

**Mandates of the Special Rapporteur on trafficking in persons, especially women and children; the Special Rapporteur on the right to education; the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material; the Special Rapporteur on contemporary forms of slavery, including its causes and consequences; the Special Rapporteur on violence against women, its causes and consequences and the Working Group on discrimination against women and girls**

REFERENCE:  
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Excellency,

We have the honour to address you in our capacity as Special Rapporteur on trafficking in persons, especially women and children; Special Rapporteur on the right to education; Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material; Special Rapporteur on contemporary forms of slavery, including its causes and consequences; Special Rapporteur on violence against women, its causes and consequences and Working Group on discrimination against women and girls, pursuant to Human Rights Council resolutions 44/4, 44/3, 43/22, 42/10, 41/17 and 41/6.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **allegations of mass abduction of children, exposing them to a number of risks, including trafficking, sexual and gender-based violence.**

According to information received:

On 11 December 2020, armed individuals on motorcycles allegedly stormed an all-male Government Science School in Kankara, Katsina State and abducted 344 students. Once captured, the boys were allegedly split into groups and taken away to be held in the Rugu Forest in the neighbouring Zamfara State.

It was reported that security forces, following combat and negotiations, were able to ensure the boys' release. It appears that so far there has not been any concrete investigation into of the case of the abducted children from Kankara and no one has been held responsible for the attack and subsequent abductions. It has also been reported that the abducted children are deeply traumatized and no specialized support has been provided to them after the incident.

On 17 February 2021, at least 27 students, three staff, and 12 family members were reportedly abducted from the Government Science College Kagara in Rafi Local Government area of Niger State.

These are just the latest incidents in a pattern of abductions of women, girls and boys, in Northern Nigeria with allegations that these individuals have been subjected to domestic servitude, forced labour and sexual slavery through

forced marriages whilst in captivity.

The International Criminal Court has also concluded in its preliminary examination of the situation in Nigeria that “there is a reasonable basis to believe that members of Boko Haram and its splinter groups have committed the following acts constituting crimes against humanity and war crimes: murder; rape, sexual slavery, including forced pregnancy and forced marriage; enslavement; (...) intentionally directing attacks against buildings dedicated to education and to places of worship and similar institutions; conscripting and enlisting children under the age of fifteen years into armed groups and using them to participate actively in hostilities; (...)”.<sup>1</sup>

We would like to raise our concerns on the increased insecurity, violence, including sexual and gender-based violence, and mass abductions of children, increasing their vulnerability to trafficking and other forms of exploitation. Serious concern is expressed about the physical and psychological integrity of these children. We are also particularly alarmed at the apparent lack of child friendly services to provide trauma management and counselling for a successful reintegration of children, as well as remedies or assistance to the victims and their families. Finally, we are concerned about the apparent absence of investigations, prosecution, and security policies to prevent reoccurrence.

Without in any way implying any determination on the facts of the case, we would like to draw your attention to the relevant international human rights instruments and standards relevant to these allegations.

We would like to draw your Excellency's Government's attention to the obligations set out in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol), supplementing the United Nations Convention against Transnational Organized Crime, which your Excellency's Government ratified on 28 June 2001.

We also deem it appropriate to make reference to article 34 of the International Convention on the Rights of the Child (CRC), which your Excellency's Government ratified in 1991, which provides that States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. Moreover, article 35 provides that States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form. Furthermore, we would like to refer to the obligations set out in the Optional Protocol to the CRC on Sale of Children, Child Prostitution and Child Pornography and the Optional Protocol to the CRC on the Rights of the Child on the involvement of children in armed conflict, ratified by Nigeria in 2010 and 2012, respectively.

We also refer to article 13 of Covenant on Economic, Social and Cultural Rights, acceded to by your Excellency's Government in 1993, which recognizes the right of everyone to education, and to the Safe Schools Declaration, which commits States to protect education from attack, and which your Excellency's Government ratified in 2019.

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<sup>1</sup> <https://www.icc-cpi.int/Pages/item.aspx?name=201211-prosecutor-statement>

We would also like to bring to the attention of your Excellency's Government article 4 (c & d) of the United Nations Declaration on the Elimination of Violence against Women, which notes the responsibility of States to exercise due diligence to prevent, investigate and, in accordance with national legislation, punish acts of violence against women, whether those acts are perpetrated by the State or by private persons. In this context, we would also like to refer to CEDAW General Recommendation No. 35 on gender-based violence against women, updating general recommendation No. 19, and CEDAW General recommendation No. 38 on trafficking in women and girls in the context of global migration

We would also like to recall that the right to marry only with one's free and full consent is recognized in the Universal Declaration of Human Rights (article 16(2)). Furthermore, we would like to draw the attention of your Excellency's Government to the provision of article 16 of the Convention on the Elimination of All Forms of Discrimination Against Women, which your Excellency's Government ratified in 1985, on the rights of women and men to freely choose a spouse, to enter into marriage only with their free and full consent and to have the same rights and responsibilities during the marriage and at its dissolution. Article 6 also recognizes that trafficking constitutes a violation of human rights and establishes State obligations in this regard.

We would also like to refer to S/RES/2427 (2018), raising concern on "the human rights abuses and violations of international humanitarian law committed by all non-state armed groups, including those who commit acts of terrorism, including abuses and violations such as mass abductions and sexual and gender-based violence (...)", and S/RES/2467 (2019), noting that sexual violence in armed conflict and post conflicts situations disproportionately affect women and girls but can target men and boys too.

Moreover, we would like to recall the obligations set out in the Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery which Nigeria ratified on 26 June 1961.

We would also like to draw your attention to the report of the Special Rapporteur on trafficking in persons, especially women and children on her visit to Nigeria from 3 to 10 September 2018, (A/HRC/41/46.Add1), which stresses that prevention strategies aimed at addressing the root causes of trafficking, such as poverty and unemployment, gender inequality and discrimination, and factors that increase vulnerability to trafficking, should also be strengthened. In terms of protection, while it is commendable that identification is institutionalized through a formal referral system, better coordination is needed between the National Agency for the Prohibition of Trafficking in Persons (NAPTIP) and service providers, border guards and law enforcement.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the urgency of the matter, we would appreciate a response on the initial steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person(s) in compliance with international instruments.

As it is our responsibility, under the mandates provided by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above-mentioned allegations.
2. Please indicate what measures are in place to ensure that all children in Nigeria, in particular those residing in areas of heightened insecurity, have access to a safe environment for their education.
3. Please provide details, and where available the results, of any investigations, prosecution or criminal charges, medical examination, and other inquiries carried out in relation to the allegations.
4. Please indicate whether all the children abducted in the 11 December 2020 incident have been reunited with their families and have access to medical, psychological, social and legal assistance, and other support needed.
5. Please provide detailed information on any measures taken to ensure that affected children and their families are compensated for the harm suffered.
6. Please indicate what efforts are being made by your Excellency's Government in order to ensure the release of those abducted on 17 February 2021.
7. Please indicate the steps that your Excellency's Government has taken, or is considering to take, to prevent and combat sexual and gender-based violence, and measures to guarantee access to sexual and reproductive health and services for women and girls, including termination of pregnancy in cases of rape;
8. Please kindly also indicate what measures have been taken to combat violence and mass abductions in Northern Nigeria, including or any measures taken to prevent their recurrence, to ensure a protective environment for all including children, and to prevent re-trafficking or further risks of trafficking and of other forms of exploitation.
9. Please kindly specify what measures have been taken to guarantee victims' access to justice and remedy and to ensure that they are able to lodge complaints in safe and enabling environments without fear of threats, intimidation, retaliation and harassment of any sort, and by means of child-friendly justice procedures.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person responsible for the alleged violations.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

Siobhán Mullally  
Special Rapporteur on trafficking in persons, especially women and children

Koumbou Boly Barry  
Special Rapporteur on the right to education

Mama Fatima Singhateh  
Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material

Tomoya Obokata  
Special Rapporteur on contemporary forms of slavery, including its causes and consequences

Dubravka Šimonovic  
Special Rapporteur on violence against women, its causes and consequences

Elizabeth Broderick  
Chair-Rapporteur of the Working Group on discrimination against women and girls