

# THE COALITION OF LAWYERS FOR HUMAN RIGHTS (COLAHR)



A HUMAN RIGHTS INITIATIVE TO PROTECT KEY  
POPULATIONS  
ESTABLISHED BY THE JOINT UNITED NATIONS PROGRAMME  
ON HIV/AIDS (UNAIDS) IN THE FEDERAL REPUBLIC OF  
NIGERIA

**August 2016**

## 1. The Nigerian context and the rationale to the creation of COLAHR

The need to integrate legal aid in the response to AIDS became crucial in Nigeria when, in February 2014, 15 young men were brutalised by an angry mob, forced-evicted from their homes and forced to leave their community in Gishiri, a village within the Nigerian capital, solely because they were thought to be gay. Shortly before the Gishiri unfortunate event, 12 other young men were physically assaulted and kept in unlawful detention in a police station and in jail in Bauchi State, North of Nigeria. No structure was available then to help the young men access justice. UNAIDS and the local CSOs, mobilised to set-up an ad-hoc cell to secure the safety of the young men in Gishiri and secure due process, and eventually release, for the young men in Bauchi State.

Although the ad-hoc cell was successful in reinstating the Gishiri and Bauchi young men's dignity, it quickly became clear that a more permanent solution would be necessary to address homophobic violence in the country. It is important to underline the fact that in January 2014, Nigeria passed into law a Same-Sex Marriage (Prohibition) Act, 2014, which sanctions same-sex relationships by a 14 years' imprisonment term. In a deeply religious society, the passage of this Act has contributed to exacerbate and condone persecution of men suspected to be gay in Nigeria.

Like members of the LGBTI community in Nigeria, sex workers and people who inject drugs are often targeted by violence, including blackmail and extortion; acts of torture; arbitrary arrests; unlawful detentions and physical assaults. Prostitution is a criminal offence, while harsh laws put a blanket ban on the possession and consumption of

drugs. Members of the LGBTI community, sex workers and people who inject drugs represent 1% of the population of Nigeria. However, they contribute to 21% of the new HIV infections in the country. To achieve the 90-90-90 target by 2020 here, it is crucial to ensure that the key populations have access to HIV prevention, testing, treatment, care and support without hindrance and also access to justice when their human rights are violated.

It was against such a background that UNAIDS spearheaded the creation of the Coalition of Lawyers for Human Rights (COLAHR). It is a national network of practicing lawyers who volunteer to provide *pro bono* legal services to people whose human rights have been violated in the context of HIV and Gender. In addition to key populations, COLAHR's ambit of work includes people living with HIV and girls and women-survivors of gender-based violence. Women account for 58% of people living with HIV in Nigeria, a proportion that may betray the important underlying gender inequality in the Nigerian society.

## 2. The origins of COLAHR and its successes

UNAIDS partnered with Lawyers Alert and the Nigerian Bar Association to recruit volunteer lawyers to join COLAHR. They agreed to give their time for the provision of legal advice and representation on human rights, Gender and HIV-related issues. In February 2015, UNAIDS and Lawyers Alert, a local human rights CSO, together with the National Agency for the Control of AIDS, the National Human Rights Commission and the Nigerian Bar Association, held an induction training for 32 practicing volunteer Nigerian lawyers.

From that training beyond the provision of *pro bono* legal advice and representation, the 32 COLAHR lawyers committed to the facilitation of

human rights and legal literacy trainings and the documentation of cases of violations of human rights in the context of HIV and Gender. Despite the fact that they are based in 17 of the 36+1 States, members of the COLAHR network are providing legal aid, guidance and counselling anywhere necessary and needed in Nigeria.

**Some success stories:** Since its formal establishment in February 2015, COLAHR has given legal assistance to 193 individuals; trained a total of 65 men and women belonging to key populations on their rights and legal literacy; and trained 22 paralegal officers from 18 States. COLAHR also participates in the Gender and Human Rights Technical Committee of the National AIDS Coordinating Agency (NACA) for the purpose of bringing policy orientation inputs on human rights in the national response to AIDS.

COLAHR lawyers are currently working on a legal case to test the provisions of the recently adopted HIV and AIDS (anti-discrimination) Act, 2015. The case relates to the prohibitions of employment-related HIV testing and termination of employment on the sole ground of HIV status.

UNAIDS has continued to support COLAHR every step of the way. It has supported raising awareness of the public on the availability of *pro bono* legal services for human rights and HIV-related issues, including through setting-up a website and printing flyers. In the last 12 months, COLAHR's website homepage has received 7098 hits and the trend is increasing as people get to learn about it. UNAIDS further supported COLAHR in building collaboration with national umbrella organisations of people living with HIV, sex workers, people who inject drugs and LGBTI communities, in order to facilitate referral of cases for legal aid. UNAIDS

has also supported COLAHR in developing processes and tools for the documentation of human rights violations of people living with HIV and key populations. Additional support has been given to develop COLAHR's capacity with respect to resources mobilisation through proposal developments and structural sustainability.

### 3. Why the approach worked so well?

UNAIDS has been instrumental in bringing local civil society and development partners around the table to find durable solutions to the human rights challenges faced by key populations in an environment where harsh laws criminalise them. It joined forces with Lawyers Alert, a local human rights organisation, to concretise the idea of a network of human rights lawyers providing *pro bono* legal services, helped to move the agenda forward. UNAIDS' cachet and continued support to COLAHR has helped the network of lawyers to build on credibility and visibility, especially in an environment where the inclusion of legal aid in the AIDS response is only emerging. Lawyers Alert provides administrative support to COLAHR, and some fiduciary responsibilities. Furthermore, UNAIDS' association with COLAHR and the patronage of the Nigerian Bar Association, elicit enthusiasm among member-lawyers who see their involvement as both an opportunity to advance human rights and to be part of the global move towards ending the AIDS epidemic.

COLAHR is a unique initiative in Nigeria. Other organisations provide *pro bono* legal services. However, none focuses on human rights and HIV-related issues and particularly on human rights violations experienced by the LGBTI community, sex workers, people who inject drugs and people living with HIV. For example, the Legal Aid Council of Nigeria (LACON) is mandated by the Legal Aid Act, 2011 to provide

legal aid services in the country. However, it is statutorily mandated to do so only for indigent people who have committed murder; manslaughter; maliciously or wilfully grievous hurt; assault occasioning actual bodily harm; common assault; affray; stealing; rape; or armed robbery.

COLAHR's success also stems from its closeness to the community it serves, either through its legal literacy component and documentation of cases of human rights violations, or through its outreach efforts to provide legal services to underserved communities. Such efforts include the availability of a website; a 24/7 helpline number and in-state visits to CSOs of key populations and support groups. It collaborates well with a various stakeholders in the areas of human rights, sexual and reproductive health and rights, AIDS and key populations. In addition to its physical presence in 17 States, COLAHR works closely, on a referral basis, with other specialised organisations that provide free legal services such as the International Federation of Women Lawyers (FIDA), which focusses on gender-related violations of rights.

#### **4. The future of COLAHR**

In the next 15 months, COLAHR aims to expand its geographical coverage of the Nigerian territory by recruiting more lawyers on the network. It also aims to further increase the number of people who benefit from human rights and legal literacy, either through direct contact or through COLAHR's website; document cases of violations of human rights related to HIV; and to continue providing free legal aid services whenever needed.

## 5. What they say about COLAHR?

- ‘I am one of the active lawyers under the above named coalition. My experience as a member of this coalition has been very intriguing, educative and indeed an eye-opener. Several Workshop and meetings I have attended put together by COLAHR in collaboration with UNAIDS has made me to understand the harsh realities of some of our present legislation and to appreciate the fact that these laws actually concerns persons. I have been able to work one on one with these ‘Key Populations’ and using my expertise as a legal practitioner to advocate and defend the rights of these groups of persons has been most satisfying and has given me a sense of responsibility.’ **Barrister Orebiyi Temitope (esq), Lawyer, COLAHR**
- ‘To be part of COLAHR and also the General Secretary of the Nigerian Bar Association is indeed an opportunity to expand the frontiers of rights in Nigeria especially rights of key populations’, **Barrister Abiola Olagunju, Lawyer, COLAHR, and National General Secretary, Nigerian Bar Association**

## 7. Quotes from partners

- ‘It is gratifying and indeed humbling for the Nigerian Bar Association to partner with COLAHR, Lawyers Alert and UNAIDS in efforts at ensuring access to justice, services and resources for key populations. Hoping this partnership and efforts would not die off’, **Barrister Mike T. Assoh, Chairman, Nigerian Bar Association, Makurdi Office**

- ‘To say COLAHR and UNAIDS have changed the firmament for rights of key populations in Nigeria is an understatement. The volume of referrals and interactions with key populations since the Legal Literacy campaign started has been enormous. Lawyers Alert feels privileged to be part of this movement and would do anything to ensure its sustenance’, **Barrister Rommy Mom, President, Lawyers Alert**
- ‘My first encounter with COLAHR was August, 2015 when a client of mine was illegally arrested and detained for about 2 weeks by the Nigeria police in Ibadan. Through the intervention of COLAHR, my client was released by the police. My second encounter with COLAHR was October 2015 during a 2 day COLAHR members and human rights activists training/meeting in Abuja. This meeting gave me access to a lot of COLAHR lawyers who till date have been providing free legal aid to the key affected populations in Nigeria. After the COLAHR meeting in Abuja 2015, my organization AJEN was able to benefit from COLAHR again through a one day human rights training on access to justice for Key Affected Populations in Oyo State, Nigeria in April, 2016. 35 persons benefited from this training as it gave them knowledge on human rights, safety, security and how to access justice for free. I must confess that COLAHR has been doing great jobs for free for sexual minorities most especially for the key affected populations in Nigeria. Long live COLAHR!’, **Mr Jude Onumabor, Coordinator, Advocacy for Justice and Equality Nigeria (AJEN)**
- ‘That we can make calls for free Legal assistance and have Lawyers make themselves available at any hour of the day gives a

sense of security for anyone who though vulnerable can reach COLAHR's number. This is indeed a dream in Nigeria and we hope not to wake up from it', **Ms Amaka Enemo, National Coordinator, Precious Jewels**

- 'COLAHR has at all times made itself available to all referrals I personally sent to them on behalf of Heartland Alliance not minding what time or day. I was particularly impressed on an occasion when Lawyers moved from one Police station to the next at their own cost in efforts trying to locate female sex workers who were detained. That they made their professional skills available for free and in addition also spent their resources was particularly touching. Key populations in most part of Nigeria do certainly have friends in COLAHR.', **Ms Udoh Amarachi, Program Officer, Heartland Alliance Nigeria**
- 'Suddenly I sit in Minna and have Lawyers attending to victims of gender-based violence and other forms of violations of especially key populations' rights all across the Country. This is indeed wonderful, thanks to COLAHR', **Ms Darlyn Dotty, Coordinator, INCREASE**
- 'COLAHR's interventions in especially Legal Literacy for women gladden FIDA. FIDA is also impressed by referrals from COLAHR to us where COLAHR's presence is NIL (non-existent). Our relationship in Kaduna and Edo have been particularly beneficial', **International Federation of Women Lawyers (FIDA)**

## 8. Quotes from beneficiaries

- ‘I never had any knowledge on human rights education until I attended a Human rights education workshop in Ibadan organized by COLAHR, Lawyers Alert, AJEN and UNAIDS. The training was a blessing to me because I don’t think I would have gotten the knowledge on human rights I now have if this workshop wasn’t organized. Well-done COLAHR and please do more of this workshop for us. Thanks COLAHR.’, **Ms Omiyale Olayinka, Participant, Human rights and legal literacy training, April 2016, Oyo state**
- ‘I live in Ibadan. I have always been a victim of human rights abuses due to my sexual orientation but after the human rights training in Ibadan by COLAHR, I have been able to use the safety tips I learnt during the human rights training. This has really helped me as I have never experienced any form of human rights abuse since after the training. Thank you for the great privilege given to me to attend the training’, **Ms Tina Morgan, Participant, Human rights and legal literacy training, April 2016, Oyo state**
- I was opportune to attend the human rights workshop on legal literacy and access to justice in April, 2016 in Ibadan. Before the training, I had no knowledge of what human rights was all about but hear people mentioning “Human Rights” all over the world. After attending all the sessions during the training, I was filled with joy and fulfilment that I now know what human rights is and can also tell people what it means. Keep on the good work COLAHR.’ **Mr Abeka David, Participant, Human rights and legal literacy training, April 2016, Oyo state**

- ‘My name is Chris and am a member of the key affected population in Nigeria. I was privileged to attend a workshop organized by UNAIDS, Lawyers Alert, AJEN and COLAHR in Ibadan April, 2016. The training was an eye opener to me as regard to my safety and security. I was also able to learn about human rights, human rights violations and how to have access to justice for free when my rights is violated most especially when my right to privacy is violated due to my sexual orientation.’, **Mr Chris Ovie, Participant, Human rights and legal literacy training, April 2016, Oyo state**
- ‘Through the COLAHR training on human rights education in Ibadan, I was able to know that I have rights and my rights are not to be violated. I now also know that my rights as human are limited as well. Also from the safety and security session of the training, I now know that I should be mindful of my environment in order to reduce the chances my human rights to be abused.’, **Mr Oluwawalemi David, Participant, Human rights and legal literacy training, April 2016, Oyo state**
- ‘I want to sincerely appreciate and thank COLAHR for the prompt support and assistance that has enabled me overcome the trauma of our assault by members of the Gishiri community. By promptly assisting us to get bail, COLAHR took us away from harm at the hands of the police’, **Mr Sylvester Tonak**
- ‘When I needed legal support and I tried COLAHR’s number and a Lawyer called me that was when I truly believed that this is real, I am happy this is a new dawn in Nigeria.’, **Ms Rita Abaa**

- 'I lost my job because of my status, I have no money to seek legal assistance in getting relief, every law office I went to I got charged very high fees and most non-governmental organisations could not assist that was when I directed to COLAHR. Thank Almighty I now have a team of Lawyers given all attention to my case. It cannot get better than this. I am full of hope and confident of Justice', **Mr Philemon Yohanna**
- 'All thanks to COLAHR, I was able to secure bail promptly and immediately from police custody. COLAHR's assistance is priceless. I am really grateful and thankful for the great initiative', **Mr Theophilus Loho**