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01 June 2021

United Nations Working Group on Arbitrary Detention
Sent via email: wgad@ohchr.org

RE: Update to the Working Group in regard to its Decision in the Case of Omoyele Sowore (Nigeria)

Dear Chairman and Vice-Chairman on Communications,

This letter is intended to update the Working Group on new concerning developments in the case against Omoyele Sowore in Nigeria since the Working Group's decision in his favor on 6 October 2020.

On 31 December 2020, Nigerian authorities re-arrested Mr. Sowore along with four other activists during a peaceful protest in Abuja which he was covering in his capacity as a journalist. Mr. Sowore was detained without access to a judge for four days, denied bail for seven days and singled out for stringent bail conditions.

On 31 May 2021, an officer of the Nigerian Police Force, identified as Chief Superintendent of Police (CSP) Altine HD., shot and injured Mr. Sowore around the Unity Fountain in Maitama, Abuja during a peaceful protest for better governance and improved security in Nigeria. Mr. Sowore is presently hospitalized.

Description of the gravely concerning developments:

Re-Arrest and Detention

1. On the night of 31 December 2020, Nigerian Police arrested Mr. Sowore alongside four other individuals while he was covering (in his capacity as a journalist) a protest procession against bad governance at Gudu junction in Abuja.
2. Mr. Sowore had earlier in the day promoted protests across the country on social media, urging participants to bring candles and placards with grievances against the government.¹ He shared photos and messages on social media the evening of 31 December.

¹ <https://twitter.com/YeleSowore/status/1344629144026492929>.

3. At the protest, Mr. Sowore witnessed police officers beating protesters.² One protest leader said of the police at the scene, “[T]hey came and they started attacking us. I was almost hit with a car.”³ Mr. Sowore was in a car from which he was covering the protests in his capacity as a journalist.⁴ When he left the car to appeal to the police to stop assaulting the protesters, the police “pounced” on him,⁵ severely beat him,⁶ broke and bloodied his nose,⁷ and forcefully dragged him into one of seven police vans that had been mobilised to the protests.⁸ He was left with bruises all over his body.⁹ Witnesses reported seeing security forces having “rounded [the activists] up.”¹⁰
4. The police took Mr. Sowore, along with other activists, to Abattoir, a facility in Asokoro Extension, Abuja belonging to the allegedly disbanded Special Anti-Robbery Squad (SARS).¹¹ There, they were physically mistreated and detained,¹² with limited access to

² Kabir, Adejumo. “How I was brutalised, arrested – Sowore.” Premium Times (05 Jan 2021). *available at* <https://www.premiumtimesng.com/news/top-news/434884-how-i-was-brutalised-arrested-sowore.html>.

³ Obiezu, Timothy. Activists Demanding Release of Former Nigerian Presidential Candidate Take Protests to Court. Voice of America (08 Jan 2021). *available at* <https://www.voanews.com/africa/activists-demanding-release-former-nigerian-presidential-candidate-take-protests-court>.

⁴ Obiezu, Timothy. Activists Demanding Release of Former Nigerian Presidential Candidate Take Protests to Court. Voice of America (08 Jan 2021). *available at* <https://www.voanews.com/africa/activists-demanding-release-former-nigerian-presidential-candidate-take-protests-court>.

⁵ Kabir, Adejumo. “How I was brutalised, arrested – Sowore.” Premium Times (05 Jan 2021). *available at* <https://www.premiumtimesng.com/news/top-news/434884-how-i-was-brutalised-arrested-sowore.html>; Obiezu, Timothy. Activists Demanding Release of Former Nigerian Presidential Candidate Take Protests to Court. Voice of America (08 Jan 2021). *available at* <https://www.voanews.com/africa/activists-demanding-release-former-nigerian-presidential-candidate-take-protests-court>.

⁶ The Daily Star. “Nigeria arrests journo, opposition leader Sowore.” (04 Jan 2021). *available at* <https://www.thedailystar.net/backpage/news/nigeria-arrests-journo-opposition-leader-sowore-2021857>.

⁷ Kabir, Adejumo. “How I was brutalised, arrested – Sowore.” Premium Times (05 Jan., 2021). *available at* <https://www.premiumtimesng.com/news/top-news/434884-how-i-was-brutalised-arrested-sowore.html>.

⁸ The Guardian. “Sowore, four others arraigned over New Year’s eve protest.” (04 Jan 2021). *available at* https://guardian.ng/news/sowore-four-others-arraigned-over-new-years-eve-protest/?utm_medium=Social&echobox=twitter_post&utm_source=Twitter#Echobox=1609767696; Kabir, Adejumo. “Again, Nigerian police arrest Sowore.” (01 Jan 2021). *available at*

<https://www.premiumtimesng.com/news/top-news/434265-again-nigerian-police-arrest-sowore.html>; Kabir, Adejumo. “How I was brutalised, arrested – Sowore.” Premium Times (05 Jan 2021). *available at* <https://www.premiumtimesng.com/news/top-news/434884-how-i-was-brutalised-arrested-sowore.html>.

⁹ The Daily Star. “Nigeria arrests journo, opposition leader Sowore.” (04 Jan 2021). *available at* <https://www.thedailystar.net/backpage/news/nigeria-arrests-journo-opposition-leader-sowore-2021857>.

¹⁰ Owolawi, Femi. “Omoyele Sowore, convener of the #RevolutionNow Movement, has been arrested for leading a “crossover protest” in Abuja.” The Cable. (01 Jan 2021). *available at* <https://www.thecable.ng/sowore-arrested-for-leading-crossover-protest-in-abuja>.

¹¹ Sahara Reporters. “How Sowore, Others Were Illegally Arrested, Brutalised In Abuja.” (31 Dec 2020). *available at* <http://saharareporters.com/2020/12/31/how-sowore-others-were-illegally-arrested-brutalised-abuja>.

¹² Sahara Reporters. “How Sowore, Others Were Illegally Arrested, Brutalised In Abuja.” (31 Dec 2020). *available at* <http://saharareporters.com/2020/12/31/how-sowore-others-were-illegally-arrested-brutalised-abuja>.

food, water, and medical assistance.¹³ Mr. Sowore was placed in a dangerous section of this notorious prison, among armed robbery suspects.¹⁴

5. On the night of 31 December 2020, Mr. Sowore and the other four detainees were tortured by officers of the Nigerian Police Force. Mr. Sowore and his lawyers confirmed that police officers were admitted to their holding cells to torture them.
6. After security forces kept him in detention for four nights, on 04 January 2021, Mr. Sowore was arraigned before Chief Magistrate Mabel Segun Bello of the Magistrate Court sitting in Wuse 2 Abuja. He was charged with criminal conspiracy, unlawful assembly and inciting public disturbance contrary to section 97, 102 and 114 of the Penal Code Law.
7. On 05 January, the Magistrate denied Mr. Sowore's bail application, ruling he should be remanded at Kuje Correctional Center until further proceedings.¹⁵ Those proceedings were scheduled for 08 January, but police failed to show up with any detainees on that day,¹⁶ using this "delay tactic" without justification to unlawfully subject Mr. Sowore to several additional days of arbitrary detention.¹⁷
8. On 11 January, Mr. Sowore was singled out among the activists for an extremely high bail of NGN20 million (approx. \$48,000). The other defendants were granted bail for NGN1 million. Mr. Sowore was released, but on condition of his bail is prevented from leaving Abuja. This requirement means he now has two bail conditions mandating he remain in Abuja. Mr. Sowore doesn't have a home in Abuja.
9. Similar to his previous trial, the government continues to delay and drag out these new proceedings unlawfully levied against Mr. Sowore. Since his release on bail, there have been two hearings before the Magistrate Court but the government has yet to present evidence in support of the charges. Applications by Mr. Sowore's lawyers to review his

¹³ Obiezu, Timothy. Activists Demanding Release of Former Nigerian Presidential Candidate Take Protests to Court. Voice of America (08 Jan 2021). available at <https://www.voanews.com/africa/activists-demanding-release-former-nigerian-presidential-candidate-take-protests-court>.

¹⁴ The Daily Star. "Nigeria arrests journo, opposition leader Sowore." (04 Jan 2021). available at <https://www.thedailystar.net/backpage/news/nigeria-arrests-journo-opposition-leader-sowore-2021857>.

¹⁵ https://twitter.com/YeleSowore/status/1346487999094259714?ref_src=twsrc%5Egoogle%7Ctwcamp%5Eserp%7Ctwgr%5Etweet; Sunday, Nwafor. "Breaking: Omoyele Sowore, 4 other activists remanded in Kuje prison." (04 Jan 2021). available at <https://www.vanguardngr.com/2021/01/breaking-omoyele-sowore-4-other-activists-remanded-in-kuje-prison/>

¹⁶ Obiezu, Timothy. Activists Demanding Release of Former Nigerian Presidential Candidate Take Protests to Court. Voice of America (08 Jan 2021). available at <https://www.voanews.com/africa/activists-demanding-release-former-nigerian-presidential-candidate-take-protests-court>.

¹⁷ Amnesty International Nigeria, 09 January 2021. Twitter: "Amnesty International is appalled by the delay tactics that the Nigerian authorities are using to frustrate the bail applications of Sowore, Juwon, Damilare, Kimrele and Peter." *Twitter thread found [here](#).*

bail conditions, especially the requirement for him to remain in Abuja, were denied by the Magistrate.

10. Since 6 April 2021, Courts in Nigeria have been closed due to a strike action led by the Judicial Staff Union of Nigeria. The closure of the Courts has adversely affected the progress of the cases against Mr. Sowore and consequently extended the term of his overbearing bail conditions including the ban on traveling outside Abuja.

Delays in Previous Criminal Trial Proceedings

1. Prior to his New Year's Eve arrest, the trial proceedings in the 2019 case against Mr. Sowore had continued to be egregiously postponed. As of December 2020, his case had been delayed by over a year, largely due to failures by the prosecution to disclose key materials to his defence team.¹⁸
2. Mr. Sowore had been unable to leave Abuja as a condition of the first bail he was finally permitted, in addition to the same condition on his more recent bail on 11 January. He does not have a home in Abuja, and continues to be separated from his family in the United States.¹⁹
3. In a report released on December 17, the American Bar Association expressed concern over the "risk that the proceedings will continue to be prolonged indefinitely."²⁰

Shooting during a peaceful protest on 31 May 2021

1. On 31 May 2021, a police officer identified as CSP Altine HD. shot and injured Mr. Sowore around the Unity Fountain in Maitama, Abuja during a peaceful protest for better governance and improved security in Nigeria.²¹ Sowore's lawyers confirmed the incident.²²

¹⁸ American Bar Association. "Nigeria: A Preliminary Report on Criminal Proceedings Against Journalist Omoyele Sowore." (17 Dec 2020). *available at* https://www.americanbar.org/groups/human_rights/reports/prelim_report_omoyele_sowore_nigeria/.

¹⁹ American Bar Association. "Nigeria: A Preliminary Report on Criminal Proceedings Against Journalist Omoyele Sowore." (17 Dec 2020). *available at* https://www.americanbar.org/groups/human_rights/reports/prelim_report_omoyele_sowore_nigeria/.

²⁰ American Bar Association. "Nigeria: A Preliminary Report on Criminal Proceedings Against Journalist Omoyele Sowore." (17 Dec 2020). *available at* https://www.americanbar.org/groups/human_rights/reports/prelim_report_omoyele_sowore_nigeria/.

²¹ Socio Economic Rights and Accountability Project: "SERAP Demands Thorough Investigation Into Shooting Of Activist, Sowore" (31 May 2021)

<http://saharareporters.com/2021/05/31/serap-demands-thorough-investigation-shooting-activist-sowore>

²² Arise TV: "Nigerian Activist Sowore Shot by Police, Senior Lawyer Falana Says" (31 May 2021)

<https://www.arise.tv/nigerian-activist-sowore-shot-by-police-senior-lawyer-falana-says/>

2. According to his associates, Mr. Sowore and other protesters converged on the Unity Fountain for the planned protest but were denied access by officers of the Nigerian Police Force. They called the Commissioner of Police in charge of Abuja to complain about the situation and were informed that there was no order to restrict access to Unity Fountain. However, a unit of the Nigerian Police Force arrived shortly after their call to the Commissioner of Police and CSP Altine, who led the unit, shot directly at Mr. Sowore.²³
3. [Video](#) circulated on Social Media shows that Mr. Sowore and other protesters were standing and singing when CSP Altine HD shot Mr. Sowore causing injury to his right thigh.²⁴
4. Mr. Sowore is presently in a hospital in Abuja.²⁵

Conclusion

In light of the violent re-arrest on trumped-up charges, detention and recent shooting of Mr. Sowore, we respectfully request the Working Group to:

1. Investigate urgently the most recent violations of Nigeria's obligations under international law in its latest detention and shooting of Mr. Sowore.
2. Request that the Government of Nigeria investigate and hold accountable all persons responsible for any unlawful arrest, detention, inhumane treatment, and shooting of Mr. Sowore.
3. Request that the Government of Nigeria upholds its obligation to permit Mr. Sowore to continue exercising his work as a journalist and human rights defender, in accordance with his rights to freedom of expression, freedom of association, and freedom of assembly, without further harassment, intimidation, and threats to his liberty.
4. Remind the Government of Nigeria of its duty to bring itself into conformity with the relevant international norms as outlined in this Working Group's 6 October decision.

Sincerely,

Robert F. Kennedy Human Rights

²³ Premium Times: "How police officer fired tear gas at Sowore at close range — AAC official" (31 May 2021) <https://www.premiumtimesng.com/news/top-news/464831-how-police-officer-fired-tear-gas-at-sowore-at-close-range-aac-official.html>

²⁴ Sahara TV: "BREAKING: Police Shoot Sowore During Protest In Abuja" (31 May 2021) https://www.youtube.com/watch?v=zL7zpjF4dkM&ab_channel=SaharaTV

²⁵ Punch Newspaper: "VIDEO: Sowore shot at Abuja rally, rushed to hospital" (31 May 2021) <https://punchng.com/video-sowore-shot-at-abuja-rally-rushed-to-hospital/>