



**Witchcraft Stigmatisation and Children's  
Rights in Nigeria**

**Report prepared for the 54th Session of the  
UN Committee on the Rights of the Child  
Geneva, May 2010**

**by**

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**Lancaster, December 2009**



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## Stepping Stones Nigeria

Stepping Stones Nigeria was established in 2005 and is a grassroots charity dedicated to supporting the rights of vulnerable and exploited children, such as the so called 'child witches' and 'wizards' of the Niger Delta. Working with local community organizations, we deliver education, shelter, healthcare and hope for a brighter future. Through advocacy and research we campaign passionately at a local, national and international level to put a stop to the abuse of innocent children.

We see a world where every child is free. By focusing our efforts in the Niger Delta we hope to establish an effective model to eradicate the stigmatisation of children as 'witches' and 'wizards', while inspiring and supporting others elsewhere in similar circumstances.

Our approach focuses on four main themes:

1. **Street Children:** Working with the Child Rights and Rehabilitation Network (CRARN) and our sister NGO, Stepping Stones Nigeria Child Empowerment Foundation (SSNCEF), to protect, save and transform the lives of children who have been stigmatised as being witches.
2. **Education:** Supporting the Stepping Stones Model School and the Bebor International Model Schools to provide an outstanding level of education to orphans and disadvantaged children.
3. **Literacy:** Training and resourcing primary school teachers in the use of synthetic phonics in order to significantly raise literacy levels.
4. **Advocacy and Campaigning:** Advocating for child rights at a local, regional, national and international level through our Prevent Abuse of Children Today (PACT) campaign.

## **Executive Summary**

Stepping Stones Nigeria is extremely concerned about the high numbers of Nigerian children who are stigmatised as witches and subsequently tortured, abused, abandoned and even killed as a result of this harmful traditional belief. Children who suffer witchcraft stigmatisation face discrimination on numerous levels as well as suffering from significant physical, emotional, psychological and spiritual harm. Witchcraft stigmatisation therefore has far-reaching negative implications for the enjoyment of a range of children's rights, including the rights to be free from abuse and neglect, from torture and inhuman and degrading treatment, and for the right to education and the right to family life.

Incidences of child witchcraft stigmatization are increasing, particularly in the Niger Delta region where Christianity combines with traditional religions to create a culture rife with superstition and blame. Although Stepping Stones Nigeria recognises the belief that children can be witches is not solely advocated and encouraged by church leaders, we are disturbed by the volume of reports we receive of children suffering harm following witchcraft stigmatisation which first occurred during a church service.

Stepping Stones Nigeria is also particularly concerned by the widespread popularity of certain 'Nollywood' films which promote the belief in child witchcraft. Stepping Stones Nigeria considers that these films have significantly contributed to the increase of child witchcraft stigmatization and resultant abuse, both in Nigeria and in other areas of Africa where such films are gaining increased attention.

Stepping Stones Nigeria respects and upholds the right to freedom of religion and to freedom of expression, but believes that under no circumstances should the enjoyment of these rights be permitted to compel or to justify the violation of children's rights.

The negative impact of child witchcraft stigmatisation on the enjoyment of children's rights has thus far received extremely little or no attention from national and international bodies. Whilst there have been some attempts from States within Nigeria, particularly in the Akwa Ibom State, to begin to address this problem, far greater commitment and allocation of resources is required in order to comprehensively eradicate child rights abuses linked to witchcraft stigmatisation. Fundamentally, Nigeria must adopt a holistic approach to combating the abuse of children's rights resulting from witchcraft stigmatization. Nigeria must recognise that being stigmatized as a witch affects the enjoyment by the child of a range of rights, and that there is a need for integrated policies at the national, state and community levels to address this.



**Stepping Stones Nigeria therefore makes the following key recommendations:**

1. The State Party must ensure that both child witchcraft stigmatization and any resultant abuse are criminalised under national and state legislation, and that any incidences of these are investigated and punished in a thorough and robust manner.
2. The State Party must ensure that any incidences of torture (both physical and psychological), arbitrary killings, abuse, neglect and abandonment of children who have been stigmatized as witches are properly investigated and punished, in order to entirely eradicate these practices, as a matter of urgency.
3. The State Party must make every effort to end all types of discrimination against children who are stigmatized as witches and must ensure that any incidences of this are properly investigated and punished.
4. The State Party must work sensitively to address the cultural belief in child witchcraft. In particular, it must regulate churches, including the closure of those found to be carrying out child witch stigmatisation and abuse, and ensure the arrest of the perpetrators. The State Party must require churches to adopt robust child protection policies and produce annual audited accounts, and all church leaders should receive in-depth theological training from verified bible schools. Such leaders should also be made to sign statements of commitment to promoting and protecting children's rights.
5. The State Party must ensure that those 'Nollywood' films which espouse the belief in child witchcraft are regulated appropriately. The Nigerian Film and Video Censors Board must be aware that films both reflect and influence culture and must centralise the protection of children's rights when certifying films for release.
6. The State Party must ensure that appropriate, sensitive and effective systems are in place which encourage and enable children who have suffered abuse of their rights as a result of been stigmatized as witches to make a complaint to the relevant authorities. It must ensure that its law enforcement and judicial authorities then deal with these complaints in an appropriate and effective manner.
7. The State Party must provide children who have suffered abuse as a result of witchcraft stigmatisation with appropriate alternative care, including

properly trained staff who will address all aspects of the abuse, including emotional and psychological trauma, in order to achieve effective rehabilitation of the child.

8. The State Party must recognise that there is an urgent need for greater awareness of the wide range of negative effects that the belief in child witchcraft has on children's enjoyment of their rights. The State Party must undertake comprehensive research concerning this phenomenon, and its causes and effects, which should also include identification of particularly vulnerable groups, including street children, children with disabilities and children at risk of trafficking.
9. The State Party must make greater efforts to increase public awareness of children's rights, particularly including children who have been stigmatized as witches, through education and enlightenment campaigns. Information on children's rights should form part of the school curriculum.
10. The State Party must ensure that communities receive specific education in order to demystify the common medical conditions and diseases that are considered to be signs of witchcraft, particularly malaria, HIV/AIDS, diarrhoea and mental health conditions such as autism. Such education programmes should particularly focus on the areas in which child witch stigmatisation is most widespread.

## Introduction

This report is specifically concerned with the failure of Nigeria to comply with its obligations under the UN Convention on the Rights of the Child (UNCRC) in relation to abuses of children's rights resulting from child witchcraft stigmatization. Despite burgeoning incidences of child witchcraft-related abuse across Nigeria and notwithstanding significant efforts by NGOs to address this issue, including public awareness campaigns, there is no mention of this problem in the State report submitted by Nigeria. Several other harmful traditional beliefs (such as Female Genital Mutilation) which may have a negative impact on children's enjoyment of their rights are discussed within the State report, but the absence of any discussion of child witchcraft-related abuse reflects a lack of awareness within the Nigerian government of the scope and severity of the abuse of children's rights stemming from witchcraft stigmatization. The absence of State discussion of this issue also underlines the importance of the following report.

The belief in child witches is widespread throughout Nigeria and children are particularly vulnerable to accusations of witchcraft and the resulting stigmatization. There have been reports of child witchcraft stigmatization from many areas of Nigeria including Akwa Ibom, Abia, Cross Rivers, Delta, Bauchi, Edo and Kaduna States, which demonstrates that this problem is not just confined to one area. The general belief is that certain people possess a mystical power which enables them to separate their soul from their physical body whilst asleep at night and enter into the spirit or witchcraft world. In this world it is thought that the soul takes the form of an animal where it will then cause all manner of unimaginable horrors and destruction. It is also believed that witchcraft spells are transferred between children, often passed through food or sweets.<sup>1</sup>

In these modern-day accusations of witchcraft, Christian teachings combine with traditional beliefs and practices. Pastors of a minority of churches including both Pentecostal Revivalist churches and more mainstream denominations are frequent perpetrators of witchcraft-related abuse, often stigmatising children during services and then charging parents large sums of money to extract a 'confession' from the child and exorcise their 'possession'. Such exorcisms and confessions often entail subjecting children to horrific abuse, which at times amounts to torture.<sup>2</sup>

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<sup>1</sup> Foxcroft, G. (2009) Witchcraft Accusations: A Protection Concern for UNHCR and the Wider Humanitarian Community, Stepping Stones Nigeria:2

<sup>2</sup> See sections 4 and 5 below.

Some prominent churches have produced a number of publications about witchcraft.<sup>3</sup> One book includes advice for parents on how to identify whether or not their child is a witch, saying “a child under two years of age that cries at night and deteriorates in health is an agent of Satan”.<sup>4</sup> These sorts of writings foster a climate of fear and doubt which immediately puts children in a vulnerable position. Some ‘Nollywood’ (the Nigerian domestic film industry) films, which are immensely popular in Nigeria, also disseminate and promote the belief in child witches.<sup>5</sup> Some Pentecostal churches are involved in the production of these films; for example, one church produced perhaps the most well-known movie of this genre entitled ‘End of the Wicked’. There have been instances of other countries noting the influence of Nollywood films and linking this to an increase in the practice of witchcraft accusations and abuse.<sup>6</sup>

This situation could be interpreted as a clash between the rights to freedom of religion and freedom of expression and the rights of children. However, it is a well-established principle within international human rights law that the enjoyment of human rights must not be achieved by methods which require the abuse of other rights.<sup>7</sup> Therefore, whilst Stepping Stones Nigeria respects and upholds the rights to freedom of religion and freedom of expression, under no circumstances must these be allowed to justify the abuse of the human rights of children. Whilst an individual has the right to believe whatever he or she chooses to, this must never compromise the safety or wellbeing of a child. Although Stepping Stones Nigeria recognises the right to believe in witchcraft, we are deeply concerned about the strong link between the belief and the abuse of innocent children. This is also the case with freedom of speech where there is a link between preaching and teaching and the actions of parents and pastors towards children. Where a belief infringes the inherent rights of children, it must be restricted.

Stepping Stones Nigeria believes that there is a clear link between poverty and witchcraft accusations. Many people in Nigeria attribute unfortunate events to the ‘spirit world’ rather than other causes such as climate change, environmental disasters or disease. Children from poor and deprived communities or from families which have experienced deaths or marital breakdown are those most at risk of witchcraft stigmatisation. It is also common for already marginalised children to be

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<sup>3</sup> See Appendix 1

<sup>4</sup> Ukpabio, H (date unknown), Unveiling the Mysteries of Witchcraft, Liberty Gospel Foundation

<sup>5</sup> See Appendix 1

<sup>6</sup> Njoku, B ‘Nollywood celebrates witchcraft, voodoo, say Kenyan film makers’, Vanguard, 24 October 2009

<sup>7</sup> Committee on Economic, Social and Cultural Rights, General Comment 12: The right to adequate food, 12 May 1999, para. 8; Declaration on the Rights of Indigenous Peoples, Article 46(2)

stigmatised as witches. Children with disabilities and those with less 'normal' personalities are particularly vulnerable. This means that they experience an added layer of discrimination in their already difficult lives.

The key objective of this report is to promote awareness both within the Committee and within the State Party of the type and degree of abuse of the rights of children resulting from or in other ways linked to accusations of witchcraft and stigmatisation of the child as a witch. The further aim of this report is, by making such abuse more widely recognised and by submitting a series of recommendations on how to address it, to help the State Party to take clear steps to respect and protect the rights of all children within Nigeria, specifically including those who have been stigmatised as witches.

This report is primarily based on data drawn from evidence from children who have been stigmatized as witches and on the direct personal experiences of Stepping Stones Nigeria personnel and our partner organisations in Nigeria. It also draws upon other organisations' and states' experiences of witchcraft-related human rights abuse.

## **1: General measures of implementation (arts. 4, 42 and 44 (para. 6) of the Convention)**

### ***1.1: Legislation***

Stepping Stones Nigeria is pleased to note that the Child Rights Act (CRA) has been enacted by 23 states within Nigeria and we especially welcome the recent enactment of the CRA in Akwa Ibom and Cross River states. This is a significant piece of national legislation regarding children's rights, and reflects many of the principles of the UNCRC. However, Nigeria must now encourage those states that have not yet done so to ratify the CRA. In addition to this, Nigeria should ensure full implementation and enforcement of the CRA within those states that have ratified it across all sectors of society including law enforcement agencies, the judiciary, the church community and the education system. The State Party should be aware that these organisations may need training and assistance in order to guarantee that the legislation is implemented appropriately and effectively.

Stepping Stones Nigeria is particularly pleased that in December 2008 the Akwa Ibom State Government both enacted the CRA and added a clause to the CRA making it illegal to stigmatise children as witches. This additional clause makes this

punishable with an imprisonment of 10 to 15 years without any option of a fine.<sup>8</sup> This is particularly welcome as Akwa Ibom is a state which has seen a large number of witchcraft accusations made against children in recent years. It is hoped that Akwa Ibom will act as a model for other states who will follow suit in making it illegal to stigmatise children as witches. The Akwa Ibom State Government should be applauded for the steps it has taken in this regard. It should be encouraged to continue this work through implementing the CRA and ensuring that appropriate arrests and prosecutions are made of those found to be carrying out child witchcraft stigmatisation and abuse.

However, it is vital that provisions on the illegality of stigmatising children as witches are included in all relevant legislation at both the Federal and State government levels. The Federal Government should, as a matter of urgency, encourage State Governments to add an additional clause to the CRA to this effect, particularly in those States known for child witchcraft stigmatisation. The State Party must also ensure that any legislation concerning the illegality of child witchcraft stigmatisation is implemented rigorously to ensure that the mere enactment of legislation is not perceived as having adequately addressed the issue.

### ***1.2: Coordination***

There is a lack of coordination between the Government, law enforcement agencies and NGOs with regards to the issue of child witchcraft stigmatisation. There is little evidence of training being given to the police, the judiciary and to social services on the significance of the CRA, and especially on those provisions which relate to child witchcraft stigmatisation. There is also scant indication that significant resources are being specifically directed towards addressing the problem of child witchcraft stigmatisation. In consequence, it is primarily left to NGOs to address the need for care of children abused and abandoned as a result of child witchcraft stigmatisation.

In order for the State Party to demonstrate full commitment to child rights it must input resources and training to appropriate organisations in order to provide better care for those children suffering breaches of their rights as a result of being stigmatised as witches. In addition, it is essential that resources are put into awareness-raising campaigns aimed at challenging the abuse and stigmatisation of so-called child 'witches'. Billboards, community education, drama workshops and media advertisements all play a key role in challenging community perceptions of the child and helping to increase awareness of the CRA.

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<sup>8</sup> Akpan-Nsoh Uyo, I and Hakeem, S, 'Child-Witch: Akpabio Outlaws Stigmatisation of Children', The Guardian, 7 December 2008

### **1.3: National Plan of Action**

Whilst Stepping Stones Nigeria welcomes the recognition within the National Plan of Action that ‘harmful cultural practices/beliefs and myths represent a challenge to children’s rights’,<sup>9</sup> we are concerned that there is no direct reference to the specific issue of child witchcraft abuse within the Plan. We are pleased to note that a lack of adequate implementation of the CRA is recognised as a significant challenge and also that faith based organisations and institutions are perceived as a group requiring enlightenment with regards to children’s rights. However, we are concerned that the Plan of Action does not go far enough. An additional goal within the Plan of encouraging States to prohibit and punish child witchcraft stigmatisation would go some way to combating this problem.

### **1.4: Independent monitoring**

Due to the widespread abuse of children stigmatised as witches, Stepping Stones Nigeria urges close monitoring of the implementation of the Child Rights Act. Whilst we welcome the establishment of the Special Rapporteur on Children within the National Commission on Human Rights, we recommend that their mandate should explicitly include the investigation and monitoring of abuses of children’s rights resulting from witchcraft stigmatisation.

### **1.5: Data collection**

There is a significant lack of data within Nigeria’s report on child witchcraft-related abuse. Evidence from national NGOs suggests that these abuses are not isolated incidents but are the result of a wider systemic failure to protect and uphold the rights of children who have been stigmatised as witches. The Child Rights and Rehabilitation Network (CRARN), working in Akwa Ibom State, are currently full to capacity with over 200 children, the majority of whom have been stigmatized as witches, in their care.<sup>10</sup> They receive new cases on an almost daily basis. CRARN estimate that 4-6 children each day are abandoned or abused due to the belief that they are witches or wizards.<sup>11</sup>

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<sup>9</sup> National Action Plan for the Promotion and Protection of Human Rights in Nigeria: 2009-2013, (2009), Federal Republic of Nigeria: 94

<sup>10</sup> <http://www.crarn.org/whatwedo.html>

<sup>11</sup> <http://www.crarn.org/camp.html>

Similarly, the Stepping Stones Nigeria Child Empowerment Foundation (SSNCEF), which works with street children in Oron Local Government Area, reports that 85% of all children they encounter on the streets are there because of witchcraft related abuse.<sup>12</sup> During visits to Nigeria, Stepping Stones Nigeria's Programme Director, Gary Foxcroft, regularly encounters children lying on the streets or in forests, either dead or in enormous pain, having been abandoned by parents and communities due to the belief that they are witches. Many of these children die alone, never receiving care from NGOs or the State. By way of example, Abia State is witnessing a growing number of street children who have been stigmatised as witches in Akwa Ibom and Cross Rivers states and then dumped on the streets of Abia. Here they are frequently crushed in hit and run incidents, kidnapped or forced into prostitution.<sup>13</sup>

Stepping Stones Nigeria is particularly concerned that there are no official statistics documenting child witchcraft stigmatisation and abuse. There is a need for far greater awareness of the scale and nature of this issue within the Nigerian Federal and State governments if the abuse of children's rights resulting from witchcraft stigmatisation is to be prevented. Therefore, we recommend that the State Party makes a concerted effort to collect specific statistics on these children through visiting communities, NGOs, orphanages and the streets as well as the police in order to get a more accurate picture of the extent of this type of abuse. These statistics should then be made publicly available so as to better inform the public and other key stakeholders.

### ***1.6: Dissemination***

The State has an obligation under Article 42 of the UNCRC to make the principles and provisions of the UNCRC widely known to adults and children alike.

Stepping Stones Nigeria is concerned that children in Nigeria are largely unaware of their rights, and of how to claim them. This is exacerbated by the Nigerian perception of the child and of their place in the social hierarchy.<sup>14</sup> Where adults abuse their position of authority, children must be made aware both that they have rights, and of how to make their voices heard in order to secure protection.

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<sup>12</sup> Stepping Stones Nigeria Child Empowerment Foundation (2009) Situational Analysis of Street/Abandoned Children in Oron, Akwa Ibom State: 4

<sup>13</sup> Onuoha, C. 'Little 'witches' Kids ostracised from nearby towns regroup at Aba' Daily Sun, 15 August 2009

<sup>14</sup> See also section 3 below



Stepping Stones Nigeria acknowledges the initiatives set out in the 2008 State Report with regard to the popularisation of human rights.<sup>15</sup> However, we are concerned that these have not been properly implemented, particularly in rural settings, and that children who have been stigmatised as witches suffer such discrimination that they are unable to receive adequate rights education.

Education and enlightenment campaigns are essential for the continual fulfilment of children's rights. In particular, resources are required to ensure that information on children's rights is incorporated into the education system and children who have been victims of abuse as a result of being stigmatised as witches are given greater assistance in making complaints to the appropriate agencies.

Citizenship lessons are a useful way of teaching children about their rights. Stepping Stones Nigeria's partner CRARN spends time with the children giving them this information, but this is done with children who have already been abused. It is vital that a more proactive approach, which provides this information to children at an early stage, is developed and implemented by the State Party. Stepping Stones Nigeria is currently developing packs for use in schools, to teach Nigerian children about their rights under the UNCRC and CRA. However, Stepping Stones Nigeria recommends that it be the State who funds and facilitates this initiative in order to deliver a coherent and coordinated response and to demonstrate a commitment to this issue.

In addition to children, communities also require education and enlightenment in order that they too are aware not only of their rights but the rights of their children and they understand the commitments Nigeria has made to protecting children. However, it might also be that during these education sessions, other vulnerable groups such as elderly women or people with disabilities who may be at risk of abuse, including witchcraft-related abuse, become informed about their rights. These education and enlightenment programmes must emphasize that religious beliefs and traditional practices must not require the abuse of children's rights. Although Stepping Stones Nigeria is not pressing for a complete eradication of traditional practices, even the National Action Plan 2009 raises these as a potential obstacle for the fulfilment of children's rights.<sup>16</sup> Under no circumstances must these practices be allowed to trump the fundamental rights of children.

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<sup>15</sup> Federal Ministry of Women's Affairs & Social Development (May 2008) Convention on the Rights of the Child, Nigeria's 3<sup>rd</sup> and 4<sup>th</sup> Country Report: Page 11: Sections (b) and (c)

<sup>16</sup> National Action Plan for the Promotion and Protection of Human Rights in Nigeria 2009-2010, Section 8.2.4: 94

## **2: General principles (articles. 2, 3, 6 and 12 of the Convention)**

### **2.1: Non-discrimination**

Article 2 of the UNCRC identifies that the state is obliged to respect and ensure children's rights without discrimination of any kind, and to protect the child from discrimination by others. The Committee has previously expressed its concern that particular vulnerable groups continue to face widespread and serious discrimination, and at the lack of information provided by the State Party concerning the actual enjoyment of the principle of non-discrimination by children in Nigeria.<sup>17</sup>

The UN Special Rapporteur on extrajudicial, summary or arbitrary executions has identified that accusations of witchcraft often lead to "serious and systematic forms of discrimination".<sup>18</sup> Those children within Nigeria who have been stigmatized as witches or wizards face serious violence and persecution such as: severe beatings; burns caused by fire and acid; poisoning by a local berry; parents or communities attempting to bury them alive; abandonment in forests or on the streets; rape; torture and trafficking for the purposes of forced labour and sexual exploitation. Furthermore, the long-term discrimination facing a child stigmatized as a witch can be devastating. Examples of this include:

- Being denied access to medical treatment.<sup>19</sup>
- Being denied access to schooling.<sup>20</sup>
- Being denied access to the job market, particularly for those children excluded from education or who are living on the streets.
- Being denied access to family life, due to exclusion and abandonment.
- Being denied access to and participation in a local community.
- Being denied access to religious freedom.

This illustrates that there is far-reaching social stigma and exclusion stemming from witchcraft stigmatization. The child becomes isolated from their family and community, becomes unable to socialise with their peers and is unable to experience the usual enjoyments of childhood. This may have a long term negative psychological

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<sup>17</sup> Committee on the Rights of the Child, Concluding Observations: Nigeria CRC/C/15/Add.257, 2005, Para 29

<sup>18</sup> Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, A/HRC/11/2, 27 May 2009, para. 51

<sup>19</sup> SSNCEF reported at least four children who had been stigmatised as witches who had in the last six months been denied medical treatment from at least one facility.

<sup>20</sup> Parents of pupils at the Stepping Stones Model School (SSMS) refused to send their children to school with children stigmatised as witches. In light of this CRARN set up a school in which to educate the children they accommodate and care for.

effect on the child. Discrimination resulting from stigmatization as a witch clearly affects the child's enjoyment of many other rights.

It is also important to note that children from already vulnerable groups, such as those with disabilities, or suffering from common illnesses,<sup>21</sup> are particularly at risk from the additional discrimination resulting from witchcraft stigmatization. Witchcraft stigmatization thus also enhances pre-existing forms of discrimination suffered by children in Nigeria.

Although the State report notes many initiatives designed to tackle discrimination against children<sup>22</sup> it does not mention any specific initiatives designed to address the problem of discrimination against children who have been stigmatised as witches. This again demonstrates a distinct lack of awareness amongst Government officials of the prevalence and importance of this issue.

#### **2.1.1: Recommendations:**

- (a) The State Party must recognise children who have been stigmatized as witches or wizards as a distinct vulnerable group at risk of and subject to serious discrimination, and must take measures to protect such children from discrimination. These measures should include public awareness campaigns that focus on outlining the legal consequences of stigmatisation.
- (b) The State Party must make a concerted effort to reverse discrimination against children stigmatized as witches through ensuring the direct provision of services to affected children as well as community education and enlightenment campaigns. Emphasis should be placed on demystifying the common medical conditions that are often considered to be the work of witchcraft.
- (c) The State Party should undertake studies of the links between discrimination resulting from witchcraft stigmatization and other forms of discrimination, and particular at risk groups should be identified.
- (d) The State Party should include information on the measures taken to address the discrimination faced by children stigmatised as witches in its next periodic report to the Committee.

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<sup>21</sup> See section 5.1 below

<sup>22</sup> Federal Ministry of Women's Affairs & Social Development (May 2008) Convention on the Rights of the Child, Nigeria's 3<sup>rd</sup> and 4<sup>th</sup> Country Report Para 3.3.1

## **2.2: Right to life**

Article 6 of the UNCRC identifies the inherent right to life of the child. The state is obliged not only to prevent and punish the arbitrary deprivation of life by its own security forces but also that resulting from the criminal activities of third parties.<sup>23</sup> It is also required to adopt a due diligence approach to the prevention of arbitrary killings resulting from stigmatisation as a witch.<sup>24</sup>

The Committee has previously recognised that murder is a potential consequence of stigmatisation as a witch.<sup>25</sup> As the Special Rapporteur on extrajudicial, summary or arbitrary executions has identified, “being classified as a witch is tantamount to receiving a death sentence”.<sup>26</sup>

Within Nigeria, the right to life of children stigmatised as witches has been persistently violated and the State has failed in its obligation to protect such children from the abuse of this right. Children who have been stigmatised as witches are frequently killed by either their parents or pastors during the course of activities designed to extract a confession of witchcraft or to drive out the spirit of the witch from the child. Such children may be subject to a variety of poor treatments leading to death, including severe beatings, burning by fire or acid, starvation, forced ingestion of poison or dangerous chemicals and being buried alive. There has been a failure by the State to investigate and punish such behaviour which cannot continue given the extent to which killings of children stigmatised as witches occurs in practice.

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<sup>23</sup> Committee on Civil and Political Rights, General Comment 6: The Right to Life, 30 April 1982, para 3

<sup>24</sup> Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, A/HRC/11/2, 27 May 2009, para. 57

<sup>25</sup> Committee on the Rights of the Child, Concluding Observations: Angola, CRC/C/15/Add.246, 3 November 2004, para 30

<sup>26</sup> Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, A/HRC/11/2, 27 May 2009, para. 43

### **Case Study (1)**

*In September 2009, a young boy was found dead on the side of the road near a market place. He had holes in his skull caused by nails or similar objects; he was bruised and beaten and his body was covered in maggots who feasted on his wounds. The boy had been branded a witch and accused of killing his mother by members of his community who then proceeded to commit gross violations of human rights through torture and abuse. Following his ordeal, the boy managed to stagger to the nearby market place where he fell into unconsciousness. Two days later, as his body began to smell heavily, market traders moved him to the side of the road as they were concerned the stench would put customers off. The boy died, alone and in pain. Perhaps the most disturbing news about the case was the sheer number of people who saw the boy and refused to offer aid or assistance. He received no medical care and no sympathy. This is not just a case of one individual exerting abuse, but large sections of a community choosing to ignore the welfare of a young and innocent child. Perhaps most significantly, the boy died just steps away from a police checkpoint and close to the Mbo Local Government Secretariat and the Child Welfare Unit. As yet there have been no reported arrests or prosecutions linked to the boy's death.*

Whilst we recognise that although states such as Akwa Ibom are beginning to make some welcome steps to eradicate this abuse, there is much work still to be done.

#### **2.2.1: Recommendations:**

- a) The State Party must identify the prohibition of arbitrary killings of children resulting from witchcraft stigmatization as a key goal. This should be expressed both through legislation and through public awareness campaigns.
- b) The State Party must ensure that any such killings are properly investigated and punished. This must include any killings of children resulting from 'exorcism' or 'deliverance' ceremonies.
- c) The State Party must also criminalise, investigate and punish any activities which incite or encourage the arbitrary killing of children as a result of witchcraft stigmatization.

### **2.3: Best interests of the child and respect for the views of the child**

Article 12 of the UNCRC assures, to every child capable of forming his or her own views, the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with age and maturity. This has been identified as one of the fundamental values of the UNCRC,<sup>27</sup> and requires forms of child participation based on the principle of mutual respect between adults and children.<sup>28</sup>

This is, however, a right which can face cultural opposition, as has been identified by the Committee.<sup>29</sup> We recognise that this is a particular problem for the State Party due to the traditional Nigerian perception of the child which places them at the bottom of the social hierarchy, with obedience and respect for adults being paramount.<sup>30</sup>

The stigmatization of children as witches encourages particular abuse of their right to be heard. Rather than identifying children as autonomous agents with rights of participation, stigmatising children as witches removes their identity as human beings and demonizes and objectifies them. The stigmatisation of child witches effectively stifles any chance for their voices to be heard both at the local and national levels. Furthermore, where children who have been stigmatized have denied involvement in witchcraft, or attempted to speak out in order to exercise their right to be heard, they have generally become more likely to suffer abuse.

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<sup>27</sup> Committee on the Rights of the Child, General Comment 12: The right of the child to be heard, CRC/C/GC/12, para 2

<sup>28</sup> Committee on the Rights of the Child, General Comment 12: The right of the child to be heard, CRC/C/GC/12, para 3

<sup>29</sup> Committee on the Rights of the Child, General Comment 12: The right of the child to be heard, CRC/C/GC/12 para 4; Committee on the Rights of the Child, Concluding Observations: Nigeria CRC/C/15/Add.257, 13 April 2005, para 34

<sup>30</sup> Child Rights Act Part 2, Section 19(b)

**Case study (2):**

*A twelve year old boy was found in bush land, trying to eat the fruit of a palm tree. He was naked and covered in cuts and what looked like chemical burns. CRARN took him to hospital for treatment and he has been living at CRARN ever since. The boy explained that that his father had been ill and went to church for help. The pastor of the church eventually certified the boy and his younger sister as a wizard and witch respectively. Whilst his sister “accepted” the accusation and so was spared ill-treatment, the boy refused to accept the charge and was beaten by the pastor. The father died a few days later. The boy said that he remembered being in the house and eating something and then the next thing he knew he was by the side of the road, covered in injuries. Sam, the President of CRARN suspects that the boy was drugged and beaten by the pastor and he’s keen to see the pastor arrested. However, as the area where this incident occurred is notorious for witchcraft, Sam thinks they will need to go to State command to get police officers from there as local police officers are unlikely to comply with the request. This is because the local police officers will almost always defer to the views of an adult over those of a child even where the child’s rights are clearly being abused.*

We welcome the State party’s attempts to encourage higher levels of child participation through the development of legislative instruments.<sup>31</sup> However, General Comment 12 specifically supports a wide interpretation of ‘matters affecting the child’.<sup>32</sup> Neither the Child Rights Act<sup>33</sup> nor the State Report<sup>34</sup> develop the concept of child participation to reflect this broad understanding, making specific reference only to the right to be heard for children in judicial proceedings, and for children in need of special protection. There needs to be greater recognition that all children have the right to be heard and to participate in all matters that affect them.

It is essential that children who have been stigmatized as witches are able to exercise their right to be heard. If their voices are stifled or ignored, the true extent of the abuse that they have suffered cannot be recognised and addressed. In particular such children must feel empowered to make a complaint if they have suffered abuse as a result of being witchcraft stigmatisation. If children do not feel able to make a complaint, or think that their complaint will not be taken seriously or will result in

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<sup>31</sup> Federal Ministry of Women’s Affairs & Social Development (May 2008) Convention on the Rights of the Child, Nigeria’s 3<sup>rd</sup> and 4<sup>th</sup> Country Report Section 3.4

<sup>32</sup> Committee on the Rights of the Child, General Comment 12: The right of the child to be heard, CRC/C/GC/12, para 27

<sup>33</sup> Child Rights Act, Section 16 (1) and (2)

<sup>34</sup> Federal Ministry of Women’s Affairs & Social Development (May 2008) Convention on the Rights of the Child, Nigeria’s 3<sup>rd</sup> and 4<sup>th</sup> Country Report, Section 3.5

further abuse, the perpetrators of abuse will not be brought to justice and the abuse will continue.

It is vital that such children are able to trust State agencies so that at times when they are ignored within a community, they will have a safe haven to go to where their views will be heard and acted upon. Professionals employed by the state, particularly law enforcement agencies and professionals within the education system and social services therefore have an essential role regarding the fulfilment of this right.

### **2.3.1: Recommendations:**

- (a) The State Party must do everything in its power to combat traditions which seek to stifle the voice of the child. Children, particularly those suffering discrimination such as witchcraft stigmatisation, should be actively encouraged to express their views in matters that affect them.
- (b) The State Party should provide training on how to ensure full participation by children in matters that affect them to all professionals who work with children, including in particular those who would work with children who have been stigmatized as witches, such as the police, teachers, doctors, and social workers. Such professionals should be trained to be specifically aware of children within a community who may not have their voices heard, particularly children suffering forms of discrimination resulting from witchcraft stigmatisation.
- (c) The State Party must ensure that children are aware of how and to whom they can make a complaint if they suffer witchcraft stigmatisation.
- (d) The State Party must ensure that the context in which children make a complaint regarding witchcraft stigmatisation is enabling and encouraging. The process must be child-centred, unthreatening and oriented to encouraging the child to participate. The person to whom the child makes a complaint must have received specialist training. This is especially important when the child had suffered physical and/or mental abuse as a result of witchcraft stigmatization.
- (e) The State Party must ensure the child victim is not re-victimised in legal proceedings and that his/her her privacy is protected. Children should be made aware of the protection that they will receive following a complaint.
- (f) The State Party should commission independent research to discover how comfortable children feel about reporting cases of abuse to law enforcement



agencies or other State authorities, and to identify child-centred improvements to procedures.

- (g) The State must give due attention to overcoming socio-cultural barriers, especially the submission and acceptance of maltreatment of girls and women, which inhibit them from seeking assistance.

### **3: Civil rights and freedoms (arts. 7, 8, 13-17 and 37 (a) of the Convention)**

#### **3.1: Torture**

Under Article 37(a) of the UNCRC the State has an obligation to uphold the child's fundamental right to freedom from torture, or inhuman or degrading treatment. Nigeria has also undertaken further obligations concerning the right of children to be free from torture through its ratification of the International Convention on Civil and Political Rights<sup>35</sup> and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>36</sup> The prohibition of torture is recognized as a norm of customary international law having the status of *jus cogens*<sup>37</sup> and as such is considered one of the most fundamental principles of international human rights law.

Given the special status of the prohibition on torture under international law, it is particularly abhorrent that the right of children to be free from torture is frequently violated within Nigeria. The Committee has previously recognised that instances of cruel, inhuman and degrading treatment may result from accusations of witchcraft.<sup>38</sup> Numerous children in Nigeria have suffered torture and other cruel, inhuman and degrading treatment following witchcraft stigmatisation. These actions are undertaken by parents and pastors with the specific aims of extracting confessions of witchcraft and of forcing the spirit of the witch out of the child.

Stepping Stones Nigeria and its partner organisations have encountered children who have been stigmatised as witches and who have suffered the following abuse as a result:

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<sup>35</sup> Ratified on 29 July 1993

<sup>36</sup> Ratified on 28 June 2001.

<sup>37</sup> Committee Against Torture, General Comment 2: Implementation of Article 2 by States parties CAT/C/GC/2, 24 January 2008, para 1.

<sup>38</sup> Committee on the Rights of the Child, Concluding Observations: Angola, CRC/C/15/Add.246, 3 November 2004, para. 30

- Being severely beaten;
- Being chained and imprisoned;
- Being subjected to starvation;
- Being forced to participate in ‘exorcisms’ which can have a lasting negative psychological effect on the child;
- Being burnt with acid or fire;
- Being buried alive;
- Being poisoned or forced to ingest hazardous chemicals or other dangerous substances such as cement;
- Having nails driven into their heads;
- Being raped.

We welcome the enactment of new legislation within Nigeria protecting the right of children to be free from torture,<sup>39</sup> and also of Nigeria’s ratification of the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.<sup>40</sup> However, we remain concerned that these provisions are not being implemented in a robust manner. The State Report fails to provide any statistics on child victims of torture and/or cruel, inhuman or degrading treatment, or statistics on complaints made to the State concerning violations of this right. This demonstrates a lack of awareness of the prevalence of torture, cruel, inhuman or degrading treatment or punishment of children, which is especially relevant in relation to those stigmatized as witches.

Furthermore, we are particularly concerned that the State Party has failed in its obligation to protect the right of children to be free from torture, due to its failure to investigate accusations of torture and to punish those responsible. The CRARN centre houses over 200 children, the majority of whom have been stigmatised as witches and have suffered some form of abuse, abandonment or torture. One young boy had his arm severed and another girl was forced to sit on a fire in order to extract a confession of witchcraft. There have been no arrests or prosecutions in relation to any of these cases of abuse. In our experience and that of our partner organisations, given the large number of similar cases, there is a significant lack of resources directed to investigation, prosecution and punishment by law-enforcement agencies.

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<sup>39</sup> Child Rights Act, part 2, clause 11 (a), (b), (c), (d)

<sup>40</sup> Ratified on 27/07/2009.

### **3.1.1: Recommendations:**

- (a) The State Party must recognise that stigmatisation as a witch greatly increases the likelihood of a child suffering physical and/or psychological torture.
- (b) The State Party must implement national legislation which criminalises the torture of children in a robust and effective manner. Such legislation should include specific provisions concerning the prohibition of torture of children who have been stigmatised as witches. Specific legislation dealing with this issue has been implemented in Akwa Ibom state through the state level Child Rights Act.
- (c) The State Party must identify and investigate in a robust manner any instances of children suffering torture as a result of being stigmatised as witches, and must punish appropriately those persons responsible.
- (d) The State Party must also criminalise, investigate and punish any encouragement or incitement to torture a child who has been stigmatised as a witch.
- (e) The State Party should provide statistics on children who have suffered torture, or inhuman or degrading treatment, including within this a specific category for children who have endured this abuse as a consequence of being stigmatised as witches.

## **4: Family environment and alternative care (arts. 5, 18 (paras. 1-2), 9-11, 19-21, 25, 27 (para. 4) and 39 of the Convention)**

### ***4.1: Children deprived of a family environment and alternative care***

Firstly, under Article 20 (1) of the UNCRC the State is required to provide special protection and assistance to a child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment.

The Committee has previously expressed concerns regarding the high levels of abandonment of children within Nigeria.<sup>41</sup> The Committee noted that the State does not have comprehensive and well-resourced programmes for the protection of orphans and vulnerable children and the current facilities for alternative care of

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<sup>41</sup> Committee on the Rights of the Child, Concluding Observations: Nigeria, CRC/C/15/Add.257, para 42

children are both quantitatively and qualitatively insufficient. The report also identified that many children do not have access to orphanages, that staff receive inadequate training and that there is a distinct lack of a clear policy regarding alternative care.<sup>42</sup>

Children who have been stigmatised as witches are frequently abandoned or rejected by their parents. The majority of the children currently at the CRARN centre were abandoned following their stigmatisation as witches. Furthermore, where a child has been stigmatised as a witch and is suffering resultant abuse from their family, it may be in the best interests of the child to remove them from their family environment in order to protect them.

### **Case Study (3)**

*In Calabar three young girls were found tied up in their house and covered in burns. The youngest was just four years old and was beginning to faint with pain. The step-mother was attempting to extract a confession of witchcraft from the girls. They were found by the NGO, WYUP, who called the police. The step-Mother and father were eventually arrested and the girls were taken into a State orphanage which was under-resourced and over-subscribed.*

Abandonment resulting from witchcraft stigmatization is also a contributing factor to the numbers of street children.<sup>43</sup> Street children receive inadequate care and it is left to NGOs to provide food, clothing and education to these vulnerable children. There is huge social stigma attached to street-involved children, as most are in this situation as a result of witchcraft stigmatization. As a result, such children are not offered formal education and struggle to gain safe and legal employment. The lack of alternative care for children suffering from witchcraft stigmatisation, and street children in particular, can therefore have a long-term effect on the enjoyment of rights by the child.

Secondly, Article 39 of the UNCRC requires that States Parties take all appropriate measures to promote the physical and psychological recovery and social reintegration of a child victim of any form of neglect, exploitation, or abuse, or torture or any other form of cruel, inhuman or degrading treatment or punishment. The State is further required to ensure that the child's recovery and reintegration must take place in an environment which fosters the health, self-respect and dignity of the child.

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<sup>42</sup> Committee on the Rights of the Child, Concluding Observations: Nigeria, CRC/C/15/Add.257, para 42

<sup>43</sup> Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Philip Alston, A/HRC/11/2, 27 May 2009, para. 49(j). See also section 8 below

Children stigmatised as witches frequently experience psychological, emotional and spiritual abuse as well as physical suffering. They are rejected by their families and communities which erodes their sense of self. Often children are forced into making confessions of witchcraft which distorts their notion of truth and weakens their trust in adults. They therefore require specialist rehabilitation in addition to shelter, food and medicine.

The State Party is comprehensively failing to provide alternative care for children who have been stigmatized as witches. There is little information contained in the State report on the quality of services provided by State orphanages and care facilities. Due to the prevalence of witchcraft stigmatisation, State orphanages need to be better equipped to deal with these children with staff receiving proper training. State rehabilitation centres must be equipped and resourced to care for children who have been stigmatised as witches although these facilities must be monitored to ensure that they do not further stigmatise the children.

Resources must be put into community education to ensure that entire communities, and individual children in particular, are aware of the available options for alternative care. Street children must also be taught about these facilities, with a concerted effort made to ensure that these children are kept safe from harm.

There is no recognition within the State report of children who have been stigmatised as witches as a particular vulnerable group in need of specialist services. There is little evidence to suggest that abandoned, abused and street involved children are reintegrated back into communities. Policies and systems need to be developed for children who have been stigmatised as witches analogous to those provided by National Agency for Prohibition of Traffic in Persons (NAPTIP) as described in Section 5.3 of the State Report concerning rehabilitation, family reunification and counselling of children.

Facilities such as CRARN<sup>44</sup> which care specifically for children stigmatised as witches and subsequently abandoned should be given the resources to be able to expand their provision in order that children can experience healing and restoration as quickly as possible. It may be that in such cases, reunification is possible through community education, family mediation and other programmes aimed at reintegrating children back into the community. Parents should also be supported financially, due to the huge prevalence of children from poverty-stricken families who have been stigmatised as witches. Stepping Stones Nigeria has found that where families are helped to set up small businesses or given assistance with

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<sup>44</sup> Child Rights and Rehabilitation Network [www.crnarn.org](http://www.crnarn.org)

payment for education, witchcraft stigmatisations are reduced and children who have been abandoned are reintegrated back into the community.

This work will require a multi-disciplinary, holistic and integrated approach to child rights. It is not sufficient however, to have NGOs providing services to children who should be cared for by the State. The State must implement a diverse and wide-ranging approach to alternative care, recognising that different children will each have specific needs requiring a number of resources and facilities.

#### **4.1.1: Recommendations:**

- (a) The State Party must develop a clear policy with regards to alternative care for children who have been stigmatized as witches, with a variety of different accommodation and rehabilitation models being made available.
- (b) The State Party must ensure that those responsible for placing children into care receive robust training in child protection, identification of stigmatised children and family reunification.
- (c) The State Party must ensure that special facilities and resources including effective rehabilitation and specialist counselling are made available for those children who have been stigmatized as witches.
- (d) The State Party must make communities aware of the alternative accommodation facilities available for children who are at risk of harm. The State must also make sure street children are aware of the accommodation options available to them, recognising that this is a particularly vulnerable group who may not have access to the usual sources of information.

#### **4.2: Violence, abuse and neglect**

Article 19 (1) and (2) of the UNCRC identify the State's obligation to protect the child from all forms of mental and physical abuse, violence, injury, neglect, and the further obligation to establish both effective forms of support for the child and processes of identification, reporting, investigation and follow-up of instances of child mistreatment. Article 19(2) also identifies the potential for judicial involvement concerning instances of violence towards and/or abuse of children.

The Committee has previously stated its concern regarding the role of traditional and discriminatory practices and behaviour towards women and children as a contributing factor to violence, abuse, including sexual abuse, neglect, killing, torture and extortion. These traditional and discriminatory practices and behaviour also combine to maintain the generally high level of acceptance of domestic violence

among officials and court personnel and the lack of adequate measures taken by the State party to prevent and combat violence, abuse and neglect against women and children.<sup>45</sup>

Belief in witchcraft and the abusive behaviour towards a child resulting from witchcraft stigmatization is a clear example of particular cultural perceptions and practices contributing to the abuse and neglect of children and of violence towards children. Children who have been stigmatised as witches often become victims of violence, abuse and neglect both from their parents and from those into whose care they may be placed, such as pastors and witchdoctors.

#### **Case Study (4)**

*Eleven year old Mary comes from Ibaka, Mbo Local Government Area, Akwa Ibom State, Nigeria. She is the only child at the CRARN children's centre whose parents are living together. Her father is an Evangelist in a Pentecostal church and her mother is a deaconess. Mary was found, by CRARN, alongside five other children searching for food from a stinking garbage mount in a market.*

*Her parents had taken her to the church for a prayer night in January 2003 where she and two other children were branded as witches by one of the prophetesses. Her parents began to keep a close watch on her. They accused her and her brother, Elijah of spiritually destabilising their economic progress and killing their 3 month old sister. Elijah was later forced to drink caustic soda after which he became ill, vomited blood and died.*

*Mary was also told to drink hot soda one night but she refused. They poured it on her head and body instead. She started screaming and crying. Her father took her on a motorbike claiming they were going to the hospital. Instead she was dropped off in a forest where she remained for four days until a man found her and took her home. The villagers became alarmed. They forced Mary's parents out of the village accusing them of practising real witchcraft. Her father left her in a distant city where she roamed the street with other children. Each night a gang of boys would rape her and the other homeless girls. This same gang would also force the homeless boys in the city to enter people's stores to steal for them.*

There is no mention within the State report of child witchcraft stigmatisations being a contributing factor to violence against and abuse of children. This implies a lack of

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<sup>45</sup> Committee on the Rights of the Child, Concluding Observations: Nigeria, CRC/C/15/Add.257, 2005, para 44

recognition by the State Party of the relationship between stigmatization of children as witches and the resultant abuse of and violence towards those children. In turn, this indicates a lack of awareness of this problem, particularly among those agencies specifically designated to monitor, investigate and punish cases of abuse of and violence towards children.

Similarly, the statistical data provided the State report concerning child abuse appears to be incomplete. Table 5.1.4 identifies a total of 36 cases of abuse in the year 2006-2007, including 13 of neglect, 12 of abandonment and 10 of abuse. Firstly, the State report does not identify whether these cases of abuse were related in any way to witchcraft stigmatization. Secondly, these figures seem incredibly low. In reality, these numbers are hugely exceeded even in those states where Stepping Stones Nigeria works, and it is therefore likely that at the Federal level they will be considerably higher. For example, there are currently 200 children at the CRARN shelter in Akwa Ibom State, the majority of whom have suffered abuse, violence, ill-treatment or neglect as a direct result of being stigmatized as witches.

Stepping Stones Nigeria recognizes that there exist significant problems in acquiring accurate data on cases of abuse. Many children may be reluctant to report instances of abuse due to a fear of being ignored, a fear of repercussions by family members and communities and/or a lack of belief that anything will be done with this information. This shows that simple reliance on prosecutions for abuse as a basis for statistical data is inadequate. It does not, for example, include children who are unable or reluctant to make a report or cases where no arrest has been made. As demonstrated above, where legislation exists, it is not enforced robustly, and the vast majority of cases are unreported; if reports are made, they are unlikely to result in prosecution.

We welcome the prohibition on violence towards and abuse of children contained in the Child Rights Act.<sup>46</sup> Article 11 (a) and (b) prohibits all forms of physical, mental or emotional injury, abuse, neglect and maltreatment, including sexual abuse, as well as torture and inhuman or degrading treatment or punishment. However, whilst we consider the enactment of the Act by twenty-three states in Nigeria to be a hugely positive step forward, we remain concerned that the Act is yet to be enacted in thirteen states. This failure to enact the CRA means that violence towards and abuse of children, including torture of children, has not been explicitly criminalized within these states. The enactment of the Act is an important means of communicating the message that treating children in this way is both illegal and unacceptable. This is

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<sup>46</sup> Federal Ministry of Women's and State Affairs & Social Development (2008) United Nations Convention on the Rights of the Child, Nigeria's 3<sup>rd</sup> and 4<sup>th</sup> Country Periodic Report, Section 5.6.1:50



particularly important when combating abuse which stems from particular cultural practices, as with child witchcraft stigmatization.

Within those states which have enacted the Child Rights Act we are also concerned about the omission of a specific clause outlawing child witchcraft stigmatisation. Stigmatising a child as a witch can lead to severe abuse and even death and thus we applaud the Akwa Ibom State government for leading the way in adding a specific clause protecting children stigmatised as witches. We urgently recommend that all other states follow suit, and that the State government encourages them in this.

Furthermore, we are extremely concerned by the apparent lack of implementation of these provisions of the Child Rights Act. Whilst we welcome the establishment of a Child Rights Implementation Committee in Akwa Ibom state, we remain concerned that this requires further resourcing and greater collaboration between government, NGOs and law enforcement agencies if it is to be effective. As yet there have been no known cases of prosecution resulting from the abuse and neglect of children who have been stigmatised as witches, even in Akwa Ibom state. This is a clear violation of Nigeria's obligations under Article 19 (2), which are to investigate and punish those responsible for abuse and neglect of children.

#### **4.2.1: Recommendations:**

- a) The State Party must make an explicit public declaration of its recognition of the problem of witchcraft-related abuse of children and must acknowledge that abuse and violence towards children who have been stigmatised as witches is illegal and unacceptable. This will include a recommendation for all Nigerian states to enact the Child Rights Act as a matter of urgency, including enacting a specific clause dealing with child witch stigmatization.
- b) The State Party must ensure that cases of abuse or neglect of children resting from witchcraft accusations are properly investigated and that the perpetrators are punished. Investigation and punishment must be not only of those found to be abusing children stigmatised as witches, but of also those who have made the initial accusations as well as those who have participated in deliverance, which can cause long-lasting psychological damage to the child.
- c) The State Party must disseminate knowledge about the relationship between witchcraft stigmatisation and abuse and neglect of children to relevant agencies including but not limited to the police, the judiciary, the immigration service, the National Agency for the Prevention of Traffic in Persons (NAPTIP),

the navy and children protection agencies. It must provide these agencies with a specific mandate to monitor, investigate and punish abuse resulting from accusations of witchcraft.

- d) The State Party must encourage governments of problem states within Nigeria to establish specific committees or taskforces charged with eradicating witchcraft related abuse and, where appropriate, given the mandate to shut down premises where child stigmatisation takes place and seize all assets. Such bodies must receive adequate resources and training and effective collaboration with other appropriate agencies must be facilitated.
- e) The State Party should identify the percentage of cases where abuse and neglect of children is related to stigmatization as witches, and provide data on sanctions both for those guilty of the abuse or neglect and those making the accusations of witchcraft. This data should not solely result from incidences of neglect or abuse reported to and/or recorded by police, but should incorporate more pro-active activities by the State to identify these children including going on to the streets, into communities and visiting care homes.

## **5: Basic health and welfare (arts. 6, 18 (para. 3), 23, 24, 26, 27 (para. 1-3) of the Convention)**

The stigmatization of children as witches clearly exacerbates existing abuses of children's rights particularly in relation to articles 23, 24, and 27 of the Convention.

### ***5.1: Children with disabilities***

It is clear that child witchcraft stigmatisation and abuse both results from and is causative of mental and physical disabilities.

The Committee has previously identified the prevalence of discrimination against children with disabilities, both within the family and within society in general in Nigeria.<sup>47</sup> This discrimination is exacerbated if children with disabilities are also stigmatised as witches. Unfortunately, children with disabilities are particularly likely to face this type of stigmatisation. Certain medical conditions, because they are not

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<sup>47</sup> Committee on the Rights of the Child, Concluding Observations: Nigeria, CRC/C/15/Add.257, 13 April 2005, par 46

properly understood, are often considered to be evidence of witchcraft.<sup>48</sup> For example, there is a high prevalence of autism in Nigeria, yet this condition is not widely acknowledged. In consequence, the particular behaviour of autistic children is often interpreted as witchcraft. There is a fundamental need for education about conditions such as epilepsy, bedwetting and autism, and regarding physical disabilities, as well as programmes of support for parents of these children in order to overcome the links between disability and witchcraft stigmatisation.

Accusing a child of witchcraft can also lead to the onset of mental illness and physical disability. Some children are permanently damaged by the abuse that they have suffered. They may be so traumatised from the extent of their pain that they never fully recover. By way of example, Stepping Stones Nigeria has previously found children in a distressed state at a church where they were chained up. They had been deprived of food and were manifesting signs of mental illness. Stepping Stones Nigeria has also witnessed cases of physical disability due to child witness stigmatisation, including a child who was found roaming the streets after having a nail driven into her head.

#### ***Case Study (5)***

*One boy, who now lives at the CRARN centre, has lost the full use of one arm after having been beaten as a result of witchcraft stigmatisation. He was on the streets for a number of days before he was found. He had open wounds and was in a lot of pain, yet nobody had picked him up and taken him for treatment.*

It is essential that the Government puts increased resources into ensuring that staff at hospitals and medical centres recognise the inherent right of all children to medical care and the particular vulnerability of those children who have been stigmatised as witches. In addition, greater community education regarding medical conditions is required in order to eradicate popular myths and ensure children and parents receive proper treatment, care and support.

#### **5.2: HIV/AIDS**

Children in an area with a high prevalence of HIV/AIDS are at particular risk of being stigmatised as witches. Research suggests that 3.10% of the population of Nigeria suffer from HIV/AIDS<sup>49</sup> although in Akwa Ibom and Benue States the figures are

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<sup>48</sup> Save the Children, *The Invention of Child Witches in the Democratic Republic of Congo*, 2005, para 1.3

<sup>49</sup> [http://www.indexmundi.com/nigeria/hiv\\_aids\\_adult\\_prevalence\\_rate.html](http://www.indexmundi.com/nigeria/hiv_aids_adult_prevalence_rate.html)

thought to be as high as 8 and 10% respectively.<sup>50</sup> Evidence from the Congo indicates that HIV/AIDS can be attributed to witchcraft, and children who are stigmatised as witches will then be blamed for the infection and/or death resulting from HIV/AIDS.<sup>51</sup>

Furthermore, as the Committee has identified, children who suffer particular discrimination are more vulnerable to HIV/AIDS infection.<sup>52</sup> As children who have been stigmatised as witches are often shunned by their families and communities, and have an increased risk of sexual exploitation (see section 7.3 and 7.4 below), they should be considered a particular at-risk group for HIV/AIDS infection.

### **5.3: Health and health services**

Children who have been stigmatised as witches have particular difficulties in accessing health services, due to the specific discrimination against them.<sup>53</sup> As they are often abandoned by their parents or carers, they are unlikely to receive medical attention. Furthermore, the psychological and physical abuse suffered as a result of being stigmatised as a witch often leaves children in particular need of medical attention, which they are then unable to access.

#### **Case Study (6)**

*A young boy who has been assisted by Stepping Stones Nigeria has told staff members that he had to try three hospitals before being accepted by a fourth one for assistance. The previous three hospitals had rejected him because staff suspected he was a witch. This was probably due to his many wounds, his unkempt look and a lack of parental care.*

This failure is typical of the common problem whereby children stigmatised as witnesses are refused care despite being clearly in desperate need of medical assistance.

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<sup>50</sup> Akor, G. 'Nigeria: HIV/Aids - Four States Battle Endlessly Against Scourge', Daily Champion, 7 December, 2009

<sup>51</sup> <http://www.hrw.org/reports/2006/drc0406/6.htm>

<sup>52</sup> Committee on the Rights of the Child, General Comment 3: HIV/AIDS and the rights of the child, CRC/GC/2003/3, 17 March 2003, para. 7

<sup>53</sup> This has been noted by the Committee on Economic, Social and Cultural Rights; see Concluding Observations: Angola, E/C.12/AGO/CO/3, 1 December 2008, para 25

### **5.5: The environmental context**

A link can also be identified between damage to the local environment and witchcraft stigmatisation. Stigmatising children as witches is common in the Niger Delta, an area which has seen high levels of pollution due to the activities of the oil industry. The effects of this pollution both on human health and on the viability of activities such as farming and fishing have been perceived by local communities as resulting from the actions of child witches.

Following the Taylor oil spill in July 2009 fish either migrated or died due to the oil toxicity. One man said “Fishing is my only means of living. I have nowhere to go for help. My family is in trouble because these days, I hardly catch fish that will feed me alone, not to talk of my entire family.”<sup>54</sup> Oil spills are a regular feature of Nigeria generally and the Niger Delta in particular. When there is an impact upon quality of life and the ability to feed the family, the stage may be set for child witchcraft stigmatisations. Governments and corporations should be aware of the vulnerability of communities in affected areas to ensure that the impacts of environmental damage are as minimal as possible and that where environmental damage caused by the oil industry does occur, that it is publicly acknowledged to be caused by the oil industry. A lack of knowledge of the causes of environmental damage tends to lead to a surge in accusations of witchcraft.

### **5.6: Harmful traditional practices**

The Committee has previously stated its concern at the effect that harmful traditional practices, including the “sacrificing and ritual killing of children” have on the physical and psychological well-being of children.<sup>55</sup> Child witchcraft stigmatisation is a clear example of this. However, it should be noted that the belief in child witchcraft stems from a combination of both traditional practices and more recently introduced belief systems, specifically particular strands of Pentecostal Christianity.

### **5.7: Recommendations:**

- a) The State Party must undertake a comprehensive study in order to more fully determine the interrelationships between children with disabilities and witchcraft stigmatisation, the prevalence of witchcraft stigmatisation in areas

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<sup>54</sup> ,The Groundwork Programme (Environmental Rights), (2009) JK 4 Oil Spill Report, Centre for Environment, Human Rights and Development:4

<sup>55</sup> Committee on the Rights of the Child, Concluding Observations: Nigeria, CRC/C/15/Add.257, 13 April 2005, para 56

with high levels of HIV/AIDS, and the links between damage to the environment and witchcraft stigmatisation.

- b) The State Party must identify areas where children are most at risk of witchcraft stigmatisation due to the prevalence of these various factors.
- c) The State Party must commission awareness-raising campaigns and public health education programmes in order to dispel perceptions of links between disability and diseases, including those related to environmental pollution, and witchcraft. Any media, especially films, which promote links between disability and disease and witchcraft must be challenged/censored.
- d) The State Party must recognise that children who have been stigmatised as witches may have particular need of social and health services, and must disseminate this information to health and social care workers.
- e) The State Party must ensure that children who have been stigmatised as witches have equal access to social and health services through the development and implementation of specially targeted policies and programmes.

## **6: Education, leisure and cultural activities (arts. 28, 29 and 31 of the Convention)**

### **6.1: Education**

Children stigmatised as witches face particular segregation and discrimination with regards to education,<sup>56</sup> resulting in a breach of their right to education under Article 28 of the UNCRC. Many parents refuse to send their children to a school which is also attended by a child stigmatised as a witch. NGOs working with children stigmatised as witches are consequently forced to educate the children separately in order to ensure they attend school and do not face further violence or persecution. For example, the CRARN children's centre, which cares for approximately 200 children stigmatised as witches, had to add some classrooms to their facilities specifically for children who had been stigmatised as witches. This resulted from threats from parents of children at the Stepping Stones Model School that if the children at CRARN attended the same school as their children, they would put their

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<sup>56</sup> Committee on Economic, Social and Cultural Rights, Concluding Observations: Angola, E/C.12/AGO/CO/3, 1 December 2008, para 25

children in another school. Although the solution enabled both sets of children to continue to receive education, the continued segregation of children suffering witchcraft stigmatisation, of which this example is indicative, does not allow for effective and successful rehabilitation of the child as the label 'witch' is still prevalent in the child's life.

Article 29 (b) and (d) of the Convention identifies that the education of the child should be directed to the development of respect for human rights and fundamental freedoms, and conducted in a spirit of understanding, peace and tolerance.<sup>57</sup> Education is vital for combating harmful cultural practices such as the child witch stigmatisation. Widespread public education campaigns are necessary in order to dispel such beliefs. The education system would be best placed to counter the belief in child witchcraft and to teach about the importance of child protection in order that children grow up with a sense of who they are. Child witchcraft stigmatisation dehumanises the child and can cause considerable damage. It is essential that children are aware that they have the freedom to choose their religious and political practices and that they are free to flourish as rights-bearing human beings.

Health education is particularly important in order to challenge perceptions of witchcraft as the cause of particular symptoms or conditions. This is particularly necessary in relation to 'abnormal' behaviour by the child stemming from mental health conditions such as autism and ADHD.<sup>58</sup>

#### ***Case Study (7)***

*In March 2009, thirty children were rescued from a church in Akwa Ibom where they had been held for some time following witchcraft stigmatisations. The children were reported to include some with autism.<sup>1</sup>*

Educating both children and adults about the rights of children is also essential in fostering a culture of respect for children's rights in Nigeria, particularly concerning the rights to non-discrimination and to freedom from violence or abuse. It is essential that rights education in Nigeria emphasizes that the best interests of the child are of primary importance and that a zero tolerance approach will be taken regarding violence against children including that related to witchcraft abuse.

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<sup>57</sup> See also Committee on the Rights of the Child, General Comment 1: The aims of education, CRC/GC/2001/1, 17 April 2004, para 2

<sup>58</sup> See section 5.1

### **6.1.1: Recommendations:**

- (a) The State Party must ensure that children who have been stigmatised as witches have equal access to education and that they do not suffer from discrimination concerning their access to education.
- (b) The State Party must ensure that education, both in schools and in the wider community, includes information on human rights, including children's rights, and in particular that it emphasizes that marginalised children, including those who have been stigmatised as witches, have the same human rights as other children.

### **6.2: Film**

Whilst Stepping Stones Nigeria recognises freedom of artistic expression as an important human right, this must not infringe the rights of children to be free from any form of abuse, including abusive cultural practices. The domestic film industry, 'Nollywood', is hugely popular, and has been described as "a pervasive feature of the cultural landscape in Nigeria".<sup>59</sup> There are a large number of 'Nollywood' films on the subject of child witchcraft. These films depict children eating human flesh, being initiated into covens and committing all kinds of atrocities towards families and communities.<sup>60</sup> Such films are widely available and enormously popular. This popularity means that they are extremely lucrative to produce and sell, which in turn encourages the production of further films on the theme of child witchcraft.

Stepping Stones Nigeria considers that these films have contributed not only to the belief in child witchcraft, but also to the stigmatisation and abuse of these children.<sup>61</sup> The films play on popular fears and contribute to the demonization of children which may eventually lead to the abuse of children's rights.

It is also of note that a link has been drawn between albino killing in Tanzania and Nollywood films.<sup>62</sup> Stepping Stones Nigeria is greatly concerned by this connection which demonstrates the need for a significant change in the approach to film censorship in Nigeria.

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<sup>59</sup> McCall, (2002) "Madness, Money, and Movies: Watching Nigerian Popular Videos with a Native Doctor's Guidance." *Africa Today*. 49(3): 87

<sup>60</sup> See Appendix 1

<sup>61</sup> The National Film and Video Censors Board of Nigeria also noted how the film 'End of the Wicked' significantly fuelled the belief in child witchcraft in a presentation given at the Child First Conference: Preventing Abuse of the Nigerian Child Today, School of Oriental and African Studies, University of London, 30 May 2009.

<sup>62</sup> Burrows, J 'African albinos' fear of butchery by witchdoctors', *The First Post*, 16 March 2009



Stepping Stones Nigeria therefore notes that the ‘Policy Principles’ of the Nigerian Film and Video Censors Board (NFVCB) include: the protection of children and young persons from harm, the encouragement and promotion of the exercise of parental responsibility, and the prevention of the exhibition of materials that are likely to portray persons in a demeaning manner and glamorise criminal acts.<sup>63</sup> Unfortunately, films which portray child witchcraft do little to uphold these principles and may actively work against their fulfilment. It is therefore essential that the NFVCB takes greater care over the regulation of such films. An extremely cautious approach should be adopted towards the certification of films which may have a negative impact on the enjoyment of children’s rights, and when appropriate, such films should be censored in order to prevent wider social harm.

### **6.2.1: Recommendations**

- a) The State Party must ensure that the Nigerian Film and Video Censors Board effectively regulates those films promoting the belief in and abuse of children stigmatised as witches. The protection of children’s rights should be a central concern when determining which films may be released for general viewing.
- b) The State Party must commission independent research into the relationship between the portrayal of child witchcraft within ‘Nollywood’ films and child witchcraft stigmatisation and abuse. This research should be utilised to determine how popular culture may be a useful tool in combating child witchcraft stigmatisation.

## **7: Special protection measures (arts. 22, 38, 39, 40, 37 (b)-(d), 32-36 of the Convention)**

### ***7.1: Refugees/internally displaced children and children affected by communal conflict***

Incidences of accusations of child witchcraft and resultant abuse in the Congo<sup>64</sup> suggest that refugee children, internally displaced children and children affected by conflict are groups at high risk of witchcraft stigmatisation. The State Party should be

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<sup>63</sup> NFVCB website: <http://www.nfvcb.gov.ng/ourpolicies.php?pagesectionid=2>

<sup>64</sup> Committee on the Rights of the Child, Concluding Observations: Democratic Republic of Congo, CRC/C/COD/CO/2, 10 February 2009, para 78 and 79

particularly aware of this and must monitor the situation of children within these groups in Nigeria.

#### **7.1.1: Recommendations:**

- (a) The State party should be particularly aware of the vulnerability of internally displaced people and refugees and must monitor the situation of children within these groups in Nigeria.

#### **7.2: Street children**

The Special Rapporteur on freedom of religion or belief has reported on the link between street children and witchcraft accusations in Angola.<sup>65</sup> The NGO Human Rights Watch has also identified a clear link in the DRC between accusations of witchcraft and children living on the streets.<sup>66</sup> There are clear parallels to this in Nigeria, with anecdotal evidence suggesting a fundamental link between witchcraft stigmatisation and children having to live as street children. (See section 1.5 above). This is usually due to abandonment by their parents after having been stigmatised as witches, but the children may also run away from home in order to escape the abuse they suffer as a result of being stigmatised as witches. The majority of street children in Nigeria are thought to have arrived on the streets following witchcraft stigmatisation. In Oron Local Government Area the words for 'street child' are 'ndito ifod' meaning 'child witches' or 'witch children'<sup>67</sup>. Once living on the street, such children may face additional discrimination and abuse as they are particularly shunned by the local community.

#### **Case Study (8)**

*Joy, now 17, was stigmatised as a witch five years ago. She was repeatedly raped and beaten by local youths. Staff at CRARN attempted to convince her to stay at its centre, but she had become used to life on the street and found it difficult to acclimatise to life in the shelter. Many people tried to snatch her, presumably child traffickers, and one day her friend Idara simply disappeared. Joy is now due to give birth to her third child. Her previous two children disappeared after the birth. SSNCEF provides Joy with sexual health advice, counselling, food and clothing whilst she remains on the streets and are working with her to advise on how she can safely deliver her latest child and protect it from being snatched.*

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<sup>65</sup> Report of the Special Rapporteur on freedom of religion or belief, Asma Jahangir: Mission to Angola A/HRC/7/10/Add.4, 6 March 2008, para. 36

<sup>66</sup> <http://www.hrw.org/reports/2006/drc0406/6.htm>

<sup>67</sup> Stepping Stones Nigeria Child Empowerment Foundation (2009) Situational Analysis of Street/Abandoned Children in Oron, Akwa Ibom State: 4

There is no recognition in the State report of witchcraft stigmatisation being a contributing factor to the numbers of street children in Nigeria. There is consequently a need for greater research from Nigeria on this issue, in order to develop appropriate policy responses.

The Consortium for Street Children has written a separate Shadow Report specifically addressing the issue of street children.<sup>68</sup>

### **7.2.1: Recommendations:**

- a) The State should collect higher levels of both qualitative and quantitative data on the relationship between child abandonment and child witchcraft stigmatisation in Nigeria in order to develop specifically targeted policies and programmes for the care of these children.
- b) The State party must ensure that street children who have been stigmatised as witches have equal access to programmes for rehabilitation, education, healthcare, food and clothing and do not suffer additional discrimination due to witchcraft stigmatisation.

### **7.3: Sexual exploitation and child pornography**

Children who have been stigmatised as witches are particularly vulnerable to all forms of sexual exploitation including rape, trafficking,<sup>69</sup> prostitution and child pornography, as they are shunned by their communities and have little if any family or social support and protection. Case study 5 above highlights the case of a young girl who lived on the streets following a witchcraft accusation and suffered frequent rape.

### **7.3.1: Recommendations:**

- (a) The State party must recognise the special vulnerability of children who have been stigmatised as witches to drug abuse and sexual exploitation.

### **7.4: Sale, trafficking and abduction**

There is growing evidence of a link between child witchcraft stigmatisation and child trafficking. For example, Akwa Ibom State, which has the highest known number of

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<sup>68</sup> [www.streetchildren.org.uk](http://www.streetchildren.org.uk)

<sup>69</sup> See section 7.4

child witchcraft stigmatisations within Nigeria, also has the highest known level of child trafficking in Nigeria<sup>70</sup>. SSNCEF report that in the last year twenty-eight children have been trafficked following a witchcraft accusation although this figure is likely to be far higher.<sup>71</sup> Children who have been stigmatised as witches are frequently abandoned which makes them extremely vulnerable to trafficking, both internally and externally. There have been reports of children being trafficked not only to other parts of Africa but also to European countries including Italy and the UK. The Child Exploitation and Online Protection Centre (CEOP) estimate that 60% of individuals trafficked from West Africa are originally from Nigeria.<sup>72</sup>

We welcome the work of the National Agency for the Prevention of Traffic in Persons (NAPTIP) and in particular their recent arrests of a number of persons involved in child trafficking. However, the link between witchcraft stigmatisation and trafficking is one which requires further exploration, with the State taking particular account of this vulnerable group of children when developing and implementing policies and programmes designed to combat trafficking. Awareness of the links between witchcraft accusations and trafficking must inform the future work of NAPTIP.

Anti-slavery International have cited witchcraft and juju rituals as a barrier to achieving effective prosecution of traffickers.<sup>73</sup> Many trafficking victims from Nigeria and other African countries have been forced to take oaths, with body hair, nails and underwear left on shrines to remind the victims that if they run away, the gods will cause them harm. These victims do not need to be watched from a short distance. The traffickers know that these oaths will usually prevent victims from running away without them having to use coercion or violence. We welcome NAPTIP's awareness of this issue and encourage them to make appropriate provisions to ensure that victims of trafficking feel safe enough to make statements in order that traffickers can be prosecuted. Children should be taught about trafficking so they can be empowered to mitigate the risks. They should be made aware of how ritual oaths can be manipulated to benefit traffickers to ensure that children feel able to go to the police and other authorities if they feel in danger from this.

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<sup>70</sup> Child Rights Information Network, Akwa Ibom State Leads in Child Trafficking and Prostitution, <http://www.crin.org/resources/infoDetail.asp?ID=9704>, 2006

<sup>71</sup> Stepping Stones Nigeria Child Empowerment Foundation (2009) Situational Analysis of Street/Abandoned Children in Oron, Akwa Ibom State

<sup>72</sup> Child Exploitation and Online Protection Centre (CEOP) and Home Office, (2007) A Scoping Project of Child Trafficking Into and Within the UK

<sup>73</sup> Pearson, Elaine,(2002)Human Traffic, Human Rights: Redefining Victim Protection, Anti-Slavery International: 165

#### **7.4.1: Recommendations:**

- (a) The State Party should encourage and enable NAPTIP to be more greatly informed about the links between child witchcraft stigmatisation and trafficking.
- (b) The State Party should develop education programmes and reporting mechanisms directed to empowering children to feel able to report incidences of trafficking, including assuring them of their protection and providing them with safe accommodation where necessary.

#### **7.5: Economic exploitation**

There is a high risk of economic exploitation of children stigmatised as witches. This is particularly true of those who are abandoned and end up roaming the streets. Opportunistic youths and adults frequently coerce young children into stealing, begging and working for them. For example, the case study below illustrates that children may be at risk of being exploited by those masquerading as charity workers.

##### ***Case Study (9)***

Whilst SSNCEF were conducting field research on street children in the Oron Local Government Area of the Niger Delta, they discovered that almost 100 children had disappeared from the streets overnight. Further information revealed that the so-called 'Christian' organisation 'The Peace Sisters' had taken the children and were sending them back on to the streets to beg or selling them into domestic servitude.

This highlights the extreme vulnerability of children who live on the streets. Illegitimate organisations promise jobs and money and, not knowing who to trust any longer and desperate for change the children usually say yes. Children who have been stigmatised as witches are particularly vulnerable to exploitation as, due to the high levels of discrimination that they face, they are unlikely to find other forms of employment.

#### **7.5.1: Recommendations:**

- (a) The State Party must ensure that robust checks are made of organisations working in Nigeria to ensure that they are not exploiting children, including those stigmatised as witches.

## **7.6: Juvenile justice**

The State report itself identifies that

“Up to two-thirds of all child offenders experience some form of physical, verbal and emotional abuse during arrest or detention by the police and most young offenders in detention do not get proper meals, sleeping facilities, recreational facilities and facilities for personal hygiene”.<sup>74</sup>

Stepping Stones Nigeria is concerned that children who have been stigmatised as witches are likely to face additional discrimination within the juvenile justice system due to the widespread community belief in violence and abuse as a means to dispel witchcraft. There is in consequence a particular need for the State to monitor and investigate this situation and to conduct awareness-raising with those working in the juvenile justice system.

### **7.6.1: Recommendations:**

(a) The State Party must ensure that those children who are stigmatised as witches do not suffer additional discrimination within the juvenile justice system, whilst also improving conditions for all children within the juvenile justice system.

## **7.7: Imprisonment**

Stepping Stones Nigeria is concerned that the State party is failing in its obligation to protect children from unlawful imprisonment as guaranteed under Article 37 (b) of the Convention. It is very common for churches to hold children against their will for several days or even weeks whilst pastors attempt to extract ‘confessions’ of witchcraft from them.

### **Case Study (10)**

Stepping Stones Nigeria have found children who have been tied up in churches and homes, often in a distressed state, and who are given little food or water and are frequently woken during the night for questioning.

In most cases, there is a failure by the State to investigate and punish incidences of the unlawful imprisonment of children who have been stigmatised as witches.

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<sup>74</sup> Federal Ministry of Women’s Affairs & Social Development (May 2008) Convention on the Rights of the Child, Nigeria’s 3<sup>rd</sup> and 4<sup>th</sup> Country Report, para 8.3.0

### **7.7.1: Recommendations:**

(a) The State should ensure adequate investigations take place regarding those cases where children are been found to have been unlawfully imprisoned, and that the perpetrators are appropriately punished.

## **8: Optional Protocols to the Convention on the Rights of the Child**

The State Party signed the Optional Protocol on the involvement of children in armed conflict on 8 September 2000 but has not ratified it. The State Party has also signed Optional Protocol on the sale of children, child prostitution and child pornography on 8 September 2000 but has not yet ratified it. We note that the State Party has begun the process of ratifying these instruments.<sup>75</sup>

### **8.1: Recommendations:**

(a) The State Party should ratify these protocols with immediate effect.

## **9: Follow-up and dissemination**

Stepping Stones Nigeria recommends that the State Party ensures that the Recommendations in this report, and in particular that the Key Recommendations outlined in the Executive Summary and the Conclusion, are transmitted to all relevant authorities including state governments, ministers, police and relevant child protection agencies. We further recommend that the information in this report is disseminated to the general public and to civil society organisations, and particularly to individual children and to those organisations concerned with the protection of children's rights.

## **10: Conclusion: Key Recommendations**

Stepping Stones Nigeria remains extremely concerned about the treatment of children within Nigeria who have been stigmatized as witches, and who suffer abuse of their rights as a result. It is clear that child witchcraft stigmatization has a negative effect on the enjoyment of a range of children's rights, not least due to the wide-ranging discrimination suffered by children who have been stigmatized as witches.

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<sup>75</sup> Federal Ministry of Women's Affairs & Social Development (May 2008) Convention on the Rights of the Child, Nigeria's 3<sup>rd</sup> and 4<sup>th</sup> Country Report, para 8.6.1 (b)

In order to properly address this problem, the State Party must adopt a holistic approach to combating the abuse of children's rights resulting from witchcraft stigmatization. The State Party must recognise that being stigmatized as a witch affects the enjoyment by the child of a range of rights, and that there is a need for integrated policies at the national, state and community levels to address this.

We therefore urge the State party to prioritise this issue and to implement the following key recommendations as a matter of urgency.

***Stepping Stones Nigeria Key Recommendations:***

1. The State Party must ensure that both child witchcraft stigmatization and any resultant abuse are criminalised under national and state legislation, and that any incidences of these are investigated and punished in a thorough and robust manner.
2. The State Party must ensure that any incidences of torture (both physical and psychological), arbitrary killings, abuse, neglect and abandonment of children who have been stigmatized as witches are properly investigated and punished, in order to entirely eradicate these practices, as a matter of urgency.
3. The State Party must make every effort to end all types of discrimination against children who are stigmatized as witches and must ensure that any incidences of this are properly investigated and punished.
4. The State Party must work sensitively to address the cultural belief in child witchcraft. In particular, it must regulate churches, including the closure of those found to be carrying out child witch stigmatisation and abuse, and ensure the arrest of the perpetrators. The State Party must require churches to adopt robust child protection policies and produce annual audited accounts, and all church leaders should receive in-depth theological training from verified bible schools. Such leaders should also be made to sign statements of commitment to promoting and protecting children's rights.
5. The State Party must ensure that those 'Nollywood' films which espouse the belief in child witchcraft are regulated appropriately. The Nigerian Film and Video Censors Board must be aware that films both reflect and influence culture and must centralise the protection of children's rights when certifying films for release.



6. The State Party must ensure that appropriate, sensitive and effective systems are in place which encourage and enable children who have suffered abuse of their rights as a result of been stigmatized as witches to make a complaint to the relevant authorities. It must ensure that its law enforcement and judicial authorities then deal with these complaints in an appropriate and effective manner.
7. The State Party must provide children who have suffered abuse as a result of witchcraft stigmatisation with appropriate alternative care, including properly trained staff who will address all aspects of the abuse, including emotional and psychological trauma, in order to achieve effective rehabilitation of the child.
8. The State Party must recognise that there is an urgent need for greater awareness of the wide range of negative effects that the belief in child witchcraft has on children's enjoyment of their rights. The State Party must undertake comprehensive research concerning this phenomenon, and its causes and effects, which should also include identification of particularly vulnerable groups, including street children, children with disabilities and children at risk of trafficking.
9. The State Party must make greater efforts to increase public awareness of children's rights, particularly including children who have been stigmatized as witches, through education and enlightenment campaigns. Information on children's rights should form part of the school curriculum.
10. The State Party must ensure that communities receive specific education in order to demystify the common medical conditions and diseases that are considered to be signs of witchcraft, particularly malaria, HIV/AIDS, diarrhoea and mental health conditions such as autism. Such education programmes should particularly focus on the areas in which child witch stigmatisation is most widespread.

## **APPENDIX 1**

This is not an exhaustive list but is intended to illustrate the prevalence of references to child witchcraft in Nigerian popular culture.

### ***Books***

Olukoya, D (1999) Overpowering Witchcraft, Mountains of Fire and Miracles Ministries

Olukoya, D (2001) Dealing with Witchcraft Barbers, Mountains of Fire and Miracles Ministries

Ukpabio, Helen (date unknown) Unveiling the Mysteries of Witchcraft, Liberty Foundation Gospel Ministries

Ukpabio, Helen (1999) The Seat of Satan Exposed 3<sup>rd</sup> Edition, Liberty Foundation Gospel Ministries

### ***Films***

Child Rescue (Liberty Films, Nigeria, 2001)

End of the Wicked (Liberty Films, Nigeria, 1999)

Power to Bind (Liberty Films, Nigeria, 1998)

Living in Bondage (1992, NEK Video Links, Nigeria)

666 (produced by Pastor Kenneth Okonkwo)

The Kids are Angry (Liberty Films, Nigeria)

### ***TV***

Africa Magic Channel

REVENAL FIRE ASSEMBL

CITADEL OF EXPLOITS

*Declares*

3 DAYS

*Operation kill the*

WITCHES

Total Victory over the witches attack such as  
Sudden Death, Miscarriage, Spiritual Attacks

Featuring:

OPERATION JUBILEE 2009

theme: **Overcoming**

# WITCHCRAFT Attacks



**Bishop Dr. L. B. Kawaas**  
And other anointed men of God

## 10 SIGNS & SYMPTOMS OF WITCHCRAFT ATTACKS

- Delay in Marriage
- Strange Dreams
- Miscarriage & Bareness
- Stagnancy in Business / Carrier
- Financial Struggles
- Failure at the Point of Blessing
- Repeated gang up against you
- Pre-Matured Death in the family
- Disunity in the Family
- Sickness Resisting Medication
- Strange Occurrences, etc

**Wed. 28th Oct., - 2nd Nov.,  
2009**

**Time:**

**6pm Daily - Prophetic Revelations  
9am - Counseling & Deliverance**

**Venue:**

**WORLD HARVEST CHURCH**

**Ashaka Cement Bus Stop,  
Jikwoyi, Abuja.**

Witches are real & they mean business;  
If you don't stop them, they will stop you.

*Jesus Christ Sets you Free!*

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Committee on Civil and Political Rights, General Comment 6: The Right to Life, 30 April 1982

Committee on Economic, Social and Cultural Rights, General Comment 12: The right to adequate food, UN Doc: E/C.12/1999/5, 12 May 1999

Committee on Economic, Social and Cultural Rights, Concluding Observations: Angola, UN Doc: E/C.12/AGO/CO/3, 1 December 2008

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