

# **NIGERIA**

**LOSS OF LIFE, INSECURITY  
AND IMPUNITY IN THE  
RUN-UP TO NIGERIA'S  
ELECTIONS**

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**Amnesty International Publications**

First published in 2011 by  
Amnesty International Publications  
International Secretariat  
Peter Benenson House  
1 Easton Street  
London WC1X 0DW  
United Kingdom  
[www.amnesty.org](http://www.amnesty.org)

© Amnesty International Publications 2011

Index: AFR 44/005/2011  
Original Language: English  
Printed by Amnesty International, International Secretariat, United Kingdom

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# INTRODUCTION

On 2 April elections will begin in Nigeria.<sup>1</sup> The Nigerian authorities and the Independent National Electoral Commission (INEC) must prevent a repeat of the political violence that characterised the 2007 and 2003 elections.<sup>2</sup> The political environment is, however, very tense. In the run-up to the elections, the country has seen an increase in violence.

Several hundred people have been killed in politically-motivated, communal and sectarian violence across Nigeria in the past six months. In addition, human rights defenders and journalists, who play a key role in monitoring Nigeria's upcoming election in April, are facing increasing intimidation and harassment.<sup>3</sup> Yet the Nigerian authorities have failed to bring suspected perpetrators to justice, or to take effective measures to prevent further human rights abuses. Security officials are failing to take adequate steps to investigate the killings. To date, few arrests have been made and few people held accountable for their deaths. In failing to put in place credible measures to prevent these killings, and to fully investigate and punish perpetrators, the Nigerian authorities have neither respected, nor met their obligations to exercise due diligence to protect the right to life and security of person, as required under international human rights law and standards.

Over 50 people are reported killed in election related violence since July throughout Nigeria.<sup>4</sup> Amnesty International has received numerous reports of politically motivated assassinations, threats and intimidation targeting political candidates and their supporters, clashes between armed supporters, and excessive use of force, including lethal force, by security forces in the run-up to the 2011 elections. Yet there have been no general countrywide anti-electoral violence campaigns, no public awareness programmes, and no adequate investigations, prosecution and conviction of those responsible. Perpetrators continue to torment political rivals with impunity.

More than 50 people have been killed in sectarian violence in and around Maiduguri, Borno state since July 2010 by people believed to be members of the religious sect Jama'atu Ahlis Sunna Lidda

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1 On 2 April 2011, Nigeria will elect the National Assembly. On 9 April Nigeria will elect the President and on 16 April the State governors and State Houses of Assembly.

2 The elections in 1999, 2003 and 2007 were marred by widespread political violence, including political killings, with allegations that political candidates hired armed gangs to instigate political violence and target rivals. The security forces failed to take adequate steps to protect human rights. Most of the past acts of violence, including political assassinations, unlawful killing, beatings, destruction of property, harassment and coercion were either poorly, or not, investigated. In 2007 more than 200 people were killed in election-related violence. The role of politicians – both candidates and those holding political office – in instigating, encouraging or perpetuating election-related violence was widely acknowledged by officials, civil society organizations and the media. However, the government did not take any effective action to stop the violence.

3 For example, on 29 December 2010 Chidi Nwosu was shot dead by unknown gunmen in his house in Abia state. He was the President of Human Rights Justice and Peace Foundation (HRJPF) and was known for his work against corruption and human rights abuses. To date no one has been held accountable for his murder.

4 As distinct to violence which is sectarian or communal in nature, which may also be influenced by political and/or electoral factors. In aggregate several hundred people have been killed. Estimates in this report are likely to be understated.

a Waati Wal Jihad commonly known as Boko Haram.

Over two hundred people have been killed in communal and sectarian violence in Plateau State since 24 December 2010. There have been violent crises in 1994, 2001, 2004, 2008 and 2010 resulting in the death of over 2000 people. Yet the Nigerian authorities have failed to bring suspected perpetrators to justice, or to take effective measures to prevent future violent clashes. The regular and widespread killings in Plateau state constitute a gross violation of human rights. Several inquiries have been established into similar crises in the past but their findings and recommendations have never been made public. In cases where criminal investigations have been initiated, they tend to be inadequate. In most cases there are serious doubts over the quality of evidence against persons arrested. Amnesty International is extremely worried that in reaction to politically-motivated, communal and sectarian violence Nigeria's security forces seem to have adopted measures and practices that may contribute to grave human rights violations.<sup>5</sup> Few people, if any, have been held accountable in a court of law. Victims of previous violence have not received redress or reparation, including compensation. Many survivors and families of victims have been left destitute, further stoking feelings of resentment and desperation.

By failing to take effective measures to stem the tide of violence, the Nigerian authorities have fostered a climate of impunity. They are creating conditions conducive to an escalation of violence around the April 2011 elections.

Amnesty International appeals to security forces, political parties, armed groups and other entities engaged in acts of violence to refrain from committing further human rights abuses.

Amnesty International also calls on the Nigerian authorities to take comprehensive measures to protect the right to life and the security of persons across the country. Those responsible for serious human rights abuses must be brought to justice in fair trials without recourse to the death penalty.

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<sup>5</sup> On 18 January, the Commander of the Plateau state task force is reported to have issued orders to soldiers to shoot at sight. Shoot at sight orders even if they are accompanied by instructions restricting when soldiers may shoot to kill, may have given soldiers the message that it is acceptable to resort to lethal force as a first resort. Orders for soldiers to shoot at sight are a violation of Nigeria's constitution and the country's international human rights obligations.

# VIOLENCE IN THE RUN-UP TO THE ELECTIONS

## ELECTION-RELATED KILLINGS

Amnesty International has received numerous reports of election related killings and attempted killings in recent months, including killings of political candidates and their supporters; and of demonstrators and bystanders in the context of election-related demonstrations. On 9 January 2011 four people died when violence broke out at the rally of former presidential adviser and governorship candidate, Timi Alaibe in his hometown in Bayelsa state.

On Friday 28 January 2011, Engr. Fannami Gubio, the All Nigeria People's Party (ANPP) candidate for Borno state governor; Alhaji Godi Modu Sheriff, the brother of the current governor of Borno state; and six other people including a 10 year old child, were shot dead. Boko Haram claimed responsibility for the attacks. The police announced that they arrested 19 people. It is unclear if they have been charged or presented in court.

Richard Nima was killed on 1 February 2011 when his home in Nima in Eleme Local Government Area, Rivers State when he was attacked by unknown gunmen. A former human rights activist with the Movement for the Survival of the Ogoni People (MOSOP), Richard Nima, had recently declared his intention to run for political office in his local government. The Local Police Division opened an investigation into the attack and killing of Richard Nima. However officers demanded money from his wife, Esther Nima, in order to carry out the investigation. The police have also failed to offer her any protection despite the fact that she has received a number of threatening telephone calls. She and her seven month old baby are now in hiding. Amnesty International believes their lives to be in danger.

On 9 February 2011, two children were shot dead and others wounded by the security forces guarding the Emir's palace in Lafia, Nasarawa State who opened fire at anti government demonstrators. According to reports received by Amnesty International, the protestors were unarmed. The children were not taking part in the demonstrators, but were playing together in a nearby compound, outside their homes. Seven year old Fatima Nasiru was shot in the back and the bullet exited her chest. She died on her way to hospital. Dayyabu Mohammadd Bello Usman, aged seven, was shot in the head and died instantly. Aliyu Saleh, aged 10, was shot in the chest, and Hauwa Adamu, 17 years old, was shot on the thigh, both are receiving treatment in hospital. Parents of the children told Amnesty International *"the soldiers were shooting at random. [Since the shooting] we have heard nothing [from the army or the government]. No visit. No one came."* A third person, Hamza Ibrahim, an adult male, was also reported to have been shot dead by security forces.

On 3 March, four people were reported killed and twenty injured when a bomb exploded during a political rally of the ruling party PDP in Suleja, Niger State. The bomb was reportedly thrown from a vehicle into the crowd. At least five persons, including a political candidate of an opposition party, were arrested and brought to court on 7 March.

**Nigeria Police Force Order 237**

Amnesty International has documented numerous incidents of excessive and unlawful use of force by police and other security forces, especially during demonstrations. Amnesty International is extremely concerned about section 6 of the Nigeria Police Force Order 237 (Rules for guidance in use of firearms by the police), which provides for much wider grounds for the use of lethal force than is permissible under international law and standards,<sup>6</sup> and instructs police officers on "riot"<sup>7</sup> situations. It directs officers to fire "at the knees of the rioters" and explicitly prohibits firing in the air.<sup>8</sup> In any case, the use of firearms should be regarded as potentially lethal in all circumstances, and firing at a suspect, regardless of where an officer aims, is likely to result in death.<sup>9</sup> As such, firing at a suspect is permitted only where there is a legitimate reason and where necessary. Firearms should only be used as a last resort to protect life and only when less extreme measures are inadequate and in line with international law and standards. All use of lethal force by the security forces should be investigated immediately.

**VIOLENCE IN BORNO STATE**

Since July 2010, more than 50 people have been killed in Borno State by believed to be members of Boko Haram. Many of the attacks have targeted police, and government officials. Several religious leaders have been killed and churches have also been targeted. The attackers typically use motorbikes, shooting their targets and then driving away. The group have reportedly put up posters around Maiduguri threatening to kill people who provide information to security operatives, the last time following the assassination of Engr. Fannami Gubio, Alhaji Godi Modu Sheriff, and six other people on 28 January 2011.

In July 2009, a week of clashes between members of Boko Haram and security forces in Borno, Kano, Katsina and Yobe states, left more than 800 people, including 24 police officers, dead. A committee was set up in August 2009 to "investigate the circumstances leading to the [2009] crisis including the alleged killing of the leader of Boko Haram and the slaughter or killing of over 17 Police officers." Neither the findings nor the recommendations were ever made public.<sup>10</sup>

Amnesty International received reports that security forces in Borno state resort to dragnet arrests, arbitrary and unlawful detentions, extortion, intimidation and at least one enforced disappearance.

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6 Both Nigeria's Constitution and the Nigeria Police Force Order 237 (Rules for guidance in use of firearms by the police) provide much broader grounds for the use of lethal force than is permissible under international law and standards. For further information, see Amnesty International report Killing at Will: Extrajudicial executions and other unlawful killings by the Nigeria Police Force, AFR44/038/2009

7 "Riot" is described as a situation in which "12 or more people must remain riotously assembled beyond a reasonable time after the reading of the proclamation."

8 Force Order 237 (6) "NEVER UNDER ANY CIRCUMSTANCES WILL WARNING SHOTS BE FIRED OVER THE HEAD OF RIOTERS." (capitalized in Force Order 237).

9 According to statistics in the annual reports of the NPF, between 2003 and 2008 3,014 "armed robbers" were killed while 575 were injured by the police; in 2008, 857 "armed robbers" were killed while 53 "armed robbers" were injured by the police.

10 Muhammad Yusuf, the leader of the Boko Haram Islamic group, was arrested on 30 July 2009 in Maiduguri, Borno State. He was filmed and interviewed while in custody. Later that day the police announced that he had been killed while attempting to escape. On 13 August 2009 the Attorney General of the Federation and Minister of Justice, Michael Kaase Aondoakaa, stated that Muhammad Yusuf had been "killed in police custody". He also said that the Nigerian government "condemns in its entirety, the unfortunate circumstances that led to the death of Mohammed Yusuf in Police custody."



A local resident told Amnesty International, “after the killings [by Boko Haram] what [the police] normally do, they come and arrest all those people around [the area]... and come into the house and arrest people... Now, if an incident happened in an area, you will see most of the neighbours packing out of the area.”

The population is at the mercy of violent armed groups and a criminal justice system that provides little protection.

## VIOLENCE IN PLATEAU STATE

In the past three months, a flare up of sectarian and communal violence in Plateau state has left over 200 people dead. Conflict over land and political influence have existed for years, fuelled by unresolved tension between Plateau state's different ethnic groups, in particular the Berom, Anaguta, Afizere and Hausa-Fulani, differences of views over the 'ownership' of Jos, and conflict over land.

Over 2000 people have been killed in Plateau state since 1994 in repeated cycles of violence. After each crisis the federal and state authorities have failed to take adequate measures to prevent future violent clashes and to protect the life of individuals. The Nigerian authorities have failed to address the history of human rights abuses which underlie the current crisis and ensure that the criminal justice system mitigates and prevents vigilantism and conflagration of disputes.

Several inquiries, both at state and federal level, have been established but their findings and recommendations have never been made public.<sup>11</sup> Victims of previous violence have not received redress or reparation, including compensation, leaving people destitute and further stoking feelings of resentment and desperation.

Many witnesses of the violence in Plateau State told Amnesty International that the security forces were not there to protect them. Some alleged that the security forces did not react in time or at all, even when they warn them of a threatened attack. Allegations that some of the attacks are carried out by people in military uniforms remain rife.

At least three bombs exploded on 24 December 2011 in Jos, the state capital, killing an estimated 80<sup>12</sup> people and injuring many more. Boko Haram claimed responsibility for the bombs. Dozens of people were killed in gun and machete attacks in a wave of reprisal violence that followed. Scores of buildings were burnt down and businesses were shut for

<sup>11</sup> There have been numerous Commissions of Inquiry into the Plateau state violence, including the 2008 Prince Bola Ajibola Commission of Inquiry; the 2009 Abisoye Panel of Inquiry; and the 2010 Solomon Lar Presidential Administrative Panel. The findings of the 2008 Prince Bola Ajibola Commission of Inquiry were never published or implemented. The 2009 Abisoye Panel of Inquiry is yet to submit its final report. In August 2010, President Jonathan pledged to implement the recommendations of the Solomon Lar Presidential Advisory Committee, established on 1 February 2010 to investigate the violence in the state, however, no further action seems to have been taken and neither the report nor the recommendations have been made public. There were also Commissions of Inquiry into the 1994 violence and the 2001 violence, their recommendations were never implemented.

<sup>12</sup> The police initially announced 32 deaths, however, the National Emergency Management Agency (NEMA) subsequently announced 82 people had died, unofficial figures put the numbers much higher (see, for example, [http://www.leadershipeditors.com/ns/index.php?option=com\\_content&view=article&id=22699:yushau-a-shuaib-&catid=86:opinion&Itemid=181](http://www.leadershipeditors.com/ns/index.php?option=com_content&view=article&id=22699:yushau-a-shuaib-&catid=86:opinion&Itemid=181))

days. One resident told Amnesty International "it's chaos, there are people going round on motorbikes, they ride into a community and throw [bombs]." Several residents told Amnesty International that they had heard of subsequent bomb attacks around the city in the following days. The explosions triggered further violence in the days and weeks that followed.

On Friday 7 January 2011 a bus carrying Hausa wedding guests was attacked at Bisichi Junction in Barkin Ladi local government area and its eight occupants were killed. Amnesty International was told that security forces were slow to respond to the initial incident on Friday, despite the predictable risk of reprisal attacks. By Monday 10 January a further 60 people were reported killed in renewed violence in and around Jos: The Igbo Community Association reported that between Saturday 8 and Sunday 9 January, 43 Igbos were killed and at least 17 additional casualties were reported from other communities in the state. A member of the Hausa community told Amnesty International "there was a serious shortcoming [by the security agencies], they didn't take pre-emptive measures. There were clear signals that something was going to happen [over the weekend] but they were not on ground."

18 people were killed when four villages in the Barkin Ladi and Riyom areas of Plateau State were attacked on 11 January 2011. 13 persons were reported killed in Kuru Tasha (Wereng) village of Riyom Local Government Area (LGA), by people said to be in military uniform. In initial statements made to local journalists by the Commander of the Special Task Force (STF), the STF stated that 13 people were killed by "people in military uniform." However, in subsequent statements, the spokesperson for the STF is reported to have said that five soldiers were arrested for 'laxity' during the attacks on Kuru-Tasha village. However, he rejected suggestions that the soldiers took part in the killings. Three people were killed in Nyarwai village, and two in Fagawang village. The village of Ding was also attacked, and buildings burnt down. Amnesty International received reports that one of the communities was attacked by people in military uniforms. A local human rights defender told Amnesty International "The pattern of the killings now is extremely worrying, with attacks on women, children and the elderly."<sup>13</sup>

On Saturday 29 January at least six people were killed and fourteen injured during protests near Jos University. Dozens of buildings were burnt down. The protests began on Friday 28 January when mainly Christian students took to the streets burning tyres after the reported stabbing of two students by Hausa youths. By Saturday, students had burnt several homes and businesses in the nearby Hausa community, including a Jama'atu Nasril Islam (JNI) secondary school, two petrol stations, a fruit and vegetable market and several business and workshops. At least six bodies were left at the Central Mosque. Eyewitnesses said they appeared to have died from bullet wounds. The University reported 14 students hospitalised from injuries, many of which they claim were caused by bullet wounds when security forces

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<sup>13</sup> Barkin-Ladi and Riyom Local Government Areas (LGAs), among others, are notorious for conflict between Berom and Fulani pastoralists. With Fulani pastoralists accusing villagers of rustling their cattle and killing Fulani herdsmen, and villagers claiming Fulani are carrying out the repeated deadly attacks on villages, claims and counter claims are rife, few if any people are held accountable and the death toll keeps rising. In January, the Plateau State Chairman of the Miyetti Allah Cattle Breeders Association of Nigeria (MACBAN), speaking on behalf of Fulani pastoralists, told journalists that 117 herdsmen and 3800 cows were missing from several places across Plateau state, alleging that the herdsmen had been killed following the recent crisis in Jos. It was further reported that most of the missing Fulani were under 18 years of age and that 58 out of the 117 missing Fulani were killed between Barkin Ladi and Riyom area

opened fire on the student demonstrators around the city's university. According to reports received by Amnesty International, security forces gave student protestors two hours to leave the area before opening fire on those who remained. A senior staff member at Jos University told Amnesty International "The Dean was there, he calmed [the students] and took them in to the [university] compound, the army shot directly into the compound, the Dean was standing there, his deputy was shot standing next to him."

On Tuesday 15 February twelve people were reportedly killed when violence broke out in Jos market sparked by the stabbing to death of a police officer in the market by a Hausa butcher. The killings in the market sparked reprisal attacks in other parts of the city.

Eighteen people were killed in Rwang Fang village, Mangu Local Government Area of Plateau State in the early hours of Tuesday 22 February. The village is approximately 35 kilometres away from Jos. According to newspaper reports, the military subsequently announced the arrest of 60 people following night raids of "hostile communities" in Jos.

The continuing violence in Plateau state has also raised community tension in neighbouring states. At least thirty people were killed and several injured in the neighbouring state of Bauchi on 27 January 2011, when a fight between two men in Tafawa Balewa Local Government Area (LGA) escalated into a clash between Christian and Muslim youths. 50 buildings were reported burnt down, including places of worship. Over 20 houses were destroyed. On 31 January, an unexploded bomb was found in a church in Tafawa Balewa Local Government Area (LGA). The state emergency agency reported that the violence led to the displacement of over 600 people.

# A FAILING CRIMINAL JUSTICE SYSTEM

Nigeria has a weak criminal justice system. It is under-resourced, blighted by corruption and struggles to earn the trust of the population. The police resort too easily to the use of lethal force. Investigations into crimes, if they occur, are often cursory and not intelligence led. The security forces often resort to dragnet arrests, thereby not arresting people on the basis of a reasonable suspicion that they committed an offence. Suspects are regularly detained in cells that violate their right not to be subjected to inhuman and degrading treatment. Court processes are slow, with the result that most detainees, especially the poor, are kept in pre-trial detention for many years.<sup>14</sup>

The flaws in Nigeria's criminal justice contribute to the culture of impunity that exists in the country for violence, including politically-motivated violence. No discernible and credible measures have been adopted to mitigate the upsurge in pre-election violence in the country, although it was predictable given the history of previous elections. In addition, the Federal Government has failed to implement recommendations to reform the criminal justice system made over many years by numerous panels, scholars, stakeholders and presidential committees.<sup>15</sup>

## ARBITRARY ARREST AND DETENTION

The police do not bring suspects promptly before a judge or judicial officer. Suspects are often ill-treated in police custody, many are denied their right to contact their families or a lawyer, and in some police stations, suspects do not receive any food.

Amnesty International received reports that that in the past six months in response to the violence, security forces in Borno state arbitrarily arrested people, many of whom were unlawfully detained. They extorted money from suspects, used unlawful threats and one person is suspected to have been forcibly disappeared. These practices are regrettably the norm and not the exception in Nigeria.

One man who had been arrested and detained by the police for over a month described his experience to Amnesty International: *"I heard over the radio an armed robber had been arrested in our community, later they changed it, and said it is Boko Haram that's been arrested. And said they are looking for members of his group. Someone told them that our younger brother used to pray at the [Boko Haram] mosque. They came to our house, me and my other brother, and they arrested us. We were taken to the police station in Maiduguri.*

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<sup>14</sup> For further information, see Amnesty International reports *Killing at Will: Extrajudicial executions and other unlawful killings by the Nigeria Police Force*, AFR44/038/2009 and *Nigeria: Prisoners' rights systematically flouted*, AFR 44/001/2008

<sup>15</sup> The Nigerian government has, on numerous occasions, stated its willingness to reform the criminal justice system, acknowledging its role in creating a situation of prolonged detention and prison overcrowding. Despite many presidential commissions and committees recommending reform, the recommendations have not been implemented. Instead, the government has set up new committees and commissions to study, review and harmonize the previous recommendations.

*After 13 days, our case was referred to Force Headquarters in Abuja. Then from there were taken to SARS [Special Anti Robbery Squad], Abuja. It's known as the abattoir.<sup>16</sup> We spent 27 days there. Nobody knew where we were. We observed so many things there. Our lives were – we were not alive. We had no food, no water, no bath. One cell held about 45 of us... There were five small children there too, not more than 13 years old, all from 1 family... I saw people being beaten. When they were collecting statements, some of us cannot speak English, and some of the officers cannot speak our language, so those that have difficulty [speaking], they have been beaten. 45 [of us] came together and returned together, except one. They picked him out. We are 45 minus one, 44 [returned to Borno]."*

Amnesty International has documented many cases of extra-judicial executions, torture and other ill-treatment by the police and security forces in Nigeria and is deeply concerned for the safety of the missing detainee. The organisation believes he may be at risk of torture and extrajudicial execution.

To prevent human rights violations in police custody, a suspect should be brought promptly before a court and have the opportunity to challenge the lawfulness of their detention. Detainees have the right to liberty, which includes a presumption against pre-trial detention, the right to be brought before a court within reasonable time, the right to information, the right to legal counsel, and the right to presumption of innocence until proved guilty. While these rights are guaranteed by international and Nigerian law, they are not enforced.

Victims and their families have a right to know the truth about the violence, including the individuals or groups responsible for carrying it out or ordering it. They also need to know the extent to which the authorities failed in their duty to protect them and the reasons behind such failure. Only an investigation and trial of the alleged perpetrators adhering to international standards can answer the questions of the victims and their families and ensure their right to justice and redress.

## INVESTIGATION, PROSECUTION AND CONVICTION

Most of the election related violence, including political assassinations, unlawful killings, beatings, destruction of property, harassment and coercion have been either poorly, or not, investigated.

Following the killing of political candidate Richard Nima, the Local Police Division opened an investigation into his attack. However, deplorably, officers demanded money from his wife, Esther Nima, in order to carry out the investigation. To date, no one has been arrested in connection with his death. Nor have the police offered her any protection despite the fact that she has received a number of threatening telephone calls. She and her seven month old baby are now in hiding. Amnesty International believes their lives are in danger.

In Plateau State, very few people have been convicted of crimes related to the ongoing violence. Following previous incidents of ethno-religious violence, scores of people were rounded up by the police and security forces but few have been successfully prosecuted.

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<sup>16</sup> An Amnesty International delegation visited 'the abattoir' in 2009, see

<http://www.amnesty.org/en/library/asset/AFR44/038/2009/en/f09b1c15-77b4-40aa-a608-b3b01bde0fc5/af440382009en.pdf> p14-15

While over 200 people remain detained in Jos prison, in connection with the 2010 violence in Plateau state, only 63 have been charged and only 17 people have been convicted of crimes.<sup>17</sup> According to information received by Amnesty International, previous commissions of inquiry into the Plateau state violence have named suspected perpetrators, yet no action has been taken against these people.

The Nigeria Police Force lack sufficient funding and resources to effectively discharge its duties. Police stations lack the resources to investigate complex crimes that require specialized skills.

Nigerian lawyers told Amnesty International that, in their opinion there was insufficient evidence to try the majority of those detained in connection with the violence in Plateau state. The Director of Public Prosecutions (DPP) told Amnesty International that the delay in prosecution was partly attributable to poor investigation by the police, often requiring them to go back to do further investigation.

The situation in Borno state is similar. A lawyer living and practicing in Maiduguri, Borno state, told Amnesty International: "As a lawyer I'm handling 10 [Boko Haram] suspects, they all got bail. When they were charged to court there was no evidence."

The Director of Public Prosecution of the Federation told Amnesty International that charges have been filed against 180 accused persons currently remanded in Bauchi prison. There are no files from the recent violence although he anticipates "very soon there will be 100s of cases coming of Boko Haram." When asked why the progress of cases was so slow, he cited witness intimidation (they are afraid to come out for fear of reprisal), the volume of cases (as judges have to preside over other cases) and in some cases having to ask the police to go back and do further investigation.

Amnesty International is further concerned that the judiciary fails to ensure that all suspects in pre-trial detention are tried within reasonable time; indeed most inmates wait years for a trial.

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<sup>17</sup> As of January 2011.

# RECOMMENDATIONS

Governments have a duty to prevent and punish human rights abuses but they must do so while fully respecting human rights. Impunity fosters more violence. By bringing perpetrators to justice Nigeria will send a powerful message that violence is not tolerated and will contribute to the deterrence of human rights abuses.

All cases of serious human rights abuses should be investigated, and where appropriate suspected perpetrators should be brought to justice in a court of law in accordance with international standards of fair trial without recourse to the death penalty. Only by clarifying the truth about events, establishing accountability for abuses, and bringing to justice those responsible can confidence in the criminal justice system be restored and human rights be guaranteed.

Amnesty International urges the Nigerian government to take measures to halt election-related violence and related human rights abuses and end impunity.

The Nigerian government must:

- Publicly state that human rights abuses will not be tolerated.
- Investigate reports of killings, intimidation and threats of violence, regardless of the political affiliation of the victims or suspected perpetrators, and ensure that those who commit such abuses are brought to justice in accordance with international standards for fair trial without recourse to the death penalty.
- Establish procedures, develop expertise and procure equipment to facilitate policing of political, communal and sectarian violence, including for securing and examining crime scenes, ballistics and other forensic tests, and autopsies or medical examinations.
- Ensure that adequate systems and mechanisms are put in place alongside training and regulations on the policing of political, communal and sectarian violence to make sure that police officers apply the relevant UN standards in their daily work.
- Ensure that emergency services are fully enabled to carry out their activities.
- Ensure that the findings of previous commissions of inquiry into the crises in Plateau State are made public and those implicated investigated and held accountable in a court of law in accordance with international standards of fair trial without recourse to the death penalty.
- Ensure that the courts are adequately resourced to, and that they in fact, expeditiously adjudicate over criminal cases relating to election-related and communal and sectarian violence.
- Ensure that the history of human rights abuses which underlie the current crisis are

addressed.

- Ensure that human rights defenders are allowed to continue their work free of harassment and persecution.
- Take concrete actions to end impunity for attacks on human rights defenders and to protect those facing intimidation, threats and harassment.

Amnesty International urges the political parties and candidates to:

- Place the protection of human rights at the heart of the electoral campaign and include respect, protection and promotion of human rights in their manifesto for policies which they undertake to follow if elected.
- Refrain from acts of violence and related human rights abuses.
- Call for effective investigations by the relevant authorities into cases of political, communal and sectarian violence and related human rights abuses and urge the authorities to make public the findings of previous commissions of inquiry into the crises in Plateau State and to hold accountable those implicated.
- Urge the authorities to bring suspected perpetrators of such human rights abuses to justice without further delay.
- Publicly state that human rights abuses by party members and candidates will not be tolerated. Investigate allegations of political violence and expel, suspend or impose other similar disciplinary measures on those within the party found responsible for human rights abuses.
- Make a commitment to initiate and support legislation and policies aimed at promoting and respecting human rights.





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