rights Law 2009 to include specific and clear provisions proscribing witchcraft branding: we have on this worked with the Cross River State Assembly to amend the Child Rights Law to ensure that there are specific provisions that makes it illegal and criminal to accuse a child of witchcraft. The amendment has passed the second reading and we are hopeful for a successful outcome.

In partnership with UNICEF in 2020 and 2021, we ensured that police officers and other law enforcement agencies in the state were trained.The program helped to build their capacity to effectively investigate and prosecute cases of child witchcraft branding and molestation.

**Measures put in place to ensure that no one is deprived of the right to life, liberty or security of person because of religion or belief, and that no one is subjected to torture or other cruel, inhuman or degrading treatment or punishment, or arbitrary arrest or detention on the account of accusations of witchcraft and ritual attacks?**

To ensure that we are abreast of any case of Witchcraft Branding in the state, we set up a robust community volunteers’system in various local communities.With that in place, we are immediately alerted of any form of punishment or activity pointing to accusations of witchcraft branding.

When cases are reported to our organization, we conduct our investigation discreetly to confirm the authenticity of the case, when our investigations prove that there is indeed a case of Witchcraft Accusation, we immediately mobilize our team of volunteers alongside the security operatives for an immediate rescue mission of the victims. Afterwards, we write a letter to the police alerting them of the case and requesting for an immediate investigation and arrest of the perpetrators.

**Measures put in place to ensure equal access to justice, including effective remedy, as well as psychosocial support, rehabilitation and reintegration of survivors?**

* When we embark on a rescue mission, our pursuit for justice do not end with rescuing the survivor or getting the perpetrator arrested. We have a legal team at our organization, dedicated to fighting for the rights of women and children whom research has proven to be one of the most vulnerable populations to witchcraft accusations and ritual attacks. The country’s criminal code and 2003 Child Rights Act, outlaw not only degrading treatment but even accusing someone of being a witch.
* We ensure that there is adequate accountability framework that goes beyond criminal justice and courts by embarking in policy development that can protect the people. We don’t just engage in legal battles, we engage with the legislature to create laws and policies that can address, prevent and reduce human rights violations. Some of which includes the following.

1. In Partnership with Project Alert, an NGO, we in 2021 facilitated the Disability Rights bill and the Violence Against Persons Prohibition Bill to be signed into law in Cross River State.

**Measures put in place to ensure the full, effective and meaningful participation of victims, persons in vulnerable situations, including women, children, persons with disabilities, older persons and persons with albinism, as well as traditional and religious leaders, and faith-based actors in all stages of decision-making processes regarding elaboration and implementation of accountability measures at all levels?**

Basic Rights Counsel Initiative ensures that vulnerable persons and other stakeholders are carried along during the decision-making process in regards to all project planning and implementation.

For instance, during our “Combating Witchcraft Branding in Cross State (EWBS) Project which lasted for 24 months, the following persons were actively involved in the process.

* Traditional Leaders and custodians of cultural values
* Religious Leaders: They were encouraged to change their provocative rhetoric around witchcraft and also to act in the best interest of vulnerable children, this wasimportant as most cases of witchcraft branding are as a result of religious beliefs.
* Social institutions including schools and other educational institutions.
* Government institutions such as the Ministries of Social Welfare, Justice, law enforcement agencies and the Judiciary.
* Persons with disabilities
* Women and Children
* Other community influencers.

**Efforts made to ensure effective protection of all persons, particularly persons in vulnerable situations, including women, children, persons with disabilities, older persons and persons with albinism**

Basic Rights Counsel initiative has been actively involved in the development of policies surrounding children and persons living with disabilities.Below are policies and partnership aimed at ensuring the protection of persons in vulnerable situations.

* Partnership with Project Alert for a research on Gender Based Violence and Women with Disabilities in Cross River and Akwa Ibom States.
* In October 2021, our organization participated a legislative advocacy aimed at sensitizing and engaging key legislators on the issue of violence against persons living with disabilities.
* In June, 2022, Basic Rights Counsel Initiative organized its annual conference with support from Safe Child Africa. This event drew key actors from Cross River State and Akwa Ibom who were all concerned on suing for an end to Witchcraft Branding and all forms of child abuse within the state.
* In March 2022, Basic Rights Counsel Initiative paid an advocacy visit to the Cross-River State Council of Traditional Rulers in Calabar. The advocacy visit was aimed at sensitizing the traditional custodians on the increasing number of ritual killings, abandonment and witchcraft branding of children. This visit was sponsored by Safe child Africa.

**Measures put in place to prevent widespread discrimination, stigma, social exclusion and forced displacement experienced as a result of witchcraft accusations and ritual attacks.**

We conduct routine sensitization and this has helped a great deal in preventing social exclusion and stigmatization. In some rare cases where we are notified of forced displacement and discrimination, our legal wing immediately swings into action to resolve it legally. (This is usually the last resort).

**Measures put in place including safe shelters, psychosocial support and rehabilitation services that have been undertaken to ensure effective protection of victims of human rights violations rooted in harmful practices related to accusations of witchcraft and ritual attacks.**

In other for the children we rescue not to end up on the street, we established an Emergency Accommodation Shelter/Foster Care:

* **Emergency Accommodation Shelter**: This was established in April 2017 with the intention of providing short-term accommodation for children who would otherwise be forced to live on the streets. This is in hope that a more permanent and longer-term solution will be found for the children within the stipulated period. The idea was that the children would be re-integrated or re-united with their families or secure foster care placement.

So far, a total of about 103 children have passed through the shelter. We have been able to re-unite them back to their family or given them out to Foster care givers approved by government. We also help children whose parents are alive but do not have the economic capacity to provide for their children needs and no relatives are willing to take care of them.

* **Counselling:**In rehabilitating the survivors of these barbaric acts, we have an inhouse Counsellor who is trained and equipped in responding to the psychosocial needs of the survivor. Counselling sessions are scheduled and followed through by our counsellor, in few cases where the survivor might need the services of a psychotherapist or specialist, we conduct referral services to partner organizations who are equipped to offer the services.

**Initiatives that have been organized, focusing on, *inter alia*, gender equality, education, health, housing, livelihood, women’s autonomy, decision-making, community mobilization and awareness raising, to prevent human rights violations rooted in harmful practices related to accusations of witchcraft and ritual attacks, particularly against persons in vulnerable situations, including women, children, persons with disabilities.**

* We organized an annual Prevent Abuse of Children Today (PACT) conference with support from Safe Child Africa, held on the 21st of June 2022. This event drew key actors from Cross River and Akwa Ibom State who sued for an end to witchcraft branding and all forms of child abuse.
* We played host to an International Investigative reporter for Pass Blue, Damilola Banjo who carried out an investigative research titled “In Lockdown with their Rapists.
* The legislative advocacy on Violence Against Women and Girls (VAWG) Women with disability 2021 was implemented by our organization alongside Project Alert and OSIWA(Open Society Initiative for West Africa).
* Our organization advocated for the Cross-River State Disability Rights Bill to be passed into law, this was assented by the Governor, Sen Dr. Prof Benedict Ayade, on the 31st of December, 2021. The bill which has now been passed into law is being implemented by Basic Rights Counsel Initiative.

**Challenges and opportunities**

These are some of the challenges we encounter in addressing human rights violation and abuses rooted in harmful practices related to witchcraft accusations and stigmatizations.

1. Lack of implementation of existing policies meant to protect the rights of vulnerable groups by relevant institutions.
2. Weak institutions.
3. Gross disregard for the rule of law
4. Religious organizations and bodies refusing to adhere to laws enacted to prevent stigmatization and accusations of witchcraft.
5. Lack of adequate funding for the law enforcement unit responsible for conducting arrest/follow up on reported cases.

**Data collection**

**Have you collected disaggregated data, based on gender, age, disability, ethnicity, religion etc. about human rights violations and abuses rooted in harmful practices related to accusations of witchcraft and ritual attacks, as well as stigmatization? How such data is collected? Please share available disaggregated data on the phenomenon.**

Available disaggregated data on Witchcraft-Branding and Stigmatization.

From **2011 to 2022,** we have recorded a total of one hundred and five **(105)** cases on witchcraft-branding and stigmatization.

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| --- | --- | --- | --- | --- |
| Age | Number of cases | Sex | Ethnic Group | Religion |
| 1-10 years | 11 | Female (11 cases) | Efik/Ibibio | Christianity |
| 11-17 years | 73 | Female (40 Cases)  Male (33 cases) | Same as above | Same as above |
| 50 years and above | 21 | Female (19 cases)  Male (2 Cases) |  |  |

**Recommendations on how the United Nations can help eliminate harmful practices amounting to human rights violations related to witchcraft and ritual attacks, as well as stigmatization.**

1. The United Nations can set up a committee to ensure that countries who have signed the agreement raised from the Convention on the Rights of the Child (CRC) in **1989** and countries who have ratified the convention.

Nigeria ratified the convention in **1991**, this ratification is meant to protect the rights of citizens, young and old. If the UN can double its effort on ensuring that countries pursue all available means in the elimination of harmful practices in their respective countries.

1. We strongly recommend more community-based approach in mobilizing and educating the public on the effects of these harmful practices as majority of our cases are rural based.
2. We recommend that a special funding opportunity/grant should be made available for organizations that handle cases of harmful practices as funding constitute a huge part of our challenges in the rescue, rehabilitation and reintegration of children affected by these practices.