



IN THE COMMUNITY COURT OF JUSTICE OF THE ECONOMIC
COMMUNITY OF WEST AFRICAN STATES (ECOWAS) HOLDEN IN

ABUJA, NIGERIA

SUIT NO: ECW/CCJ/APP/17/14
JUDGMENT N°: ECW/CCJ/JUD/08/17

BETWEEN

1. DOROTHY CHIOMA NJEMANZE

2. EDU OROKO

3. JUSTINA ETIM

4. AMARACHI JESSYFORD



PLAINTIFFS

AND

THE FEDERAL REPUBLIC OF NIGERIA

DEFENDANT

1. Before their Lordships.

Hon. Justice Friday Chijioke Nwoke

-- Presiding

Hon. Justice Yaya Boiro

-- Member

Hon. Justice Alioune Sall

--Member

Assisted by:

Djibor Aboubacar Diakite

-- Registrar

2. Representation of the Parties

i. Plaintiffs:

Bolaji Gabari (Mrs).

S.P.A Ajibade & Co

Suite A312, Garki Mall

Plot 1580 Damaturu Crescent

Off Kabo Street,

Garki 2. FCT –Abuja.

ii. Defendant:

T.D Agbe.

% Attorney General's office,

Federal Ministry of Justice,

Abuja- Nigeria.

3. Subject matter of the Proceedings:

Violation by the Defendant of the Plaintiffs fundamental human rights as guaranteed by;

- i. Articles, 1,2, 3,5 and 18(3) of the African on Human and Peoples' Rights.
- ii. Articles, 2,3 4(1) & (2), 5, 8 and 25 of the Protocol to the African Charter on Human and Peoples' Rights of Women in Africa (Women Protocol).

- iii. Articles 2, 3,5(a) and 15(1) of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW).
- iv. Articles 2(1) & (3), 3, 7 and 26 of the International Covenant on Civil and Political Rights (ICCPR) Articles 10, 11,12, 13 and 16 (1) of the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and
- v. Articles 1,2,5,7 and 8 of the Universal Declaration of Human Rights.

4. Documents submitted

- 1. Witness depositions of the 1st, 2nd, 3rd and 4th Plaintiffs on Oath.
- 2. Petitions of the 1st Plaintiff to various Government Agencies of the Defendant (Annexures 2-12)
- 3. Video clips of recordings at the House of Representatives.
- 4. Newspaper Publications of the alleged violations against the Defendants.

5. Facts And Procedure

i. Facts as presented by the Plaintiff

The 1st Plaintiff is a Nigerian citizen, a Member State of the Economic Community of West African States (ECOWAS). She is also a Nollywood actress, event planner and manager, a car racer, stunt driver, tourism promoter, investigative journalist and radio presenter and resides in Abuja, Nigeria.

The 2nd Plaintiff is a Nigerian with dual Nigerian/British citizenship. She works at the Nnamdi Azikwe International Airport Abuja and resides in Abuja.

The 3rd Plaintiff is a Nigerian citizen and resides in Port Harcourt. She is a Special Assistant in a company called Buy Naija and also Chief executive officer of J.E Inienes limited.

The 4th Plaintiff is a Nigerian citizen and resides in Abuja. She is a business woman and deals in sales of clothes, shoes, bags, jewelry etc. at Utako market, Abuja.

The Defendant is the Government of the Federal Republic of Nigeria and Member State of ECOWAS.

The 1st Plaintiff avers that on the 23rd of September 2011, she received a call from a friend of hers informing her that 3 bridesmaids who came for a wedding of a mutual friend were abducted by some people in a white bus.

The 1st Plaintiff states that she responded to the distress call which was placed around midnight and immediately communicated with the abducted victims to locate where they were taking them.

She later realized that there were 2 buses branded Abuja Environmental Protection Board and Society against Prostitution and Child Labour (SAPCLN) and both buses had plain clothed men and armed police men who were going around abducting women they saw on the streets of Abuja.

Continuing, the 1st plaintiff states that when they got to the AEPB office in Area 3 Garki, Abuja, they pleaded with the officers at the gate to release the women. In response the officials rained abuses on them for pleading on their behalf.

The 1st plaintiff alleged that while they stood outside the office she saw the AEPB officials pulling the women out of the buses with guns pointed at them. They kept beating them and forced them to write their names. One of the abducted women who refuse to comply with them was jointly beaten by about 6 officials of the AEPB. The 1st Plaintiff took pictures of the incident to document it and every effort made by her to release some of the abducted women that night proved abortive.

The 1st Plaintiff avers that they went to Maitama Police station to file a complaint on the abduction. However, the police officer they met on duty by the name Mr. Ijeoma U. Ijeoma refused to book their complaint and went further to say that the AEPB officials were doing their job and that if it were up to him he would have arrested all the women who accompanied the 1st Plaintiff because according to him they looked like prostitutes. After further insults from him he instructed them to leave and up till date he is yet to get back at them.

The 1st Plaintiff further states that some of the abducted girls were released the next day. The detained women were not given food nor water and some of them sustained injuries while another complained that her phone was stolen. The 1st plaintiff further avers that she invited the media who arrived at the scene at about 10 am but access was not given to the media crew into the premises of the AEPB. She however went to the African Independent Television to grant an interview and granted other interviews to other newspaper agencies present about what had transpired.

Subsequently on the 29th of September 2012 at about 8 pm the 1st Plaintiff went to see her brother and suddenly a man wearing a Man O' war uniform grabbed her breast and held onto them in order to make her stop walking. He forced her to get into the bus which had AEPB and SAPLCLN written on it and she refused and started shouting for help.

Thereafter, three armed military officers started beating her and threatened to shoot her if she did not get on the bus. She offered to show the assailants her identity card but they refused to accord her the opportunity rather they kept forcing her into the bus and calling her names. Passersby who saw what happened intervened and identified her as a Nollywood actress and they let her go.

The 1st Plaintiff states that when her brother went to the AEPB office to enquire what had happened, the officers at the AEPB threatened to shoot him so she had the matter reported to zone 3 police station that same day. The police invited the then AEPB Director, one Mr. Isaa Shuaibu who explained that it was the SAPCLN staff and soldiers that assaulted the 1st Plaintiff and not the AEPB. Since the incident happened, no one was arrested or prosecuted based on her complaint.

Again, the 1st Plaintiff avers that on the 6th of December 2012 few weeks after the incident stated above occurred, a similar ordeal happened to her on her way to collect signatures from business owners whose businesses were directly affected by the activities of AEPB and SAPCLN. These men were identified to be officers of the AEPB and security officers of the Defendant.