

**JOINT CIVIL SOCIETY STATEMENT CALLING FOR THE RELEASE OF
NIGERIAN SINGER
MOHAMMAD YUSUF YAKASAI (A.G.Y)**

July 10, 2020

We, the undersigned civil society organizations, call for the immediate and unconditional release of Nigerian singer and activist, Mohammad Yusuf Yakasai, who is popularly known as A.G.Y. For over a year, A.G.Y has been detained at Goron Dutse Correctional Centre following his conviction on June 19, 2019 for a song he released that criticised the Kano State Governor, Abdullahi Ganduje. The conviction of A.G.Y is in violation of the right to freedom of expression which is explicitly guaranteed under Article 39.1 of [Nigeria's constitution](#). It also violates Nigeria's regional and international obligation to respect, protect and promote freedom of expression including through art. In light of the COVID19 pandemic and the heightened vulnerability of detainees, we call for the immediate and unconditional release of A.G.Y, who is arbitrarily detained.

On 17 June 2019, A.G.Y was arrested and accused of (1) releasing a song and video without the approval of the Kano State Board, and (2) criminal defamation of Governor Ganduje. The song's partial lyrics criticized Governor Ganduje in relation to allegations he had accepted a bribe from public works contractors, an incident that was widely publicized and reportedly captured in a video recording. Two days later, on 19 June 2019, A.G.Y appeared before Magistrate Alh Aminu Gabari, and after a summary trial where A.G.Y was not legally represented, the Magistrate Court of Kano found A.G.Y guilty and [sentenced](#) him to 1 year in prison for releasing the video and song, with an alternative fine of 100 000 Naira (equivalent to USD 400.00). He was also sentenced to an additional 1 year without an option of a fine for defaming the governor. In sentencing A.G.Y, Magistrate Gabari stated that there was a prevalence of such offences where "some people have no regards for elders and leaders in the society". Magistrate Gabari further stated that A.G.Y's conviction and sentence was to be a deterrent for the commission of similar offences.

The summary nature of the trial against A.G.Y denied him his fundamental due process right to consult with a lawyer and to adequately prepare a defense. It also denied him the opportunity to raise the alternate fine. Furthermore, the criminal prosecution and conviction of an artist for releasing a song and video without approval from the Kano State Censorship Board amounts to prior censorship, contrary to regional and international law. The [United Nations \(U.N\) Special Rapporteur in the field of cultural rights](#) has specifically stated that prior censorship should be an exceptional measure, taken only to prevent the imminent threat of grave irreparable harm to human life or property—in this case, A.G.Y. posed absolutely no threat to anyone. All he did was write a song. Laws requiring prior censorship must be abolished. Both the [U.N](#) and [African Commission](#) have also condemned the use of criminal defamation laws and stated that these too must be abolished. The justification by Magistrate Gabari to seemingly punish A.G.Y for criticizing elders is deeply concerning and goes against the fundamental principles of an open and democratic society [where public officials by the nature of the office they occupy, should be subject to a higher degree of public scrutiny](#).

The rights to freedom of expression and access to information are essential for ensuring citizens have adequate knowledge to participate in political life and hold governments accountable. More specifically, artistic expression opens space for citizens to [“reflect upon their society, express their fears and grievances in a non-violent manner, develop resilience after violent or traumatic experiences, including human rights violations, and imagine the future they want for themselves...”](#)

We are further concerned that the case of A.G.Y is not in isolation and that there have been several other artists in Nigeria who have been arrested and criminally charged in relation to their artistic works, particularly for criticizing government officials. Most recently, in April 14th, 2020, poet and broadcast journalist [Rotimi Jolayemi, a.k.a Oba Akewi](#), was arrested for sending a poem to a WhatsApp group which was highly critical of Nigerian Minister of Information and Culture, Alhaji Lai Mohammed. In December 2019, [8 musicians](#) from Kebbi State were physically assaulted for a song critical of Governor Attiku Badugu. In September 2019, famous Kano singer, Nazir Ahmad, popularly called Sarkin Wakan Kano, [was arrested](#) for allegedly releasing two uncensored musical albums and operating an illegal studio. The albums reportedly criticized the State Governor, Abdullahi Ganduje.

Nigeria has an obligation to respect freedom of expression which includes that right to seek, receive and impart information and ideas, including through art and culture. The state also has an obligation to ensure that all arms of government uphold this right. The prosecution, conviction and continued detention of A.G.Y is in violation of Nigeria’s regional and international obligations. We consider him arbitrarily detained and he must be immediately and unconditionally released. In addition, in light of the COVID-19 pandemic, as stated by the [U.N High Commissioner, Michelle Bachelet](#), “now more than ever, governments should release every person detained without sufficient legal basis, including political prisoners and others detained for simply expressing critical dissenting views”.

Signatories:

Organizations

1. AfricanDefenders (Pan-African Human Rights Defenders Network)
2. Africa Human Rights Network (AHRN)
3. Alert-Art-Afrik
4. Amnesty International USA
5. Arterial Network Nigeria (host of Artwatch Africa in Nigeria)
6. Center for International Policy Africa (CIP Africa)
7. CORA Arts and Culture Foundation

8. Centre for Democracy and Development (CDD)
9. Culture Advocates Caucus (CAC)
10. Hammerl Arts Rights Transfer (HART)
11. Human Rights Defenders Network-SL
12. Human Rights Defenders Solidarity Network Uganda
13. Human Rights Forum of Lead Africa International e.V, Germany
14. PEN America's Artists at Risk Connection (ARC)
15. PEN Nigeria
16. PEN Uganda
17. Robert F. Kennedy Human Rights
18. Socio-Economic Rights and Accountability Project (SERAP)
19. Southern Africa Human Rights Defenders Network (SAHRDN)

Individuals

20. Professor Wole Soyinka - Writer, Humanist, Winner 1986 Nobel Prize in Literature
21. Professor A. Carl LeVan, Professor, School of International Service, American University
22. Femi Kuti – Musician, Afrobeat icon
23. Ade Bantu – Musician, Artwatch Africa Ambassador
24. FALZ (Folarin Falana) – Multiple Award-winning Rapper and Actor
25. Jahman O. Anikulapo - Culture Curator and Communicator
26. Ayodele Ganiu – Cultural Activist, Programme Director, Intro Afrika
27. Mark LeVine - Historian and Musician, Guggenheim Fellow, University of California
28. Rikki Stein – Afrobeat Promoter, former Manager of Fela Anikulapo Kuti