



HUMAN
RIGHTS
WATCH

“Leave Everything to God”

Accountability for Inter-Communal Violence
in Plateau and Kaduna States, Nigeria

“Leave Everything to God”

**Accountability for Inter-Communal Violence in Plateau and
Kaduna States, Nigeria**

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Summary and Recommendations

“Leave Everything to God”

Accountability for Inter-Communal Violence in Plateau and Kaduna States, Nigeria



A photograph of a baby found in the rubble
of a house in Kuru Karama, Plateau State.
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A Christian woman, from the Hausa ethnic group, holds up photographs of her husband and son who were killed during an April 18, 2011 attack on Ungwar Tuji village, in Soba local government area, Kaduna State.
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Alhaji Inuwa Liman, the chief imam of the central mosque in Zonkwa, Kaduna State. He was killed during the April 18-19, 2011 violence in Zonkwa, Kaduna State.
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Obida Hildi, a pastor, killed in Bukuru, Plateau State, on January 19, 2010.
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Afolalu Felix Olugbenga, a Christian from the Yoruba ethnic group, was a lecturer at the Nuhu Bamalli Polytechnic in Zaria, Kaduna State. He was killed by a mob that attacked the campus on April 18, 2011.
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A Muslim woman, from the Hausa-Fulani ethnic group, holds up a photograph of her son killed during the April 18-19, 2011 attack on Zonkwa, Kaduna State.
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A Christian man, from the Berom ethnic group, holds up a photograph of his 17-year-old son who was shot and killed during an attack on Gwanfil village, Plateau State, on September 9, 2011.
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Hajiya Tine Abdullahi Wase, a Muslim woman from the Hausa-Fulani ethnic group, was killed in Kuru Karama, Plateau State, on January 19, 2010. Her body was recovered from inside a well.
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A Christian woman, from the Berom ethnic group, holds up a photograph of her mother who was killed in the March 7, 2010 attack on Dogo Nahawa, Plateau State.
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A Muslim man, from the Hausa-Fulani ethnic group, holds up a photograph of his son killed in the April 18-19, 2011 violence in Zonkwa, Kaduna State.
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A Christian woman, from the Berom ethnic group, holds up a photograph of her son who was killed in a February 22, 2011 attack on Bere Riti village, Plateau State.
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A Muslim woman, from the Hausa-Fulani ethnic group, holds up a photograph of her husband who was killed on April 19, 2011 in Zonkwa, Kaduna State.
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Karos Nash, a 70-year-old Christian woman, from the Berom ethnic group, was killed in the March 7, 2010 attack on Dogo Nahawa, Plateau State.
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Cecilia Pam, a 32-year-old Christian woman from the Berom ethnic group, was hacked to death along with her husband and two daughters in the March 7, 2010 attack on Dogo Nahawa, Plateau State.
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Ahmed Bako, a Muslim from the Anghan ethnic group, was the district head in Gidan Maga, Kaduna State. He was killed by a mob that attacked Gidan Maga on April 19, 2011.
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A Christian woman, from the Berom ethnic group, holds up a worn photograph of her six-year-old daughter who was killed in a February 22, 2011 attack on Bere Reti village, Plateau State.
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A Christian man, from the Berom ethnic group, holds up a photograph of his 68-year-old mother who was shot and killed during an attack on Gwanfil village, Plateau State, on September 9, 2011. His wife and four children were also killed in the attack.
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A Christian woman, from the Berom ethnic group, holds up photographs of her mother and two children who were killed in a February 22, 2011 attack on Bere Reti village, Plateau State.
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A Muslim man, from the Hausa-Fulani ethnic group, holds up photographs of family members killed during the April 18-19, 2011 violence in Zonkwa, Kaduna State.
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Houses burned by mobs during the January 17-19, 2010 sectarian violence in Jos, the capital of Plateau State.
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On a sunny day in January 2010, in the small town of Kuru Karama, Plateau State, a Muslim mother watched helplessly as Christian men bludgeoned and hacked to death her two young children. About the same time, in a nearby village in Fan district, a Fulani pastoralist witnessed farmers from the Berom ethnic group—his neighbors—burn his house and kill his uncle. A year later, Berom residents in Fan district witnessed former Fulani neighbors kill Berom women and children in a murderous night raid.

In April 2011, a Christian man in the northern part of neighboring Kaduna State saw Muslims from nearby villages surround his village and kill two of his Christian neighbors and set fire to their church and homes. That same month, some 200 kilometers to the south, in the town of Zonkwa, a Muslim secondary school student, from the Hausa ethnic group, witnessed her history teacher, a Christian, murder her father.

In each of these cases, the witnesses knew the perpetrators of these crimes, but none of the perpetrators has been brought to justice.

Nigeria's volatile Middle Belt, an area in central Nigeria that divides the largely Muslim north from the predominantly Christian south, has witnessed horrific internecine violence over the past two decades. Two neighboring states in this region—Plateau and Kaduna—have been worst affected. Since 1992, more than 10,000 people in those two states have died in inter-communal bloodletting; several thousand of those deaths have occurred since 2010 alone. Many of the victims were targeted and killed, often in horrific circumstances, based simply on their ethnic or religious identity. Victims, including children, have been hacked to death, burned alive, or dragged off buses and murdered in tit-for-tat killings. The Nigerian authorities have failed, with rare exception, to break the cycle of violence by bringing to justice the perpetrators of these serious crimes, and horrific attacks in both Plateau and Kaduna have continued.



A church in Jos, Plateau State, that was destroyed during sectarian violence on January 17-19, 2010. Christian leaders said 23 churches were destroyed in the violence.

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This report details the major incidents of violence in Plateau and Kaduna states, in particular brutal massacres in 2010 and 2011, and documents how the Nigerian authorities responded to these mass killings. The incidents documented in this report are not simply bygone historical events but remain very present in the lives of the victims and survivors. In the absence of effective remedies through the criminal justice system, similar violence continues to threaten these states, as aggrieved individuals seek retribution for the loss of their loved ones, homes, and livelihoods.

While the root causes driving communal violence in the Middle Belt are varied and often entail longstanding grievances and disputes, they are exacerbated both by divisive state and local government policies that discriminate on ethnic or religious lines and by the failure of authorities to hold to account those responsible for the violence. The report examines the reasons that Nigerian officials have not prosecuted perpetrators and recommends steps the government can and should take to end the pervasive culture and practice of impunity that have helped fuel this violence.

The communal strife in Plateau and Kaduna states has primarily pitted Hausa-Fulani Muslims—the largest and most politically powerful group in northern Nigeria—against smaller predominantly Christian ethnic groups that, together, constitute the majority in the Middle Belt. Members of these Christian groups say they feel threatened by the expanding Hausa-Fulani communities in the region. Some Christian



Children stand outside a mosque that was burned during the January 17-19, 2010 sectarian violence in Jos, Plateau State.

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A church burned during sectarian violence on April 18-19, 2011 in Kafanchan, Kaduna State. Christian leaders said 129 churches were burned in Kaduna State during the violence.
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A mosque burned by mobs on April 18, 2011 in Maraban Rido, Kaduna State. Muslim leaders said 40 Muslims were killed in the town.
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leaders accuse the Hausa-Fulani of trying to impose Islam on the region and point to a history of oppression and violence suffered by non-Muslims in the northern region of the country to back up these concerns. They also accuse Hausa-Fulani in the Middle Belt communities of resorting to violence to achieve these ends.

In Plateau State, state and local government officials have responded to this perceived threat by implementing policies that favor members of predominantly Christian “indigene” groups—those who can trace their ancestry to what are said to be the original inhabitants of an area—and exclude opportunities, such as state and local government employment, to Hausa-Fulani and members of other ethnic groups they deem to be “settlers.”

The situation is more complex in Kaduna State, where the ethnic and religious divisions are more evenly split. In the northern part of the state, Hausa-Fulani hold the majority, and Christians claim they face discrimination, while in the southern part of the state—where numerous predominantly Christian ethnic groups, together, make up the majority—Hausa-Fulani complain that they are treated as perpetual “settlers” and second-class citizens, despite the fact that, in some cases, their families have lived in those communities for multiple generations. The struggle for “ownership”—cultural, religious, and political control—of these areas has been at the heart of much of the inter-communal conflict.



A young Muslim woman, from the Hausa-Fulani ethnic group, was badly burned by a mob during the January 19, 2010 attack on Kuru Karama, Plateau State, which left more than 170 Muslims dead.

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Both sides have accused the other of using extreme violence to achieve their goals, including mass killing and ethnic or sectarian cleansing of communities and neighborhoods. Christian leaders in these states often accuse the Hausa-Fulani of starting the violence, allegations that the Hausa-Fulani leaders usually deny, while Hausa-Fulani point out that far more Muslims have died in mass killings at the hands of the Christians, massacres that Christian leaders invariably dispute.

For this report, Human Rights Watch interviewed more than 180 witnesses and victims of violence in Plateau and Kaduna states, as well as police officers, judges, prosecutors, lawyers, and Christian and Muslim leaders. A Human Rights Watch

researcher conducted site visits to the major scenes of violence, sometimes just days after a massacre, collected and analyzed court documents, and attended some of the trials in Federal High Court in Jos.

Human Rights Watch has been reporting on violence in the Middle Belt for more than 12 years, and its human rights investigations during that time also inform this report. Plateau State, as Human Rights Watch has previously reported, suffered recurring bloody episodes of inter-communal violence and mass killing in 2001, 2004, and 2008, which left hundreds of people, in each incident, dead. Following this violence, federal and state authorities took no meaningful steps to address underlying grievances and brought no one to justice for the bloodletting.

With tensions still simmering after the 2008 violence, the veneer of calm was shattered in January 2010 in renewed sectarian clashes in Jos, the capital of Plateau State. The violence led to massacres of Muslims in rural communities, south of Jos, including ethnic pogroms against rural Fulani



(above) A Nigerian Red Cross official tends to a wounded man in Jos, Plateau State, on January 21, 2010.

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(right) A Fulani man, who is Muslim, was attacked by a mob on April 19, 2011 in Jaba local government area of Kaduna State. Fulani leaders said at least 350 rural Fulani in the southern part of the state were killed in the violence.

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(above) A man stands in the rubble of the main market in Kafanchan, Kaduna State, on April 25, 2011. Hundreds of shops, houses, and vehicles were burned during the April 18-19, 2011 violence in Kafanchan.

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(opposite) People slowly return to the Bukuru Market, in Bukuru, Plateau State, after mobs destroyed the market on January 19, 2010.

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farmers and pastoralists, which left hundreds dead. The federal government stepped in for the first time and prosecuted some of the suspects, but in most cases, including the largest massacres, no one was brought to justice. In the three and a half years since then, Plateau State has been racked by numerous episodes of violence, including dozens of horrific massacres in predominantly Christian villages to the south of Jos, which have left hundreds more dead.

In neighboring Kaduna State, bloody ethnic and sectarian violence in 1992, 2000, and 2002 left hundreds or more dead in each incident. As in Plateau State, no one was brought to justice, with the exception of prosecutions under a special

tribunal during military rule following the 1992 violence. Then, in 2011, following the election of President Goodluck Jonathan—a Christian from southern Nigeria—Hausa-Fulani opposition party supporters rioted across northern Nigeria, attacking properties of ruling party officials and Christians and burning hundreds of churches. The violence then spread to the southern part of Kaduna State, where Christians killed hundreds of Muslims, including rural Fulani farmers and pastoralists.

Community leaders and witnesses in many cases filed complaints with the police in Kaduna State, but no one was prosecuted for these serious crimes. Since then, in a pattern similar to Plateau State, there have been several dozen attacks on largely Christian rural communities in southern Kaduna State, allegedly by armed Fulani attackers, as the cycle of violence continues.

Alarming, Boko Haram, a militant Islamist group in northern Nigeria, has invoked the lack of justice in these Middle Belt killings as one of its justifications for its horrific attacks on Christians, including suicide bomb attacks on church services in Plateau and Kaduna that left dozens dead and sparked renewed sectarian clashes.

Many commentators described the failure of the Nigerian authorities to bring the perpetrators of violence to justice as



A soldier stands guard atop of an armored vehicle outside the central mosque in Jos, Plateau State, during Friday prayers on January 22, 2010, after a week of violence that left hundreds dead.
© 2010 Reuters/Akintunde Akinleye



(above) Detainees arrested during or immediately after the April 2011 violence in Kaduna State were brought before the chief magistrate's court in the city of Kaduna on April 21, 2011. Detainees with fresh scars on their backs told journalists that they had been beaten by the police and soldiers in custody. The authorities later dropped charges against nearly all the detainees arrested in connection to the violence.
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one of the major drivers of the cycle of violence. "The law that is there is just on the books," a Christian youth leader in Jos lamented. "If you are a victim of a crisis, you will become a perpetrator of the next crisis because there is no justice."

This impunity is largely the result of an already broken criminal justice system, including systemic corruption in the Nigeria Police Force, that has been further rendered ineffectual by political pressure to protect the perpetrators of these crimes. In the absence of accountability and effective redress, communities that have suffered violence frequently take the law into their own hands and carry out revenge killings.

Human Rights Watch found that the response of Nigerian authorities following mass killings has been surprisingly similar through the years. During or immediately following most spates of violence, hundreds of suspects were arrested. But those arrested were often randomly rounded up, in an attempt to calm the situation, or the police or soldiers dumped suspects en masse at police stations, with weapons and any other evidence collected at the scene all lumped together, making it nearly impossible to link individual suspects to any specific crime. "[N]o attorney general worth



A broken suitcase on a road near burned vehicles on April 19, 2011 after post-election violence in the city of Kaduna. Travelers were dragged out of their vehicles and killed by sectarian mobs on the main roads leading north and south of the city.

© 2011 Reuters



Photograph allegedly taken of a mob surrounding a group of Hausa-Fulani young men in Zonkwa, Kaduna State, on April 19, 2011. A second photograph at the same location showed what appears to be the dead bodies of the Hausa-Fulani young men. Civil society leaders said they gave the photographs to the police in Kaduna and Abuja, but the police took no action.

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his salt wants to file a case in court when there is no evidence whatsoever,” a lawyer in Kaduna said. So, instead, after “tempers might have calmed down,” a judge in Kaduna explained, “people might not be paying attention to the cases, and you go and quietly discharge them.”

In many communities racked by violence, people witnessed the crimes, and, especially in rural areas, knew the perpetrators. Human Rights Watch interviewed dozens of eyewitnesses to alleged murder and arson. In most cases the witnesses had not reported the crime to the police. Some cited fear of retaliation by the perpetrators, but by far the most common reason cited for not reporting to the police was captured by a rural Fulani man in Kaduna State: “The police won’t do anything.”

But many witnesses interviewed by Human Rights Watch had indeed gone to the police, including witnesses from some of the largest mass killings in the area. In some cases, police investigators, including from Force Headquarters in Abuja, also came to the communities to interview witnesses. Witnesses said, however, that the police failed to take any action in response to their complaints, and many of them still see the men who murdered their family members and neighbors walking freely in their neighborhoods.



Dozens of bodies were found inside Kuru Karama's wells following the April 19, 2010 attack, which left more than 170 Muslims dead.
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The failure to conduct, or follow through with, criminal investigations reflects systemic problems in the police force, where police officers frequently demand that complainants pay them to investigate crimes or at times take bribes from criminal suspects to drop investigations. This system leaves victims of communal violence, who frequently have lost everything they own, not to mention their loved ones, at the mercy of an often unresponsive and ineffective police force.

These problems are further exacerbated when the violence is communal or sectarian in nature. Police and government officials fear that if they arrest suspects, it might spark renewed violence. Community and religious leaders often rally behind members of their own groups suspected or implicated in crimes during outbreaks of violence and pressure the authorities to drop the cases.

There are, however, important exceptions. Following the 2010 violence in Plateau State, for example, the federal attorney general took the rare step of intervening by prosecuting some of the perpetrators in Federal High Court, instead of leaving them in the state courts. These prosecutions, including convictions of individuals for the March 2010 Dogo Nahawa massacre (described in this report), were an important step forward. To gain jurisdiction, however, federal prosecutors often had to try the suspects using rather tenuously connected terrorism provisions under federal anti-corruption legislation. Since then, state prosecutors in Plateau State have also secured several convictions.



Mourners on March 8, 2010, observe the mass burial of 70 Christians, including 38 children, killed in the March 7, 2010 attack on Dogo Nahawa, Plateau State.
© 2010 Reuters/Akintunde Akinleye



A mass grave for the victims of the April 18–19, 2011 attack on Zonkwa, Kaduna State. Muslim leaders said that 311 Muslims were buried in mass graves during three burials from April 21 to 23, 2011.
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Aside from these infrequent prosecutions, the authorities have generally treated the violence as a political problem rather than a criminal matter. They invariably set up commissions of inquiry, which are good in theory, but in practice have become an avenue for reinforcing impunity. In the words of one civil society leader, “Going to these panels buys the government time, and when the problem drops from the headlines, they go back to business as usual.” More often than not, the reports are shelved, their recommendations are rarely implemented, and the perpetrators are not brought to book.

“I don’t think it is good enough,” a judge in Kaduna argued. “That is why we are having this recurrent crisis. [For] any small thing people will just take to the streets because nobody has been really pinned down.”



Bodies at the mortuary of Saint Gerard’s Hospital in the city of Kaduna on April 20, 2011, after post-election violence in Kaduna State left hundreds dead.
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Three Christian men, from the Berom ethnic group, stand next to a mass grave in Gwanfil village, Plateau State, where they buried 15 neighbors and family members—4 men, 3 women and 8 children—who were shot and killed in an attack on September 9, 2011.

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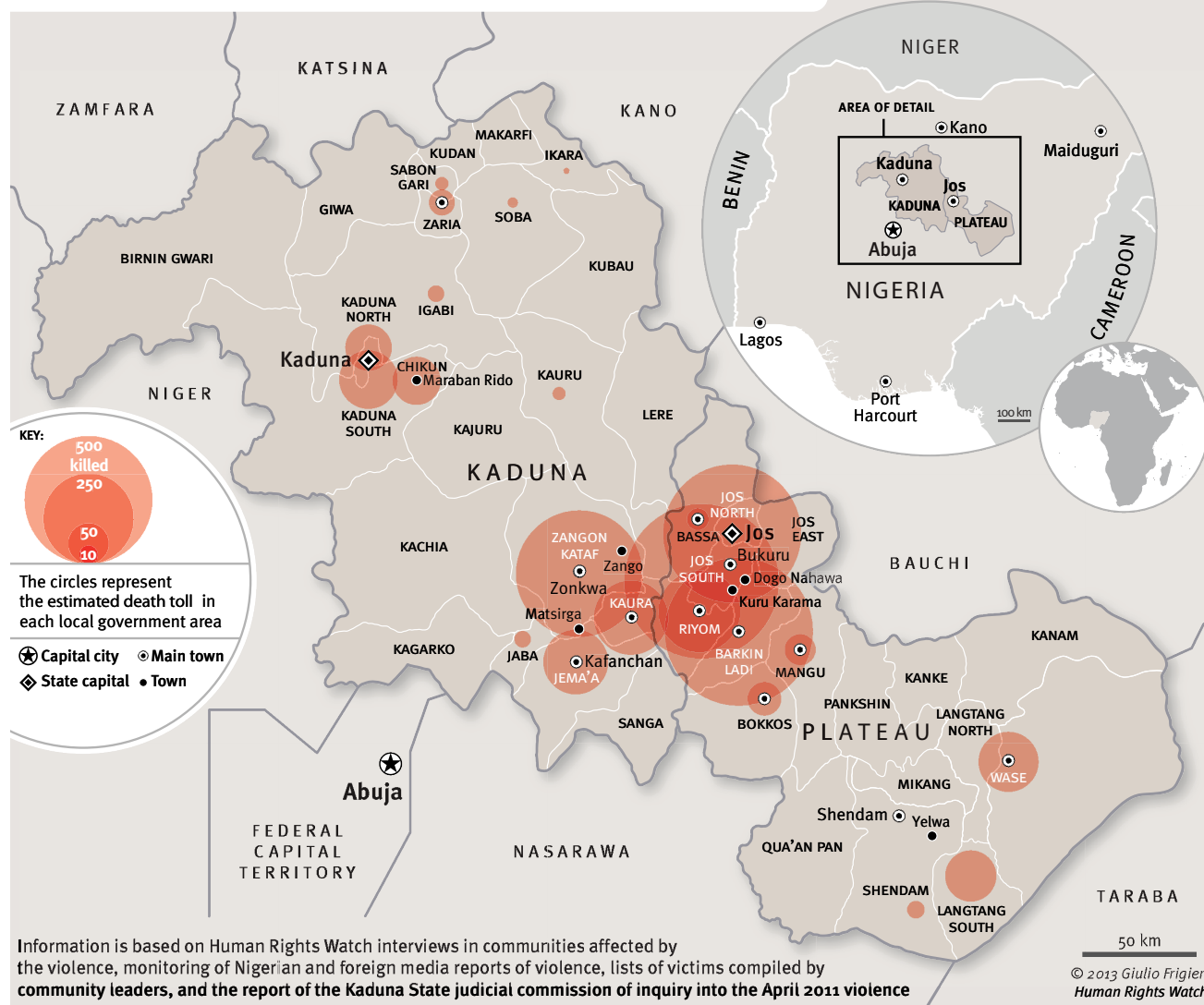
This report calls on the federal authorities to promptly and thoroughly review the status and outcome of police investigations into inter-communal violence, including alleged mass murder documented in this report, and promptly file criminal charges against those implicated, or publicly explain why charges have not been filed. The police should also create a special mass crimes unit, trained in investigating mass violence, and quickly deploy it to investigate incidents of communal violence in an impartial and thorough manner. Those implicated in crimes should be promptly prosecuted according to international fair trial standards.

The National Assembly should pass legislation establishing clear jurisdiction for the federal attorney general to prosecute, in federal court, cases of mass violence, in order to better insulate cases of ethnic and sectarian violence from political interference at the state level. Human Rights Watch calls on Nigeria's international and foreign partners, including the United Nations, United States, and United Kingdom, to publicly and privately call on Nigerian authorities to ensure that all perpetrators of mass killings are brought to justice. They should also use their expertise to offer targeted training and technical assistance to the mass crimes unit.

The cycle of violence is not inevitable. Nigerian authorities can and should take urgent steps to ensure that the perpetrators of inter-communal violence are brought to justice and the victims are compensated for their enormous personal and material losses. "I want to believe that if they had done justice, maybe a repeat of this wouldn't have come," a man in Kafanchan, Kaduna State, said after the April 2011 violence there. "This time justice should be done."

RECOMMENDATIONS

Estimated Number of People Killed in Inter-Communal Violence in Plateau and Kaduna States, Nigeria, January 2010 - November 2013



TO THE GOVERNMENT OF THE FEDERAL REPUBLIC OF NIGERIA

- Order the inspector-general of police and the federal minister of justice to provide a full account to the president, within 30 days, of investigations and prosecutions of inter-communal violence in Plateau and Kaduna states. This report should:
 - Cover the incidents of communal violence, including alleged mass murder, documented in this and other reports, including incidents and individual suspects identified in the reports of the various commissions of inquiry and administrative panels, community petitions submitted to federal authorities, and alleged sponsors of violence identified by witnesses and suspects in police statements.
 - Determine the status and outcome of the investigations and prosecutions of those cases, and identify the reasons that investigations and prosecutions were not conducted or completed.
- Ensure that those responsible for perpetrating or sponsoring serious crimes in Plateau and Kaduna states, including alleged mass murder, are promptly and thoroughly investigated, prosecuted, and punished, according to international fair trial standards.
- Take meaningful steps to begin to address root causes of inter-communal violence in Plateau and Kaduna states:
 - Sponsor legislation to end divisive government policies that fuel ethnic and sectarian tensions by expressly barring any federal, state, or local government institution from discriminating against “non-indigenes” with respect to any matter not directly related to traditional leadership institutions or other purely cultural matters. Launch a broad public education campaign throughout Nigeria focused on the rights that go with Nigerian citizenship and the need for an end to discrimination against non-indigenes.
 - Take meaningful steps to begin to allay fears of religious or ethnic minorities, including Christians living in predominately Muslim communities in northern Nigeria, by ensuring that their rights are protected, and that those responsible for sectarian or ethnic violence, including the April 2011 post-election attacks on Christians and their property in northern Nigeria, are promptly investigated, prosecuted, and punished, according to international fair trial standards.
 - Establish and publicize clear boundaries for international and regional cattle routes and grazing reserves, and establish alternative dispute resolution mechanisms for disputes between local farmers and pastoralists.

TO THE NATIONAL ASSEMBLY

- Hold public hearings, including in the respective Senate and House of Representatives committees on police affairs, justice, and human rights, calling on the police to give account of the status and outcome of investigations into communal violence, including alleged mass murder, in Plateau and Kaduna states.
- Enact legislation to domesticate the International Criminal Court’s Rome Statute, ratified by Nigeria in 2001, including criminalizing, under federal law, genocide, war crimes, and crimes against humanity, consistent with Rome Statute definitions.
- Enact legislation establishing that specific crimes, such as murder, committed during mass inter-communal violence are federal crimes, which can be prosecuted by the federal attorney general in Federal High Court.
- Enact legislation to end divisive government policies that fuel ethnic and sectarian tensions by expressly barring any federal, state, or local government institution from discriminating against “non-indigenes” with respect to any matter not directly related to traditional leadership institutions or other purely cultural matters.

RECOMMENDATIONS

TO THE NIGERIA POLICE FORCE

- Order a high-level review of the investigations conducted by the Criminal Investigation Department (CID) into communal violence in Plateau and Kaduna states. The review should:
 - Examine the incidents of alleged mass murder documented in this and other reports, including the incidents and individual suspects identified in the reports of the various commissions of inquiry and administrative panels, and community petitions submitted to federal authorities, and alleged sponsors of violence identified by suspects and witnesses in their police statements.
 - Determine the status and outcome of these investigations and identify the reasons that investigations were not conducted or completed into these alleged crimes.
- Submit the report of the high-level review to the president and federal attorney general, and provide copies to the Plateau State and Kaduna State attorneys general.
- Order the CID to conduct prompt and thorough investigations into all incidents of communal violence in Plateau and Kaduna states, including alleged incidents of mass murder documented in this report, and without delay send completed case diaries to the respective federal or state attorney general.
- Systematically arrest suspects where there is evidence implicating them in crimes.
- Hold community meetings in areas affected by communal violence to explain the steps taken to investigate the alleged crimes and emphasize that anyone implicated in reprisal violence or intimidation of witnesses will be investigated, prosecuted, and punished.
- Establish a mass crimes unit based at Force CID in Abuja that can be quickly deployed to any future incidents of mass violence to promptly and thoroughly investigate those crimes.
 - Members of the unit should be trained in investigating mass crimes, including collection and preservation of evidence at crime scenes, forensic analysis, and effective and appropriate techniques in interviewing witnesses and interrogating suspects of violent crimes.
 - The unit should also identify states most at risk of mass violence and provide training, in investigating mass crimes, to police investigators posted at state CID in those states.
- Promptly investigate police officers implicated in serious abuses, such as extrajudicial killings, committed while responding, or related to, communal violence.
 - These investigations should include abuses, documented by Human Rights Watch and other groups, during the November 2008 violence in Jos and the April 2011 violence in Kaduna State.
 - Give a public account, including to community leaders and victims, of the status of these investigations and steps taken to hold the police officers accountable.
- Implement reforms of the Nigeria Police Force including ending the widespread use of torture, through prosecuting any police officer where there is evidence of involvement in torture; taking clear measures to end police corruption, such as embezzlement of public funds, extortion of money from complainants or soliciting or accepting bribes from suspects; and improving the capacity of police investigators, including training and funding for forensic analysis.

TO THE FEDERAL MINISTRY OF JUSTICE

- Give a public account of the status and outcome of the federal prosecutions for crimes committed during the January and March 2010 violence in Plateau State.
 - Identify the reasons why individuals were not prosecuted for alleged mass murder in January 2010, including the Kuru Karama massacre and the anti-Fulani pogroms, and why sponsors of the March 2010 Dogo Nahawa massacre, identified in suspects' police statements, were not prosecuted.
- Promptly file criminal charges and prosecute, according to international fair trial standards, all remaining suspects, including those implicated in planning and organizing the January and March 2010 violence.
- Publicly and privately call on the police to conduct and complete investigations of the other incidents of communal violence, including alleged incidents of mass murder, in Plateau and Kaduna states.
- Enact a robust witness protection program for witnesses who provide evidence, such as testifying in court, against individuals implicated in perpetrating, planning, or organizing, communal violence in Plateau and Kaduna states.

TO THE NIGERIAN MILITARY

- Ensure that all military personnel deployed to states historically affected by communal violence, including Plateau and Kaduna, are trained in the collection and preservation of evidence at crime scenes.
- Order all military personnel, including soldiers involved in arresting suspects and collecting evidence at the scene of violence, to promptly respond to subpoenas to testify at trial. Ensure that adequate funding is provided to all soldiers subpoenaed to testify, including travel and lodging expenses.
- Promptly investigate and prosecute soldiers implicated in serious abuses, such as extrajudicial killings, committed while responding, or related to, communal violence.
 - These investigations should include extrajudicial killings, documented by Human Rights Watch and other groups, during the November 2008 violence in Jos, alleged participation by soldiers in various attacks on predominately Berom villages since 2010, and extrajudicial killings during the April 2011 violence in Kaduna State.
 - Give a public account, including to community leaders and victims, of the status of these investigations and steps taken to hold the soldiers accountable.

RECOMMENDATIONS

TO THE PLATEAU STATE MINISTRY OF JUSTICE

- Give a public account of the status and outcome of all state prosecutions for crimes committed during communal violence in Plateau State, including incidents of mass murder documented in this and other reports.
- Publicly and privately call on the police to promptly conduct and complete investigations into all incidents of communal violence, regardless of the religious or ethnic identity of the victims, including the January 2010 massacre of Muslims at Kuru Karama and the anti-Fulani pogroms.
- Promptly prosecute all individuals charged with crimes related to communal violence, according to international fair trial standards.
- Enact, in conjunction with the Federal Ministry of Justice, a robust witness protection program for witnesses who provide evidence, such as testifying in court, against individuals implicated in perpetrating, planning, or organizing violence in Plateau State.
- Consider establishing a compensation program for victims of communal violence, and ensure that compensation is provided to victims in a transparent manner, regardless of their religious or ethnic identity or indigene status.
- Proactively recruit state residents who are classified by state and local government officials as “non-indigenes,” including Muslim and Hausa-Fulani candidates, to serve as state counsel, including prosecutors, to ensure greater diversity in the Plateau State Ministry of Justice.

TO THE KADUNA STATE MINISTRY OF JUSTICE

- Give a public account of the status and outcome of all state prosecutions for crimes committed during communal violence in Kaduna State, including incidents of mass murder documented in this and other reports.
- Publicly and privately call on the police to promptly conduct and complete investigations into all incidents of violence, regardless of the religious or ethnic identity of the victims.
- Enact, in conjunction with the Federal Ministry of Justice, a robust witness protection program for witnesses who provide evidence, such as testifying in court, against individuals implicated in perpetrating, planning, or organizing violence in Kaduna State.
- Consider establishing a compensation program for victims of communal violence, and ensure that compensation is provided to victims in a transparent manner, regardless of their religious or ethnic identity or indigene status.
- Proactively recruit state residents who are classified by state and local government officials as “non-indigenes” to serve as state counsel, including prosecutors, in the Kaduna State Ministry of Justice.

TO THE UNITED NATIONS, UNITED STATES, UNITED KINGDOM, AND NIGERIA’S OTHER FOREIGN PARTNERS

- Publicly and privately call on the Nigerian government to ensure that the perpetrators, planners, and organizers of communal violence in Plateau and Kaduna states, including incidents of alleged mass murder documented in this and other reports, are promptly investigated, prosecuted, and punished, according to international fair trial standards.
- Offer assistance to the Nigeria Police Force to help set up a mass crimes unit at Force CID in Abuja that can be quickly deployed to future incidents of communal violence. Targeted assistance could include training the unit’s investigators in best practices in investigating mass crimes, including collection and preservation of evidence at crime scenes, forensic analysis, and effective and appropriate techniques in interviewing witnesses and interrogating suspects of violent crimes.
- Offer assistance to the Federal Ministry of Justice, in conjunction with the ministries of justice in Plateau and Kaduna states, in setting up a robust witness protection program.

TO THE INTERNATIONAL CRIMINAL COURT

- Continue to assess, including through site visits, whether crimes committed in Plateau and Kaduna states, including incidents of mass murder documented in this and other reports, constitute crimes under the ICC’s jurisdiction.
- Continue to monitor, including through periodic visits to Nigeria, the steps taken by the Nigerian government to investigate and prosecute those implicated in crimes in Plateau and Kaduna states, in particular those responsible for planning or organizing incidents of alleged mass murder documented in this and other reports.

Methodology

This report examines the major incidents of inter-communal violence in Plateau and Kaduna states in central Nigeria. These two states were selected because they have each witnessed more communal violence and suffered higher death tolls than any of the other states in Nigeria. The research examines closely the largest incidents of violence in each state since 2010, the January and March 2010 violence in Plateau State and the April 2011 violence in Kaduna State, and documents how the Nigerian authorities responded in the aftermath of these mass killings. The report explores the reasons that the Nigerian authorities have not brought to justice the perpetrators of these crimes and the impact of the lack of accountability.

This report is based on field research in Plateau and Kaduna states in December 2010; April, May, August, and November 2011; and between January and March 2012; as well as telephone interviews with witnesses in January and March 2010 and January 2011. Human Rights Watch interviewed more than 180 witnesses and victims of sectarian or ethnic violence in Plateau and Kaduna states, including 55 eyewitnesses to murder. Given that communal violence has occurred in dozens of communities in these two states, the research focused on the largest incidents of mass killing as well as some of the smaller, but significant, incidents of violence prior to or following these mass killings.

In the major incidents of violence during 2010 and 2011 documented in this report—including violence in Jos, Kuru Karama, and Dogo Nahawa in Plateau State; and Zaria, Kaduna, Maraban Rido, Zonkwa, Matsirga, and Kafanchan in Kaduna State—Human Rights Watch interviewed witnesses or visited the scene of the incident within a week of the violence. Human Rights Watch followed up on these witness interviews with additional interviews, in 2011 and 2012, with other witnesses from these and other communities.

Human Rights Watch asked witnesses to describe what they witnessed, whether they could identify individual perpetrators, whether they have reported the incident to the police, and what has been the response of the police. Most of the interviews were conducted in private to protect the identity of the witnesses. Several group interviews were also conducted with victims of the violence to collect information on how the police responded. Each interviewee was informed of the purpose of the interview and the ways that the information would be used, and all interviewees verbally consented to be interviewed. Some individual interviews were completed in a few minutes, while many took more than an hour to complete. Human Rights Watch did not give witnesses

financial incentives or promise any benefits to individuals interviewed. Human Rights Watch has withheld the names of many of the witnesses to protect them from possible reprisals.

Human Rights Watch also interviewed police officers, state judges, federal and state prosecutors, lawyers, community leaders, Christian and Muslim clergy, and civil society activists in Plateau and Kaduna states as well as Abuja. Human Rights Watch collected and reviewed all available reports of state commissions of inquiry and federal panels of investigation, reports submitted to these bodies by various affected communities, and court documents from cases filed in federal and state courts. A Human Rights Watch researcher also attended the judgments in three criminal trials related to the 2010 Plateau State violence, in Federal High Court in Jos in December 2010. Human Rights Watch has been reporting on the violence in Plateau and Kaduna states since at least 2001, and its investigations during that time also inform this report. These documents and interviews helped establish the response of the Nigerians authorities in the aftermath of the violence and the reasons for, and impact of, their actions or their failure to act.

I. Background: Religion, Ethnicity, and Power in Nigeria

Nigeria, with more than 250 different ethnic groups, is a country of great diversity. Its national population of some 170 million people is roughly evenly divided between Muslims and Christians. Ethnic identity and religious and political affiliation often overlap. The vast majority of northern Nigeria is Muslim and primarily from the Hausa or Fulani ethnic groups, often referred to together as Hausa-Fulani.¹ In southwest Nigeria, where the Yoruba are the largest ethnic group, the region has large Christian and Muslim populations, while the southeast of the country is dominated by the Igbo ethnic group and is largely Christian. The Middle Belt in central Nigeria is home to numerous smaller ethnic groups, often referred to as minority groups, most of which are predominately Christian, although many areas in this region also have large Muslim populations.²

Many of Nigeria's ethnic groups had no relationship to each other before being shoehorned into the same colony in 1914 by the British colonial government. The pre-colonial relationships that did exist between Nigeria's different groups were often antagonistic. In the Middle Belt region, for example, numerous minority groups during this time resisted conquest and were victims of frequent slave raids by the more powerful Hausa-Fulani states to the north.³

Following Nigeria's independence in 1960, the country's three administrative regions—Northern, Western, and Eastern—were eventually divided into 36 states, including Plateau and Kaduna.⁴ State and local governments in Plateau and Kaduna—as well as in varying degrees other states across Nigeria—enforced divisive state and local government policies that discriminate against individuals solely on the basis of their ethnic heritage or in some cases religious identity. Ethnic groups that can trace their ancestry to those regarded as the original inhabitants of an area are classified as “indigene” groups, while all other people in that area, regardless of how long they or their families have lived there, are referred to as “settlers,” and relegated to permanent second-class status.

¹ The Hausa and Fulani ethnic groups are often referred to together as “Hausa-Fulani” given frequent intermarriage between these two groups. However, the Fulani ethnic group, especially rural Fulani pastoralists, whose primary language is Fulfulde, are a distinct group from the Hausa or predominately urban Hausa-Fulani.

² The “Middle Belt” is a contested term and is sometimes used to describe states, including Plateau State, that are in the North-Central region. But the Middle Belt also refers to areas of states in central Nigeria that are home to minority ethnic groups, including, for example, the southern part of Kaduna State, which is officially in the North-West region. For more information on religion and ethnicity in Nigeria, see, for example, Toyin Falola, *Violence in Nigeria: The Crisis of Religious Politics and Secular Ideologies* (Rochester, University of Rochester Press, 1998), pp. 305-15.

³ See Paul E. Lovejoy, *Slavery, Commerce and Production in the Sokoto Caliphate of West Africa* (Trenton, New Jersey, Africa World Press, 2005), pp. 230-31; J.H. Morrison, “Plateau Societies’ Resistance to Jihadist Penetration” in *Studies in the History of Plateau State, Nigeria*, edited by Elizabeth Isichei (London, MacMillian Press, 1982), pp. 136-50.

⁴ See Rotimi T. Suberu, *Federalism and Ethnic Conflict in Nigeria* (Washington, DC: United States Institute of Peace Press, 2001), pp. 79-110.

Non-indigenes are often denied access to state and local government jobs and academic scholarships, while those who cannot find a local government in Nigeria to grant them an “indigene certificate” are effectively “stateless” and cannot apply for federal government employment, thus denying them access to some of the most important avenues of socio-economic mobility.⁵

In Plateau State and southern Kaduna State, numerous minority ethnic groups, together, constitute the majority, and are recognized as the indigenes, but they also see themselves in a position of vulnerability in their own communities. Not only do they face economic competition from Yoruba and Igbo residents who have migrated to the Middle Belt with well-established connections to the more economically prosperous south, but they also face economic competition as well as the risk of political, cultural, and religious domination by Hausa-Fulani Muslims from the north. According to leaders of these indigene groups, the Yoruba and Igbo have not challenged their political power or threatened their cultural or religious identity, but the Hausa-Fulani have been much more forceful in asserting cultural rights, advancing their religious identity, claiming indigene rights, and seeking political power in this region.⁶

The leaders of Christian indigene groups often openly accuse the Hausa-Fulani of attempting to take over their land, “dominate” the minority groups, and impose Islam on the region. They also point to the willingness of the Hausa-Fulani to resort to violence to achieve these ends. For example, in the village of Kuru Karama in Plateau State, a community leader, who is a Christian from the Berom ethnic group, told Human Rights Watch, “All we see is that they [the Hausa] want to dominate our land here and to get us to leave our land,” adding, “If we refuse, they kill us.”⁷

As the Hausa-Fulani population in Plateau State has expanded, state and local government officials in recent years have actively sought policies to favor members of indigene groups and exclude opportunities for Hausa-Fulani residents, including from state and local government employment.⁸ Muslims leaders point out that Hausa-Fulani in Jos have been subjected to “all sorts

⁵ Nigeria’s Constitution provides that the composition of the federal government should reflect the “federal character” of the country. The distinction between indigenes and non-indigenes was developed in theory to ensure that none of Nigeria’s more than 250 ethnic groups could dominate—or be marginalized by—the others. For more on state and local government discrimination against non-indigenes, see Human Rights Watch, “*They Do Not Own This Place*”: Government Discrimination Against “Non-Indigenes” in Nigeria, vol. 18, no. 3(A), April 2006, <http://hrw.org/reports/2006/nigeria0406/>.

⁶ See, for example, “Commission of Inquiry into the Unrest of 28th November 2008 in Jos North Local Government area of Plateau State,” Main Report, Volume 1, pp. 49-53.

⁷ Human Rights Watch interview with a Berom community leader in Kuru Karama, February 2012.

⁸ See, for example, Human Rights Watch, “*They Do Not Own This Place*,” April 2006, pp. 24-27, 40-43. According to the spokesperson for the Muslim community in Jos, the Jos North local government stopped providing indigene certificates to Hausa in 2000, and the state government no longer hires Hausa from Jos. Human Rights Watch interview with Sani Mudi, spokesperson for the Muslim community in Jos, January 25, 2012. However, in local government areas controlled by Hausa-Fulani in southern Plateau State, such as

of marginalization, discrimination, [and] exclusion,” by the Christian state and local government officials.⁹ These policies have led the Hausa-Fulani to vocally advocate for their right to be treated as equal citizens in the communities where they live.¹⁰

Similarly, Hausa-Fulani in southern Kaduna State complain that they are still treated as perpetual “settlers” and second-class citizens by the Christian indigenes, despite, in some cases, Hausa-Fulani families living in these communities for several hundred years.¹¹ On the other hand, Christians in the northern part of the state complain that they too are discriminated by the majority Hausa-Fulani Muslims.¹² Independent panels set up by the federal government to investigate the Kaduna and Plateau violence have recommended the federal government take steps to end government discrimination based on indigene status, but the government has taken no action.¹³

Rural communities in Plateau and Kaduna also have large populations of rural Fulani. Fulani pastoralists have long used migratory cattle routes through West Africa, including the fertile Middle Belt lands for grazing. In the early 1900s, Fulani from northern Nigeria also migrated south and settled in rural communities throughout Plateau State and southern Kaduna State. The rural Fulani, who primarily raise cattle for their livelihood, are predominantly Muslim, while the surrounding indigene groups, which are largely Christian, are mostly farmers. Although there have been some efforts to establish clear cattle routes and grazing reserves in these areas, periodic disputes between the Fulani pastoralists and indigene farmers often over destruction of crops or cattle theft, have also sparked conflict.¹⁴

Fulani cattle and herders who migrate far from home are vulnerable to attack. To counter this threat, the Fulani have established a reputation in the region that “if they or their cattle are attacked there will always be a response at a later date” to avenge the attack.¹⁵ As the emir of Wase, a traditional ruler in southern Plateau State, pointed out in 2010, Fulani herders have

Wase and Kanam, Hausa-Fulani are granted indigene certificates. See Adam Higazi, “Rural Insecurity on the Jos Plateau, Nigeria: livelihoods, land, and religious reform among the Berom, Fulani and Hausa,” Nigeria Research Network (NRN) and Oxford Department of International Development, University of Oxford, January 2013, p. 23.

⁹ Human Rights Watch interview with Sani Mudi, spokesperson for the Muslim community in Jos, January 25, 2012.

¹⁰ See Human Rights Watch, “*They Do Not Own This Place*”, April 2006, pp. 35-44.

¹¹ See, for example, *ibid.*, pp. 50-54.

¹² Human Rights Watch interviews with Christian leaders in Zaria, November 2011.

¹³ See The Presidency, “Report of the Presidential Advisory Committee on Jos Crisis,” Main Report, Volume I, May 2010, p. 29, para. 2.2.2.3; Federal Republic of Nigeria, “White Paper on the Report of the Federal Government Investigation Panel on the 2011 Election Violence and Civil Disturbances,” August 2012, p. 24. The federal government in 2012 “noted” the recommendation on the indigene issue, adding that “it is already a subject of constitutional review discussions.” *Ibid.*

¹⁴ For more on rural Fulani in Plateau State, see Adam Higazi, “Rural Insecurity on the Jos Plateau, Nigeria,” January 2013.

¹⁵ *Ibid.*, p. 63.

“peculiar attitudes” and will “neither forget nor forgive.” He added that to the network of Fulani pastoralists across West Africa, “an attack on one was tantamount to an attack on the others.”¹⁶ This culture of revenge and self-preservation is also often referenced in explaining the Fulani’s attachment to their cattle. In the words of a Fulani leader in Barkin Ladi local government area of Plateau State, “If you take a Fulani’s cow, [it is] better you kill him.” He explained that for a Fulani pastoralist, his cattle are not only the source of his livelihood but also his very identity: “He depends on the cows for his living. He sells cows to pay school fees for his children. He sells cows to feed his family. He sells cows for shelter, [and] he sells cows for [medical] treatment.” The Fulani leader added, “He [the Fulani pastoralist] would prefer to be killed than his cows to be taken away, because if his cows were taken away, he has nothing to do and is no longer relevant in society.”¹⁷

History of Conflict in Plateau State

At the heart of the inter-communal conflict in Plateau State is a longstanding struggle for power and cultural dominance in Jos, the ethnically diverse state capital located near the state’s northern border.¹⁸ This conflict has pitted the predominantly Christian Berom ethnic group, along with the smaller Afizere and Anaguta ethnic groups, which are also largely Christian, against the predominantly Muslim Hausa-Fulani. Religious and ethnic identities largely overlap in these groups, resulting in one serving as a proxy for the other. The Afizere, Anaguta, and Berom are recognized by the state and Jos North local government as the indigenes of Jos, while the Hausa-Fulani are regarded as settlers.¹⁹

The Hausa, which are the largest ethnic group in northern Nigeria, claim that their ancestors migrated to the area in the early 1900s, or earlier, and settled the land where Jos now sits. While they recognize the Afizere, Anaguta, and Berom as the indigenes of the surrounding areas, they claim that the Hausa were the first inhabitants of what is now the city of Jos, or at least helped establish it.²⁰ As the spokesperson for the Muslim community in Jos put it, “We are equal

¹⁶ See The Presidency, “Report of the Presidential Advisor Committee on Jos Crisis,” Main Report, Volume I, May 2010, Appendix 3: “Report of the Visit of the Emir of Wase to the Committee,” March 19, 2010, p. 87, para. 9.

¹⁷ Human Rights Watch interview with a Fulani leader in Barkin-Ladi, February 5, 2012.

¹⁸ Jos was officially established as a mining town in 1915 by the British colonial government. For more on the history of Jos, see, for example, Leonard Plotnicov, *Strangers to the City: Urban man in Jos, Nigeria* (University of Pittsburgh Press, 1967).

¹⁹ See The Presidency, “Report of the Presidential Advisory Committee on Jos Crisis,” May 2010, pp. 27-28, para. 2.2.1.1.

²⁰ See, for example, Plateau State Government, “White Paper on the Report of the Judicial Commission of Inquiry into the Civil Disturbances in Jos and its Environs, September 2001,” pp. 25-27, paras. 3.6-8; Plateau State Government, “White Paper on the Report of the Commission of Inquiry into the Riots of 12th April, 1994 in Jos Metropolis,” September, 2004, p. 4, para. 2.1.2; p. 17, para. 3.1.2(a) (“1994 White Paper”).

stakeholders, even if you claim to be an indigene, and we came [to Jos] and met you here, this place was brought about by our collective efforts, and we have a right to partake in it.”²¹

The Afizere, Anaguta, and Berom, on the other hand, insist that the Hausa, like the Yoruba or Igbo from southern Nigeria, must accept their position as “settlers,” or outsiders, who have migrated to Jos and have no claim to chieftaincy rights and no right to government benefits reserved for the indigenes.²²

As Jos expanded during British colonial rule, and continued to grow after independence, the Hausa grew to become, or according to some commentators remained, the largest ethnic group at the center of the city. In 1991, the federal military government, under Gen. Ibrahim Babangida, who seized power in a military coup in 1985 and stepped down in 1993, split the Jos local government area into two administrative posts—Jos North and Jos South. The city center fell within the boundaries of Jos North, while the town of Bukuru became the headquarters for Jos South local government. Christian indigene leaders objected to the new boundaries, since it gave the Hausa-Fulani “numerical dominion” in Jos North—and thus the capital of Plateau State. They interpreted the move by General Babangida, a northern Muslim, as part of a “grand plan by the Hausa-Fulani to seize Jos” for themselves.²³

The conflict in Jos has also spilled over to the predominately Berom towns and villages just south of Jos. The bloodletting has primarily pitted the Berom Christians, many of them farmers, against the Hausa-Fulani residents and rural Fulani pastoralists who have migrated over the years to these areas. As in Jos, the Berom are recognized as indigenes and the Hausa and Fulani are classified as the settlers.

In the southern part of Plateau State, communal conflicts have also centered on competing claims by ethnic groups to indigene status, as well as disputes over the selection of traditional chiefs, and conflicts between Fulani pastoralists and farmers from indigene groups, such as the Tarok, which are predominately Christian.²⁴

²¹ Human Rights Watch interview with Sani Mudi, spokesperson for the Muslim community in Jos, January 25, 2012.

²² See, for example, Plateau State Government, “1994 White Paper,” September 2004, p. 4, para. 2.1.2.

²³ *Ibid.*, p 5, para. 2.1.4.

²⁴ See Human Rights Watch, *Nigeria: Revenge in the Name of Religion: The Cycle of Violence in Plateau and Kano States*, vol. 17, no. 8(A), May 2005, <http://www.hrw.org/reports/2005/05/25/revenge-name-religion>, pp. 5-12.

The conflict over indigene rights has been particularly fierce in the town of Yelwa, in Shendam local government area, between the predominately Christian Goemai and the largely Muslim Jarawa ethnic groups. Goemai are the largest ethnic group in Shendam and are recognized as indigenes. Yelwa, on the other hand, is predominately Muslim, made up of a large number of Jarawa and other predominately Muslim ethnic groups. The Jarawa, however, have refused to accept the “settler” label or the pervasive discrimination that accompanies it.²⁵

History of Conflict in Kaduna State

Kaduna State, located on Plateau State’s western border, straddles Nigeria’s ethnic and religious divide. Northern Kaduna’s population is largely Muslim and Hausa-Fulani, while southern Kaduna is predominantly Christian and home to some 30 ethnic groups. Unlike Plateau State, where Christians from minority ethnic groups dominate state politics, Kaduna State has historically been controlled by Hausa-Fulani politicians, though members of minority Christian ethnic groups retain significant political power and hold key government posts.

The state capital, also called Kaduna, is an ethnically diverse city whose population reflects the divisions of the state and of Nigeria as a whole.²⁶ The city is home to people from all over the state and ethnic groups from other parts of Nigeria, including large and deeply rooted Igbo and Yoruba communities whose ancestors migrated during the colonial period in pursuit of jobs and other economic opportunities. The river that intersects the city serves as a symbolic and physical divider for the largely segregated city.

Relations between the Hausa-Fulani and the predominantly Christian ethnic groups in southern Kaduna have long been tense. Prior to colonial rule, the peoples of what is now southern Kaduna were regularly subjected to slave raids by forces under the control of the powerful Zaria (also known as Zazzau) Emirate.²⁷ Under British rule, southern Kaduna communities, which had long resisted northern conquest, were placed under the direct control of the emir of Zaria—in many areas for the first time. Since 1960 intrastate politics have continued to be dominated by claims of marginalization and exclusion voiced by southern Kaduna community leaders, who claim that the

²⁵ See Human Rights Watch, *Nigeria: Revenge in the Name of Religion*, May 2005, pp. 10-11, 50-51. Human Rights Watch, “*They Do Not Own This Place*,” April 2006, pp. 35-40; “Plateau Resolves: Report of the Plateau Peace Conference 2004 (18th August – 21st September, 2004),” November 11, 2004, para. 7.2.6.

²⁶ The city of Kaduna was founded by the British colonial government in 1913 and was the capital of Nigeria’s Northern Region until the region was divided into several states in 1967.

²⁷ See Toure Kazah Toure, *Ethno-Religious Conflicts in Kaduna State* (Human Rights Monitor, 2003), pp. 122-23.

state government openly favored its Hausa-Fulani population. These tensions have boiled over into deadly ethnic and sectarian violence.

Following a trend common to other parts of Nigeria, Kaduna's longstanding communal tensions have increasingly been expressed in religious rather than in ethnic terms. In 2000 Christian groups openly contested the possibility of the imposition of Sharia law in the state.²⁸ Sharia law has a long history in northern Nigeria. In the early 19th century, Usman dan Fodio, a Fulani preacher, established the Sokoto Caliphate and Sharia law across much of what is today northern Nigeria.²⁹ After the British overthrew the Sokoto Caliphate in 1903, the colonial rulers retained some aspects of Sharia, including for criminal offenses, but at independence in 1960 Nigeria's new government limited Sharia to civil matters.³⁰ The military ruled Nigeria for nearly 30 of its first 40 years of independence, but following the return to civilian rule in 1999, the clamor for Sharia in the north again intensified. Northern politicians capitalized on the populist mood, and state legislatures in 12 northern states began adopting legislation that added Sharia law to state penal codes.³¹ Christian leaders, especially Christian minorities in the north, opposed these moves. Although Sharia was adopted as a parallel law to the existing penal codes, and the criminal provisions only applied to Muslims, Christian leaders saw it as a step toward Islamizing the north and undermining the equal rights of non-Muslims under a secular state.³²

The Kaduna State legislature in 2001 passed legislation extending Sharia to cover criminal law and establishing Sharia courts. The legislation passed was a modified or watered-down version of Sharia, as a compromise to make allowances for the fact that the state has a large Christian population.³³

²⁸ See, for example, Akin Akinteye, James Wuye and Muhammen Ashafa, "Zangon-Kataf Crisis: A Case Study," in *Community Conflicts in Nigeria: Management, Resolution and Transformation* (London: Spectrum, 1999), pp. 227-228.

²⁹ For more on the Sokoto Caliphate, see Mervyn Hiskett, *The Sword of Truth: The Life and Times of the Shehu Usman Dan Fodio* (New York: Oxford University Press, 1973); S.J. Hogben and A.H.M. Kirk-Greene, *The Emirates of Northern Nigeria: A Preliminary Survey of their Historical Traditions* (London, Oxford University Press, 1966).

³⁰ See Human Rights Watch, "Political Shari'a"? *Human Rights and Islamic Law in Northern Nigeria*, vol. 16, no. 9(A), September 2004, <http://www.hrw.org/reports/2004/09/21/political-shari>, p. 13,

³¹ See *ibid.*, p. 18.

³² See *ibid.*, pp. 13-17, 93; International Crisis Group, *Northern Nigeria: Background to Conflict*, December 20, 2010, p. 16.

³³ See Human Rights Watch, *Nigeria: The "Miss World Riots": Continued Impunity for Killings in Kaduna*, vol. 15, no. 13(A), July 2003, p. 6, <http://www.hrw.org/reports/2003/07/22/miss-world-riots-o>.

II. Inter-Communal Violence in Plateau State, 1994-2008

Plateau State's official motto is "land of peace and harmony." For the past two decades, however, this state has been anything but peaceful and harmonious. Beginning in the mid-1990s, tension increased between Hausa-Fulani and predominantly Christian ethnic groups in Jos. The first major inter-communal riots erupted in 1994 and were a harbinger of far worse to come.³⁴

1994 Jos Riots

In 1994 Plateau State's military administrator appointed a Hausa-Fulani to serve as chairman of the Jos North local government. Christian indigene groups protested the appointment. The military administrator eventually capitulated to the pressure and suspended the appointment.³⁵ Hausa-Fulani leaders responded by protesting the governor's decision.

On April 12, 1994, Hausa-Fulani residents took to the streets and the protest turned violent. Hausa-Fulani rioters burned shops and vehicles.³⁶ Christians retaliated and torched a market and mosque and attacked the headquarters of the Izala Islamic sect—a conservative Salafist group—killing two Muslim teachers and burning a mosque, homes, and a school.³⁷ A commission of inquiry set up by the military administrator found that two other people also died in the violence.³⁸

The police arrested 104 people during the rioting.³⁹ The commission of inquiry identified other suspects implicated in the violence⁴⁰ and urged the authorities to hold the perpetrators accountable to "forestall future incidences" of violence.⁴¹ But no one was brought to justice. "I can say

³⁴ Major ethnic violence had also occurred in Jos prior to the formation of Plateau State. In 1966, following a military coup led by Igbo officers, in which mostly northern political and military leaders died, thousands of Igbo in the north, including in and around Jos, were killed in anti-Igbo pogroms. See, for example, *Massacre of Ndi-Igbo in 1966: Report of the G.C.B. Onyiuke Tribunal of Inquiry* (Ikeja, Lagos, Tollbrook), pp. 11-16.

³⁵ See Plateau State Government, "1994 White Paper," September, 2004, pp. 5-7, paras. 2.2.1-2.2.6; pp. 24-28, para. 3.3.1.

³⁶ See *ibid.*, p. 10, para. 2.4.3.

³⁷ See *ibid.*, pp. 7-9, paras. 2.2.6, 2.3.1(e).

³⁸ See *ibid.*, p. 7, para. 2.1.6.

³⁹ See *ibid.*, p. 9, para. 2.3.2.

⁴⁰ The commission identified 15 individuals implicated in the violence. See *ibid.*, p. 30, para. 4.0.6 (a).

⁴¹ The commission also recommended that: "These sanctions should not only be severe enough, but they should also be seen by the generality of the public, to be applied, so that they constitute a deterrence to potential mischief-makers." See *ibid.*, p. 30, para. 4.0.6.

authoritatively,” Plateau State Attorney General Edward Pwajok told Human Rights Watch in April 2013, “nobody has been prosecuted as a result of the 1994 violence in Jos.”⁴²

2001 Jos Crisis

The struggle for “ownership” and political power in Jos intensified following Nigeria’s return to civilian rule in 1999. Christian indigenes were elected to the posts of state governor and chairman of Jos North local government. But Christian indigene leaders were angered when the federal government, in June 2001, appointed a Hausa resident from Jos to fill a federal government post in Jos.⁴³ They insisted that the position should be filled only by an indigene, and some threatened violence if his appointment was not rescinded.⁴⁴ When he attempted to assume his post in August 2001, death threats and xenophobic messages were posted at his office.⁴⁵ Tensions were further inflamed by leaflets circulated in the name of a Hausa-Fulani group threatening violence against Christian indigenes.⁴⁶ Despite the warning signs, the police and state government did little to defuse the situation.⁴⁷

Violence erupted in September 2001, triggered by a Christian woman who attempted to pass through a group of Muslim worshipers praying on a road outside a mosque during Friday prayers in the Congo Russia neighborhood of Jos. Worshipers asked her to go around or wait until the end of prayers, but she refused, witnesses said. An argument ensued between her and some of the worshipers.⁴⁸ Fighting soon broke out between Christians and Muslims in the area, spreading quickly to other communities in and around Jos. The state government imposed a dusk-to-dawn

⁴² Human Rights Watch interview with Edward Pwajok, Plateau State attorney general and commissioner for justice, April 22, 2013, Washington, DC.

⁴³ See Human Rights Watch, *Nigeria: Jos: A City Torn Apart*, Vol. 13, No. 9(A) December 2001, http://www.hrw.org/sites/default/files/reports/nigeria1201_1.pdf, p. 5; Plateau State Government, “White Paper on the Report of the Judicial Commission of Inquiry into the Civil Disturbances in Jos and its Environs , September 2001,” p. 15, para. 2.15 (“2001 White Paper”).

⁴⁴ See Human Rights Watch, *Nigeria: Jos: A City Torn Apart*, December 2001, p. 5; Plateau State Government, “2001 White Paper,” pp. 15-17, paras. 2.16-2.18.

⁴⁵ See Human Rights Watch, *Nigeria: Jos: A City Torn Apart*, December 2001, p. 5. Some of the messages posted at his office included: “Trace your roots before it is too late,” “Run for your life,” “You are warned once again not to step in,” “This office is not meant for a Hausa-Fulani or any non-indigene,” and “If you want to stay alive don’t step in.” See also Plateau State Government, “2001 White Paper,” pp. 20-22, paras. 2.20-2.26.

⁴⁶ See Human Rights Watch, *Nigeria: Jos: A City Torn Apart*, December 2001, pp. 5-6. Leaflets were circulated under the name “Hausa-Fulani Youths (Under 25)” and contained messages such as: “Yes, the loss of a few families wouldn’t bother us. After all for every Anaguta’s life and their allies; there are thousands of other Hausa Fulanis. Let’s see who blinks first.” “The seat is dearer to us than our lives. In that case, do you have the monopoly of violence?” and “Blood for blood. We are ready.” See also Plateau State Government, “2001 White Paper,” pp. 19-20, para. 2.23.

⁴⁷ See Human Rights Watch, *Nigeria: Jos: A City Torn Apart*, December 2001, pp. 16-17, 20-21.

⁴⁸ See *ibid.*, p. 7.

curfew, which was widely ignored, and the police were largely ineffective at stopping the bloodletting.⁴⁹ The military was eventually sent in and quelled the violence.⁵⁰

A commission of inquiry, set up by the state government, found that at least 913 people died in the six days of violence.⁵¹ The authorities said some 300 people were arrested,⁵² and the commission identified 107 people allegedly involved in the violence,⁵³ but senior officials at the state Ministry of Justice told Human Rights Watch in 2012 that they were not aware of any successful prosecutions related to the 2001 violence.⁵⁴

2004 Yelwa Massacres

Deadly inter-communal violence continued in Plateau State over the next three years. Between 2002 and 2004, ethnic bloodletting left more than 1,200 people dead. The worst violence during this period occurred in southern Plateau State, including horrific massacres in the town of Yelwa in February and May 2004.

Following a series of attacks in February 2004 in villages in southern Plateau State, which left both Christians and Muslims dead, violence broke out in Yelwa on February 24.⁵⁵ Armed Muslim men killed at least 78 Christians in Yelwa, and possibly many more, including the massacre of at least 48 Christians inside a church compound.⁵⁶

⁴⁹ A commission of inquiry, set up by the state government, recommended that Police Commissioner Mohammed Abubakar should be dismissed from the police force for his “unethical conduct in the performance of his duties” and his “bias for the religion of Islam and his hatred for the religion of Christianity” which “blinded his thoughts, mind and orientation in the crisis.” Abubakar denied the allegations of misconduct and bias. See Plateau State Government, “2001 White Paper,” pp. 85, 95, paras. 4.18, 4.41-42. In January 2012 President Jonathan appointed Abubakar as Nigeria’s inspector general of police.

⁵⁰ See Human Rights Watch, *Nigeria: Jos: A City Torn Apart*, December 2001, p. 16.

⁵¹ See Plateau State Government, “2001 White Paper,” p. 149, para. 5.1. See also Human Rights Watch, *Nigeria: Jos: A City Torn Apart*, December 2001, p.2. Fulani leaders also reported that 148 Fulani were killed in rural areas south of Jos, including Jos South, Barkin Ladi, and Riyom local government areas. Human Rights Watch interview with Muhammed Nuru Abdullahi, Plateau State chairman of the Miyetti Allah Cattle Breeders’ Association of Nigeria, Jos, February 2, 2012.

⁵² See Human Rights Watch, *Nigeria: Jos: A City Torn Apart*, December 2001, p. 18. When Human Rights Watch visited the Jos prison in October 2001, there were 171 detainees—151 Muslims and 20 Christians—being held in connection to the crisis.

⁵³ See Plateau State Government, “2001 White Paper,” pp. 77-79, para. 4.1.

⁵⁴ Human Rights Watch interview with Edward Pwajok, Plateau State attorney general and commissioner for justice, Jos, March 12, 2012; Human Rights Watch interview with Justin Manomi, Plateau State director of public prosecutions, Jos, February 7, 2012.

⁵⁵ See Human Rights Watch, *Nigeria: Revenge in the Name of Religion*, May 2005, p. 14. In June 2002, clashes between Muslims and Christians, following a Tarok masquerade in Yelwa, also left at least dozens dead. See *ibid.*, pp. 13-14.

⁵⁶ There are conflicting claims about how the violence started, and Muslim leaders said Muslims were also killed in the violence. Human Rights Watch was unable to confirm these accounts, but Human Rights Watch’s research indicates that the vast majority of the victims were Christians. See *ibid.*, pp. 15, 19. Witnesses said armed Muslims, some wearing military uniforms, shouted “Allahu Akbar” (God is great) and let’s kill the *arna* (infidels). One witness said the attackers said they will kill the infidels because Muslims founded Yelwa and they do not want Christians there. See *ibid.*, pp. 15-19. The military was eventually deployed and by mid-afternoon stopped the violence. Witnesses said the police were absent throughout the attack. See *ibid.*, p. 19.

On May 2 and 3, Yelwa was again attacked, this time in what appeared to be a coordinated attack carried out by Christians from Yelwa as well as Christians from surrounding communities and local government areas.⁵⁷ Large groups of men surrounded Yelwa, blocking all the roads leading out of the town, and massacred Muslim residents, burning their houses, shops, and mosques, without any intervention by the police. Soldiers eventually dispersed the attackers about noon the next day.⁵⁸ Human Rights Watch estimates that at least 700 people were killed in the violence.⁵⁹

Christian men also abducted several hundred Muslim women and children. Some of the women were held for several weeks in surrounding communities and repeatedly raped, or killed, witnesses said. But police and soldiers who were sent to search for the abducted women and children did not arrest the perpetrators. As one police officer explained to Human Rights Watch, “I have not been asked to arrest anyone, but to recover property and missing people.”⁶⁰

In the northern city of Kano, Muslims protested the Yelwa killings. The protests soon turned violent, and on May 11 and 12, mobs in Kano killed more than 200 Christian residents.⁶¹ The next week several Christian villages in southern Plateau State were also attacked, leaving dozens dead.⁶²

On May 18, President Olusegun Obasanjo declared a state of emergency in Plateau State, describing the situation as “near mutual genocide.” He suspended the state governor, Joshua Dariye, whom he blamed for the violence, and appointed an interim administrator. The interim administrator set up an ambitious six-month program to restore peace in the state, including a month-long “peace conference,” special courts to prosecute perpetrators of the violence, and proposed a truth and reconciliation commission.⁶³

The police reported, in June 2004, that 77 suspects had been arrested and charged to court for the February violence in Yelwa, while 10 suspects were charged to court for the May attack.⁶⁴ In a

⁵⁷ See *ibid.*, p. 21. Following the February 24 massacre in Yelwa, there were also a number of smaller attacks in surrounding towns and villages. See *ibid.*, pp. 20-21.

⁵⁸ See *ibid.*, pp. 21-40.

⁵⁹ See *ibid.*, pp. 25-27. Christian leaders said Christians were also killed during the violence. Human Rights Watch was unable to confirm these accounts.

⁶⁰ *Ibid.*, pp. 40-43.

⁶¹ See *ibid.*, pp. 56-81. When the security forces eventually intervened, the death toll rose even further, as police and soldiers killed dozens more, most of them Muslims.

⁶² See *ibid.*, pp. 43-44.

⁶³ See *ibid.*, pp. 46-53.

⁶⁴ See *ibid.*, pp. 54-55. The police said that between 2001 and 2004, 1,284 suspects had been arrested and charged to court relating to communal violence in Plateau State.

speech to the Nigerian Senate in October 2004, President Obasanjo seemed to back down from the emphasis of bringing the perpetrators to justice, and plans to establish a truth and reconciliation commission were dropped.⁶⁵ In November 2004, the state of emergency, which may have provided short-term calm but no long-term solution, was lifted, and Dariye returned to his post as governor. Senior officials at the state Ministry of Justice told Human Rights Watch in 2012 that they were not aware of any successful prosecutions in relation to the 2004 violence.⁶⁶

2008 Jos Violence

Following the 2001 violence in Jos, the state government held no elections for the bitterly contested position of chairman of the Jos North local government. Successive state governors simply appointed administrators—Christian indigenes from the state—to fill the post.⁶⁷ On November 27, 2008, the state eventually held local government elections. The ruling party nominated a Berom Christian as candidate for Jos North local government chairman, while the main opposition party nominated a Hausa-Fulani Muslim candidate. At stake were not just control of the public treasury and the ability to dole out patronage, but also potential control over determining which ethnic groups would be granted indigene status and the “ownership” of Jos.⁶⁸

The statewide elections were generally peaceful, but as votes were counted that night, opposition party agents claimed state election officials tried to rig the results in Jos North in favor of the Berom candidate.⁶⁹ Clashes broke out during the night between Christian and Muslim youth, who had gathered outside the building where the votes were being counted to “protect their votes,” and police had to evacuate party agents and election officials.⁷⁰

⁶⁵ See *ibid.*, p. 52. President Obasanjo told the Senate that “the prolonged nature of the conflicts in Plateau State and the extensive number of alleged perpetrators of violations in the course of those conflicts makes the combination of truth, forgiveness, reprieve, amnesty and reconciliation a more desirable option, in the first instance, to retributive criminal justice.”

⁶⁶ Human Rights Watch interview with Edward Pwajok, Plateau State attorney general and commissioner for justice, Jos, March 12, 2012. Human Rights Watch interview with Justin Manomi, Plateau State director of public prosecutions, Jos, February 7, 2012. See also Human Rights Watch, *Nigeria: Revenge in the Name of Religion*, May 2005, p. 54.

⁶⁷ See Philip Ostien, “Jonah Jang and the Jasawa: Ethno-Religious Conflict in Jos, Nigeria,” in *Muslim-Christian Relations in Africa*, August 2009, p. 27.

⁶⁸ The election of a Hausa-Fulani as chairman would mean that Hausa-Fulani could regain their indigene status, which, since 1999, had been denied them by the Christian indigene chairmen. See *ibid.*, p. 7.

⁶⁹ Human Rights Watch interviews with opposition party agents, Jos, December 2008.

⁷⁰ Human Rights Watch interviews with party agents and Christian residents in the Kabong neighborhood, Jos, December 2008. A senior police official told Human Rights Watch that, “Around 5 a.m. all election agents and papers were evacuated to the police headquarters for safety and then taken to PLASIEC [Plateau State Independent Electoral Commission].” He added that at the time of the evacuation, “The counting was inconclusive. The collation had not been finished. They had to finish it at the PLASIEC office.” Human Rights Watch interview with Oga Ero, assistant commissioner of police in charge of operations, Plateau State, Jos December 11, 2008. That night, November 28, PLASIEC announced that the ruling party candidate had won the Jos North election. When Human Rights Watch asked the PLASIEC chairman for a copy of the election results, he said because of the security situation he could not provide the information without authorization from the state governor. Human Rights Watch interview with Gabriel Zi, PLASIEC chairman, Jos, December 10,

The situation soon further deteriorated. As word spread through the Hausa-Fulani community that morning that their candidate had allegedly been rigged out of office, Hausa-Fulani youth, including in the Alikazaure neighborhood, began attacking Christian homes and businesses, chanting Allahu Akbar (God is great).⁷¹ The violence soon spread, and Christian youth attacked Muslim homes, shops, and mosques. Mobs of Muslims and Christians targeted and killed victims simply based on their ethnic identity or perceived religious or political affiliation.⁷²

The police were largely absent in many parts of town during the violence that day, witnesses said, and the military was called in to restore order.⁷³ The following day, November 29, the police and military responded with excessive force, including the alleged extrajudicial killing of more than 130 people, the vast majority young Hausa-Fulani men.⁷⁴ According to religious leaders, by the time the violence ended, at least 761 people were dead.⁷⁵

The authorities said that 563 people were arrested during or immediately after the violence.⁷⁶ The federal government responded by establishing a panel of investigation, and the state government set up a commission of inquiry.⁷⁷ The state commission, which was boycotted by the Muslim community, identified 29 individuals accused of direct involvement in the violence and called on

2008. The opposition party candidate gave Human Rights Watch results for 15 of the 20 wards but said he had no intention of challenging the election results in Plateau State's "kangaroo courts." Human Rights Watch interview with Amino Baba, All Nigeria Peoples Party candidate for chairman of Jos North local government, Jos, December 6, 2008.

⁷¹ Human Rights Watch interviews with Alikazaure residents, Jos, December 2008.

⁷² Human Rights Watch interviews with Jos residents, December 2008 and February 2009. See also Human Rights Watch, *Arbitrary Killings by Security Forces: Submission to the Investigative Bodies on the November 28-29, 2008 Violence in Jos, Plateau State, Nigeria*, July 2009, <http://www.hrw.org/reports/2009/07/20/arbitrary-killings-security-forces-0>, pp. 4-7.

⁷³ See Human Rights Watch, *Arbitrary Killings by Security Forces*, July 2009, pp. 8-9.

⁷⁴ See *ibid.*, pp. 8-24. On November 29 Plateau State Governor Jonah Jang declared a 24-hour curfew and, according to state government spokespersons, asked security personnel to "shoot-on-sight." See, for example, press statement delivered by Nuhu Gagara, Plateau State commissioner for information and communication, Jos, November 30, 2008 (on file with Human Rights Watch). ("The Governor after assessing the situation yesterday ordered shoot on sight and advised residents of spots within Jos metropolis to remain calm and stay indoors and report any suspicious activities to the security agents."). State government officials later said the governor never issued a shoot-on-sight order, and police and military officials denied having received such an order. See "Commission of Inquiry into the Unrest of 28th November 2008 in Jos North Local Government area of Plateau State," Main Report, vol. 1, pp. 221-28; Human Rights Watch, *Arbitrary Killings by Security Forces*, July 2009, p. 9.

⁷⁵ Christian leaders told Human Rights Watch that 129 Christians were killed in the violence, including seven pastors or church workers, and 46 churches were burned. Human Rights Watch interview with Rev. Ben Nasara, Jos North chairman of the Christian Association of Nigeria, Jos, February 11, 2009. List of churches burned on file with Human Rights Watch. Muslim leaders said 632 Muslims were killed and 22 mosques and 15 Islamic schools were burned or destroyed. Human Rights Watch interview with Sheikh Khalid Aliyu, spokesperson for the Jos North Muslim Ummah, Jos, February 10, 2009. List of the names of 628 of the 632 victims and the mosques and Islamic schools destroyed on file with Human Rights Watch.

⁷⁶ Human Rights Watch interview with Bala Kassim, police public relations officer, Plateau State, Jos, December 11, 2008.

⁷⁷ The Plateau State government sued the federal government on the grounds that the federal government had no power to investigate internal state matters. See Taye Obateru, "Jos Mayhem – Why We Sued FG – Plateau Govt," *Vanguard* (Lagos), December 31, 2008. The Plateau State government later withdrew the lawsuit after the federal government revised the panel's terms of reference. See Seriki Adinoyi and Chuks Okocha, "Plateau – We Didn't Withdraw Suit Under Pressure," *ThisDay* (Lagos), April 2, 2009.

the police to investigate them.⁷⁸ The federal panel was still holding hearings in January 2010 when violence erupted again in Jos and never completed its work.⁷⁹

In December 2008 the state Attorney General's Office charged more than 300 individuals before the state High Court.⁸⁰ The police, however, transferred the detainees, along with their case files, to Abuja. The Plateau State government repeatedly demanded that federal authorities return the suspects to Jos to face trial.⁸¹ The federal attorney general "promised that he would do the right thing by directing the police to return all the case diaries to me," Plateau State Attorney General Edward Pwajok told Human Rights Watch. "That hasn't been done."⁸² By the middle of 2009 all the cases relating to the 2008 violence had been dismissed, he said, adding that no one has been prosecuted in either state or federal court.⁸³

The police commissioner in charge of the Jos investigation at the Criminal Investigation Department (CID) in Abuja told Human Rights Watch in February 2009 that the police had gone through the case diaries and released many of the detainees because there was no evidence linking them to any alleged offense.⁸⁴ Human Rights Watch requested information on what happened in the remaining cases.⁸⁵ The police responded in November 2013 that the individuals identified by the commission of inquiry were "undergoing trial" but provided no further detail.⁸⁶

⁷⁸ See "Commission of Inquiry into the Unrest of 28th November 2008 in Jos North Local Government area of Plateau State," pp. 127-85.

⁷⁹ The federal panel was subsumed in February 2010 by another federal committee, headed by former Plateau State Governor Solomon Lar. See The Presidency, "Report of the Presidential Advisory Committee on Jos Crisis," May 2010.

⁸⁰ Human Rights Watch interview with Edward Pwajok, Jos, March 12, 2012. According to a defense lawyer in Jos, 463 Muslims were charged in magistrates' courts and state High Court in connection to the 2008 violence. Human Rights Watch interview with lawyer Ahmed Garba, Jos, January 26, 2012.

⁸¹ Human Rights Watch interview with Edward Pwajok, Jos, March 12, 2012.

⁸² Ibid.

⁸³ Ibid.

⁸⁴ Human Rights Watch interview with Abiola Odion, police commissioner in charge of general investigations, Criminal Investigation Department, Force Headquarters, Abuja, February 23 2009.

⁸⁵ Human Rights Watch letter to Inspector-General of Police Mohammed Abubakar, October 21, 2013.

⁸⁶ Letter from Nwodibo Ekechukwu, deputy commissioner of police, Legal/Prosecution Section, "D" Department (FCID), Abuja, emailed to Human Rights Watch on November 28, 2013.

III. Renewed Communal Violence in Plateau State, 2010-2013

Tensions were still simmering from the 2008 violence when violence again erupted in January 2010 in Jos. The violence spread to towns and villages south of the city, leaving hundreds dead in brutal massacres. Over the next three years in Plateau State, hundreds more were killed in ethnic and sectarian bloodletting.

The January 2010 Jos Violence

The January 2010 violence in Jos was sparked by a dispute at a construction site when a Hausa-Fulani man attempted to rebuild his house that had been destroyed during the 2008 violence. On January 17, the man brought in a crew of Hausa-Fulani workers to the predominantly Christian neighborhood in Nassarawa Gwom. Christian residents said that the workers, who were mixing cement on the road in front of the house, tried to block the Christian residents from using the road and hurled insults and rocks at them. The building owner, on the other hand, said that Christian youth demanded that his crew stop working and attacked some of the workers. Soldiers intervened and allowed the construction workers to finish mixing the cement. After the workers left, witnesses said, some Muslim youth returned and fighting broke out between Muslim and Christian youth. It spread to neighboring areas as Muslim youth set fire to some of the Christian houses and a nearby church, according to witnesses.⁸⁷

The Plateau State police commissioner told journalists at a press conference: “This morning there was a breach of the peace by a handful of [M]uslim youths who, without any form of provocation whatsoever, started attacking people who were going to church particularly around St. Michael Catholic Church in Nasarawa Gwong area.”⁸⁸ The state government announced a dusk-to-dawn curfew in the city.⁸⁹ The following day, January 18, the police said that security personnel had “succeeded in quelling the unrest and restoring calm in the affected area of the city.”⁹⁰ Some of the initial media reports put the death toll at 25, although Muslim leaders told Human Rights Watch that by January 18 they had buried 71 people.⁹¹ The worst of the bloodletting was yet to come.

⁸⁷ Human Rights Watch telephone interviews with Christian residents and the Hausa-Fulani owner of the house, 2013. See also Mahmud Lalo and Misbahu Bashir, “How Jos Crisis Began – By Man On the Spot,” *Daily Trust* (Abuja), January 19, 2010.

⁸⁸ See Taye Obateru and Emmanuel Ovuakporie, “10 Killed in Fresh Jos Violence,” *Vanguard* (Lagos), January 18, 2010.

⁸⁹ See “Deadly sectarian clashes in Nigeria prompt curfew,” *Agence France-Presse*, January 17, 2010.

⁹⁰ Aminu Abubakar, “Security forces patrol Nigerian city after deadly unrest,” *Agence France-Presse*, January 18, 2010.

⁹¹ See *ibid.* Muslim leaders said they buried 19 corpses on Sunday and 52 on Monday. Human Rights Watch telephone interview with Mohammed Shittu, secretary of the death toll and rescue committee, Muslim Ummah, Jos, January 19, 2010.

In the pre-dawn hours of January 19, violence again erupted, this time in the adjacent town of Bukuru. Muslim and Christian youth fought and roving mobs burned houses, shops, and places of worship in Bukuru and again in Jos. The state government responded that morning by imposing a 24-hour curfew in Jos and Bukuru.⁹²

The violence, however, soon spread to smaller towns and villages south of Jos and Bukuru. Armed groups of Christians, predominantly from the Berom ethnic group, attacked Muslim residents in dozens of settlements in what appeared to be coordinated attacks. The mobs killed or drove out Muslim residents, including in some cases butchering women and children, and burned Muslim homes, property, and mosques. In many of the communities, all the Hausa-Fulani residents, many of whom had lived there for their entire lives, were killed or driven out of the area. Some of the worst massacres on January 19 took place in Kuru Karama, Tim-Tim, Sabon Gidan Kanar, Sabon Gidan Forum, and Kaduna Vom, in Jos South local government area. Numerous rural Fulani settlements in Jos South, Barkin Ladi, and Riyom local government areas were also attacked.

According to Muslim leaders, following the January 17 violence the state government repeatedly broadcast the police commissioner's statement attributing the violence to Muslims in Jos attacking, without any provocation, Christian worshippers. They allege this was used to incite the attacks on Muslims in the towns and villages south of Jos.⁹³

By the time the violence ended, hundreds of people were dead. Muslims leaders said that 968 Muslims were killed.⁹⁴ Christian leaders said that 57 Christians were killed, including two pastors, and 23 churches were destroyed.⁹⁵ The police, on the other hand, released a statement in January 2010 that put the death toll at 326.⁹⁶

⁹² See "Nigerian city under 24-hour curfew over religious violence," Agence France-Presse, January 19, 2010. See also Adam Higazi, "The Jos Crisis: A Recurrent Nigerian Tragedy," Friedrich Ebert Stiftung Discussion Paper, No. 2, January 2011, pp. 26-27.

⁹³ Family members of Hausa-Fulani victims sued police and state government officials in 2010, alleging that the repeated broadcast of the police commissioner's statement caused the subsequent attacks on Muslim victims. See *Ahmad Muhammad et al. v. Police Service Commission et al.*, Federal High Court of Nigeria, Jos Juridical Division, Complaint, FHC/J/CS/17/2010.

⁹⁴ See Plateau State Muslim Ummah, "Muslims Massacred Toll Recorded January 17th 2010, Jos and Environs Crisis," provided to Human Rights Watch by Muslim leaders from the central mosque, Jos, March 2012. A Muslim official at the central mosque in Jos earlier put the death toll at 729. Human Rights Watch telephone interview with Mohammed Shittu, Jos, February 17, 2010.

⁹⁵ Human Rights Watch telephone interview with Rev. Chuwang Davou, Plateau State secretary of the Christian Association of Nigeria (CAN). Rev. Davou added that this figure only included deaths of church members of churches under CAN, and did not include deaths of members of churches not affiliated with CAN, such as Jehovah's Witnesses or Seventh-day Adventists, or "idol worshippers." Rev. Davou added that in addition to the 57 dead, one Christian was still missing. In March 2012, Rev. Davou provided Human Rights Watch with a "preliminary" report that listed 23 churches that had been "totally burnt." "Preliminary Statistics of Churches and Members Affected in the January, 2010 Jos," Copy of file with Human Rights Watch.

⁹⁶ See Seriki Adinoyi, "Police Put Casualty Figure At 326," *ThisDay* (Lagos), January 26, 2010.



Satellite image of the town of Kuru Karama, Plateau State, 10 months before the January 19, 2010 attack. © 2013 DigitalGlobe. Source: Google Earth. Image date: March 26, 2009



Satellite image of Kuru Karama 21 months after the January 19, 2010 attack. Mobs killed or drove out the entire Muslim population, destroying some 250 houses and shops, mosques, and an Islamic school. © 2013 DigitalGlobe. Source: Google Earth. Image date: December 7, 2011

The Kuru Karama Massacre

Human Rights Watch interviewed 21 witnesses to the January 19 attack on Kuru Karama (also known as Kuru Jentar), a predominantly Hausa-Fulani and Muslim settlement located in the Berom heartland of Plateau State. Some of the Hausa-Fulani families had lived in Kuru Karama for several generations, descendants of migrants who had come to work in the tin mines in the early 1900s.⁹⁷ The tin mines later closed, but some of the residents continued to work as artisanal miners or at a nearby mineral processing company, known as Kavitex.

Witnesses said that on the morning of January 19, Kuru Karama residents heard the news on the radio and television that there were more problems again in Jos and that a 24-hour-curfew had been imposed. Some of the Hausa-Fulani residents said they also received information that some Berom were coming to attack them.⁹⁸ The community leaders, including the Berom and Hausa leaders, met that morning at Kuru Karama's police post.⁹⁹ The ward head, who is Berom, recalled that when "we heard that Muslims had attacked a church in Jos, we the traditional leaders called [together] the stakeholders in Kuru Jentar, and we [all] agreed we should not allow what happened in 2001 to repeat in 2010."¹⁰⁰ The Berom leaders and the police officer in charge of the police post, who was also Christian, assured the Muslim leaders at the meeting that there would be no violence and they should return to their homes.¹⁰¹

Shortly after leaving the meeting, about 10 a.m., residents said they began to see groups of people, armed with guns, sticks, machetes, and bows and arrows, converging on the outskirts of the community. Some of the people came on foot while others arrived in vehicles, witnesses recalled. Muslim witnesses said that the people were Christians, nearly all Berom, from surrounding

⁹⁷ Human Rights Watch interviews with Kuru Karama residents, Jos, January and February 2012.

⁹⁸ One of the Hausa-Fulani leaders said that some of the farmers from Kuru Karama who had gone to water their fields said they saw men moving along the riverbed toward Kuru Karama. Another Hausa-Fulani resident said one of his workers informed him that morning that a Berom friend had called and warned them to leave because Berom from neighboring communities were coming to attack them. Human Rights Watch interviews with Hausa-Fulani residents from Kuru Karama, Jos, January 2012.

⁹⁹ Human Rights Watch telephone interview with a Muslim leader from Kuru Karama, January 22, 2010, and interviews with Hausa-Fulani leaders from Kuru Karama, Jos, January 2012.

¹⁰⁰ Human Rights Watch telephone interview with Monday Sati, ward head, Kuru Jentar, May 20, 2013.

¹⁰¹ Some of Kuru Karama's leaders then went that morning to see the district head, Patrick Mandung, in the nearby town of Mararaban Jama'a to inform him of the rumored attack. The Dawgom—the title of the district head—gave them similar assurances that there would be no violence and sent them home. Human Rights Watch interview with Hausa-Fulani leaders from Kuru Karama, Jos, January 2013. See also The Muslim Forum Kuru Karama, "Report of What Took Place in Kuru Karama on Tuesday 19th January 2010," submitted on March 5, 2010 to "The Presidential Advisory Committee on January 17th Jos and Environs Crisis," p. 2. Copy of report on file with Human Rights Watch.

communities.¹⁰² When the Muslim leaders saw this they gathered the Muslim residents together near the police post and central mosque.¹⁰³

Some of the Christians in Kuru Karama tried to intervene. A Christian pastor went over to the armed mob that had gathered and pleaded with them to leave, but they would not listen to him and instead hit the pastor, witnesses recalled.¹⁰⁴ The pastor told Human Rights Watch that he tried to “calm the situation,” but “I was about to be beaten or shot,” he said. “After that I ran.”¹⁰⁵ Many of the Muslim residents also ran, looking for places to hide or ways to defend themselves. The armed mob then began their attack.

Muslim witnesses said that the Muslim residents were outnumbered and had little to defend themselves with. As one leader recalled:

[We] went back to defend ourselves, but we couldn't make it because we didn't have anything to protect ourselves with, and we couldn't run because they had surrounded us. So we had to just try to defend ourselves before they killed us.... They were shooting us, hitting us with knives, burning us. They followed us, so we went to another place, [but] they killed us [there].¹⁰⁶

Survivors said that from that morning until nightfall, the mob hunted down and murdered Muslim residents, including hacking to death and burning alive men, women, and children. The mob set fire to the Muslim homes, shops, and the three main mosques. According to Muslim witnesses, some of the Christian Berom residents of Kuru Karama also joined in the attack. Christian women—from Kuru Karama and other communities—allegedly carried containers of petrol that were used to set fire to houses and Muslim victims caught by the mob. Witnesses described to Human Rights Watch at least two instances where they saw women participating in the killing, including beating to death a small boy and setting fire to an old man after he had been beaten by the mob.¹⁰⁷

¹⁰² Human Rights Watch telephone interview with two Hausa-Fulani residents from Kuru Karama, January 22, 2010, and interviews with Muslim residents from Kuru Karama, January and February 2012.

¹⁰³ Human Rights Watch telephone interview with a Muslim leader from Kuru Karama, January 22, 2010, and interviews with Hausa-Fulani leaders from Kuru Karama, January 2012.

¹⁰⁴ Human Rights Watch telephone interview with a Muslim leader from Kuru Karama, January 22, 2010, and interviews with Muslim residents from Kuru Karama, January and February 2012.

¹⁰⁵ Human Rights Watch telephone interview with a Christian pastor from Kuru Karama, Plateau State, May 17, 2013.

¹⁰⁶ Human Rights Watch telephone interview with Muslim leader, Kuru Karama, January 22, 2010.

¹⁰⁷ Human Rights Watch interviews with two Muslim residents from Kuru Karama, January 28 and 29, 2012.

Witnesses also said, however, that some Christians in Kuru Karama helped hide Muslims during the killing. Two Muslim women, for example, described to Human Rights Watch how Christian residents intervened and hid them in their houses.¹⁰⁸

Some of the Muslim women said they remained at the central mosque for safety. But soon after the violence started some of the attackers entered the compound of the mosque and started killing people. A Hausa woman described seeing the mob attack a pregnant woman who was in labor at the central mosque and set fire to the woman and her newborn baby:

I saw the mob approach shooting and beating people. Inside the compound of the central mosque where we gathered, a woman went into labor. I saw the head of the baby had come out. I went to help the woman and thought, “If they saw me helping her, the mob would not hurt me.” But they still came, and I had to run and hide behind a zinc fence [nearby]. The mob surrounded the woman and started hitting her with sticks. As the mob was beating her, she gave birth to the baby. I saw them then bring petrol and pour it on her and set her on fire. I saw this with my naked eyes.¹⁰⁹

Witnesses said the Kuru Karama attack was particularly brutal. As one Muslim leader recalled, “In 2001 they didn’t kill women, they didn’t kill children, but this crisis they have killed women and children.”¹¹⁰ A Berom woman who was married to a Muslim man and converted to Islam said that two Berom men, whom she knew, killed two of her children:

I was in my house around 10 a.m. and I heard people shouting that the Berom people had come to attack us.... They surrounded us and started killing people and burning houses. Some of them know that I am Berom. I was begging them that they shouldn’t kill me. Then one of them said they will kill my children because their father is a Muslim, and if they killed them, I would become a Christian.

They collected [two of my] children from my hand and killed them in front of me. One of the men had a big stick and hit my baby boy on his head. Another man with a cutlass hit my girl on her hand and neck. I started crying. I couldn’t look at it. I

¹⁰⁸ Human Rights Watch interview with Kuru Karama residents, Plateau and Bauchi states, January 2012.

¹⁰⁹ Human Rights Watch interview with a Hausa woman from Kuru Karama, Bauchi State, January 27, 2012.

¹¹⁰ Human Rights Watch telephone interview with a Muslim leader from Kuru Karama, January 22, 2010.

didn't want to see the children [die]. I was begging them, and they left me with my two other children.¹¹¹

As the killing continued during the day, some of the Muslim residents were able to flee to the nearby compound of the Kavitex mining company. But members of the mob also entered the compound and continued their killing there. A Muslim woman who ran to the Kavitex compound recalled what she saw in the compound:

About 1:30 or 2:00 p.m. the mob saw us and came into the compound. They saw my father and went to him. They started hitting him with a stick on his head. He became unconscious and fell into a ditch. They then poured petrol on him and put fire on him.... I saw this with my eyes.

Many of the small children had lost their parents and were crying: "Mother, Mother!" One of the men took a machete and hit a small girl on her head with a machete. When I saw this, I lay down on top of my two children. As I lay on my children, they hit me with machetes. They hit me on my head, and my left arm was broken in three places. The blood came on my children and they thought I was dead. My boy was five years old and my girl was seven years old. I stayed there until 8 p.m. Some of our men came and started shouting our names. I shouted, "I am here!" But I couldn't get up. Some of them picked us up and took us to safety.¹¹²

Witnesses recalled that some of the attackers mocked the religious beliefs of the Muslim victims. A Muslim woman, whose husband and two children were killed, said that after she saw the mob kill her husband, she heard them say, "Where is your God and where is Prophet Mohammed today?"¹¹³ Another Muslim woman who was injured in the attack said that some of the men taunted the victims saying, "Since you are Muslim and believe in Allah, let him come and save you." The attackers then set her father on fire and began to hack at her with their machetes.¹¹⁴

Other witnesses recalled that members of the mob referenced land and indigene disputes during the attack. A Muslim man, whose wife was killed, noted that the attackers boasted that they would

¹¹¹ Human Rights Watch interview with a Berom woman from Kuru Karama, Jos, January 27, 2012.

¹¹² Human Rights Watch interview with a Kuru Karama resident, Bauchi State, January 27, 2010.

¹¹³ Human Rights Watch interview with a Hausa woman from Kuru Karama, January 29, 2012.

¹¹⁴ Human Rights Watch interview with a Muslim woman from Kuru Karama, January 27, 2012.

take back their land from the “non-indigenes.”¹¹⁵ Similarly, a Hausa woman, whose mother was killed, said the attackers told them, “Why should you come here and settle? Why should you not stay in your [own] places?”¹¹⁶

The killing continued unabated throughout the day, without any intervention from the police. One of the Muslim leaders, whose wife was killed, told Human Rights Watch that he repeatedly called the police that day: “My phone was full of credit and battery. I phoned everyone to get help—the divisional [police] headquarters, police state command—but there was no help.”¹¹⁷ Another man, whose two small children were killed, bitterly lamented, “Since that thing started, until it stopped, no security agents came to rescue us.”¹¹⁸

There was a police post in Kuru Karama, but witnesses allege that rather than intervene to stop the killing, the police officer in charge of the post, who is Christian, participated in the attack. Two witnesses interviewed by Human Rights Watch said they saw the police officer shoot and kill Muslim residents, including a small boy and a woman with a baby.¹¹⁹

The Death of Mohammed Ojo

Witnesses recall that as the armed mob surrounded the town, Mohammed Ojo, who was home from Ukraine where he worked as the driver for the Nigerian ambassador, called Plateau State’s attorney general, Edward Pwajok. The attorney general, who is a Christian Berom, lived in the nearby town of Mararaban Jama’a and is a member of Plateau State’s Security Council, which is responsible for overseeing security matters in the state. Human Rights Watch interviewed five witnesses who said they witnessed Ojo put his mobile telephone on speakerphone and heard him plead with Pwajok to intervene, explaining that Berom people had come to kill them. The witnesses recalled that Pwajok said he could do nothing for them, and the line then went dead.¹²⁰

Human Rights Watch asked the attorney general about this conversation, but he said he never received a call from Ojo that day. However, Pwajok said his [Pwajok’s wife] later told him that Ojo had called her. “She tried to reach me on phone to tell me there were attacks in Kuru,” he recalled,

¹¹⁵ Human Rights Watch telephone interview with a Muslim leader from Kuru Karama, January 22, 2010.

¹¹⁶ Human Rights Watch interview with a Hausa woman, Bauchi State, January 27, 2012.

¹¹⁷ Human Rights Watch telephone interview with a Muslim leader, Kuru, Karama, January 22, 2010.

¹¹⁸ Human Rights Watch interview with a Kuru Karama resident, Jos, January 29, 2012.

¹¹⁹ Human Rights Watch telephone interview with a Kuru Karama resident, January 22, 2010, and an interview with a Kuru Karama resident, Jos, January 29, 2012.

¹²⁰ Human Rights Watch interviews with Kuru Karama residents, Jos, January 2012.

but “[s]he was not able to reach me immediately.” According to Pwajok, it was a “particularly rough day” and at the time she called he was in “security meetings” in Jos and his mobile telephone was switched off.¹²¹

Needless to say, no one intervened. One survivor told Human Rights Watch that later that day he saw a group of Berom “rush at him [Ojo] with machetes and sticks.”¹²² Ojo’s corpse was later found among other corpses that had been dumped inside one of the town’s wells.¹²³

A Hausa leader from Kuru Karama said he believed that the Berom attacked the Hausa-Fulani community because they were afraid that the “Hausa have taken over Jos North and soon they will take over Jos South.”¹²⁴ Fear of domination and violence at the hands of the Hausa was also expressed by one of Kuru Karama’s Berom leaders. “All we see is that they [the Hausa] want to dominate our land here and get us to leave our land. If we refuse, they kill us,” he said.¹²⁵

Evidence of a Coordinated Attack

The evidence seen by Human Rights Watch suggests that the Kuru Karama massacre was not a spontaneous outbreak of violence but a coordinated attack carried out by armed Berom attackers. There appeared to be coordination in bringing people to the village to carry out the attack. For example, witnesses said that attackers mostly came from surrounding towns and villages, while some Christians from within the village also joined in the violence. Some attackers arrived on foot, including traveling in groups along the riverbed, while others were allegedly “ferried in” in private vehicles. One woman recalled seeing several vehicles, including minibuses, “dropping people off” before the attack.¹²⁶ Muslim leaders provided federal authorities with a list of four vehicles, including license plate numbers and the names of the drivers, allegedly used in the attack.¹²⁷

The evidence also suggests that there were leaders organizing the attack and relaying instructions to attackers. One woman recalled how one of the attackers appeared to have received instructions from someone he was speaking with by telephone. She said that near the end of the day, a group of Berom men, who had killed her husband, came over to some Muslim women and children

¹²¹ Human Rights Watch interview with Edward Pwajok, Washington, DC, April 22, 2013.

¹²² Human Rights Watch interview with a Kuru Karama resident, Jos, January 29, 2012.

¹²³ Human Rights Watch interviews with two Kuru Karama residents, Jos, January 29, 2012.

¹²⁴ Human Rights Watch interview with a Hausa-Fulani leader from Kuru Karama, January 28, 2012.

¹²⁵ Human Rights Watch interview with a Berom community leader, Kuru Karama, February 4, 2012.

¹²⁶ Human Rights Watch with a Kuru Karama resident, Bauchi State, January 27, 2012.

¹²⁷ See The Muslim Forum Kuru Karama, “Report of What Took Place in Kuru Karama on Tuesday 19th January 2010,” p. 2.

hiding inside a pit in the Kavitex compound. The men doused the women and children with petrol. As they were lighting a tire to throw into the pit, “One of them had a call on his phone, and we could hear what he was saying,” she recalled. “I heard him say, ‘We are finished with Kuru. There remain only 14 women.’ He [the man holding the phone] then told the others, ‘They said we should leave the women and children.’” The men put down the tire and left.¹²⁸

Many of the Berom and Christian leaders, however, deny that a massacre took place in Kuru Karama and insist instead there were clashes in the village that left both Muslims and Christians dead. “It erupted like war,” recalled the village head, an elderly Berom man. “Christians and Muslims were both killed,” he said, although he was unable to say how many Christians were killed.¹²⁹ Similarly, the ward head told Human Rights Watch, “There is no doubt that it is not only the Christians or the Muslims that were killed. It was both sides.” When asked if he had information on how many Christians died, he responded:

Everybody ran [so] nobody could tell the number of people who died.... In a crisis like this, actually there must be cases of victims, there must be dead people and people who had injuries, there is no doubt, but actual numbers, I can’t give you the actual number of people who died in the crisis.¹³⁰

The ward head recalled that when the violence started he too ran. He said he saw people running and heard gunshots and shouts of “Allahu Akbar” coming from the center of the village. “We saw Christians and Muslims running,” he recalled. “Everybody was running for their lives. I ran. How could I stay?”

The pastor who tried to intervene before the attack also said he did not see who carried out the attack. “I just left the vicinity. I could not stay to see what the battle was.”¹³¹ He too insisted that “there was killing on both sides—Christians and Muslims—it was a battle and a war.” He pointed out that some of his church members were still missing, adding that “I can’t say exactly the number or whether they were killed or not killed.” None of the six churches in Kuru Karama was burned, he said.¹³² All three Christian residents interviewed by Human Rights Watch said their houses had not been damaged.

¹²⁸ Human Rights Watch interview with a Kuru Karama resident, Bauchi State, January 27, 2012.

¹²⁹ Human Rights Watch interview with Dalyop Zih Dinju, village head, Kuru Jentar, February 4, 2012.

¹³⁰ Human Rights Watch telephone interview with Monday Sati, ward head, Kuru Jentar, May 20, 2013.

¹³¹ Human Rights Watch interview with a Christian pastor from Kuru Karama, Plateau State, May 17, 2013.

¹³² Ibid.

On January 20, some of the Muslim residents returned to Kuru Karama with a military escort and said they saw corpses in the central mosque and strewn around the town.¹³³ Two days later, on January 22, Muslim leaders returned with journalists, and a military escort, and found that many of the bodies had been put inside wells and drainage ditches.¹³⁴ A Muslim official from the central mosque in Jos, who was responsible for collecting the corpses, told Human Rights Watch that they removed 96 corpses from 15 wells.¹³⁵ Other wells had corpses that officials were unable to remove.¹³⁶

Muslim leaders later submitted to federal authorities a list of 167 Muslims killed in Kuru Karama, including 85 men, 29 women, and 56 children.¹³⁷ The names of seven women were later added to the list, for a total death toll of 174.¹³⁸ Their report also stated that some 250 Muslim houses and shops were destroyed or vandalized.¹³⁹

A Human Rights Watch researcher visited Kuru Karama in February 2012 and observed that nearly all of the buildings had been destroyed, although churches and buildings on the outskirts of the community were still standing. Muslim and Christian leaders both said there were no longer any Muslims living there. When Human Rights Watch asked the village head why the Muslims had left, he responded, “The Hausa left by themselves. Nobody chased them.” He explained, “They started selling their houses and leaving. Nobody even asked them why they were leaving. They just left.”¹⁴⁰ Despite the statements by the Berom leaders, the evidence suggests that the attackers successfully “cleansed” the entire village of its Muslim inhabitants by killing and burning their property. As a Hausa-Fulani woman, whose husband and two children were killed in Kuru Karama, put it, “To the end of my life, I will never enter the village again.”¹⁴¹

Other Attacks on Hausa-Fulani

Kuru Karama suffered the highest death toll in the January violence, but numerous other small towns and villages south of Jos were also attacked on the same day—January 19, 2010. Mobs of

¹³³ Human Rights Watch telephone interview with Mohammed Shitu, secretary of the death toll and rescue committee, Muslim Ummah, Jos, January 20, 2010, and an interview with a Muslim resident of Kuru Karama, January 22, 2010.

¹³⁴ Human Rights telephone interviews with Mohammed Shittu; three journalists; and two Muslim residents of Kuru Karama; Kuru Karama and Jos, January 22, 2010.

¹³⁵ Human Rights telephone interview with Mohammed Shittu, Jos, January 22, 2010.

¹³⁶ Human Rights Watch telephone interviews with Mohammed Shittu, Jos, January and February, 2010.

¹³⁷ The Muslim Forum Kuru Karama, “Report of What Took Place in Kuru Karama on Tuesday 19th January 2010,” p. 2.

¹³⁸ Updated “List of Females Deceased of Kuru Karama,” provided to Human Rights Watch in January 2012 by Muslim leaders from Kuru Karama. Copy on file with Human Rights Watch.

¹³⁹ The Muslim Forum Kuru Karama, “Report of What Took Place in Kuru Karama on Tuesday 19th January 2010,” p. 4.

¹⁴⁰ Human Rights Watch interview with Dalyop Zih Dinju, village head, Kuru Jentar, February 4, 2012.

¹⁴¹ Human Rights Watch interviews with a Kuru Karama resident, Jos, February 2, 2012.

Christians, mainly from the Berom ethnic group, killed Hausa-Fulani residents, and burned their homes, property, and mosques. In many of the communities, all the Hausa-Fulani residents were ethnically cleansed from the area. Numerous rural Fulani settlements in Jos South, Barkin Ladi, and Riyom local government areas were also attacked, beginning on January 19 and continuing in some areas through at least January 21.

Human Rights Watch interviewed Muslims residents from Tim-Tim, Sabon Gidan Kanar, and Sabon Gidan Forum in Jos South, as well as from Dogo Nahawa and Bowan Dodo in Barkin Ladi local government area.¹⁴² Human Rights Watch also interviewed five Fulani residents from separate villages in Fan district of Barkin Ladi, and a Fulani resident from Mangu local government area, as well as three Fulani leaders from Barkin Ladi.

Tim-Tim

On January 19, Christian Berom men from Tim-Tim and neighboring communities, attacked the Hausa-Fulani residents of Tim-Tim, witnesses said. The following morning, the mob returned and “killed the remaining people,” a Hausa-Fulani leader said.¹⁴³ The witnesses said they recognized the men who carried out the attack. “I know them,” recalled one witness. “They know me. We eat together. We do everything together.”¹⁴⁴ The Hausa-Fulani leader said 78 people were killed in Tim-Tim.¹⁴⁵ Muslim leaders in Jos also provided Human Rights Watch with a list of names of people killed in the January violence, which included 41 names under Tim-Tim.¹⁴⁶ Two of the witnesses said they reported the matter to the police, but no one has been arrested.

Two years after the attack, none of the Hausa-Fulani had returned to Tim-Tim. The Hausa-Fulani leader explained, “My grandparents’ graves are in Tim-Tim. My father and mother’s graves are in Tim-Tim. I was born in Tim-Tim, and my children were born in Tim-Tim.” He added, “If we go back, they will kill us.”¹⁴⁷

¹⁴² Human Rights Watch was unable to interview witnesses from Kaduna Vom, a town in Jos South local government area where Christians also allegedly massacred Muslims residents on January 19, 2010.

¹⁴³ Human Rights Watch interview with a Hausa-Fulani leader from Tim-Tim, Jos, January 30, 2012.

¹⁴⁴ Human Rights Watch interview with a Tim-Tim resident, Jos, January 30, 2012.

¹⁴⁵ The Hausa-Fulani leader said that all of the victims were men except one woman. Human Rights Watch interview with a Hausa-Fulani leader from Tim-Tim, Jos, January 30, 2012.

¹⁴⁶ Plateau State Muslim Ummah, “Muslims Massacred Toll Recorded January 17th 2010, Jos and Environs Crisis.” All the names listed under Tim-Tim were men except one 15-year-old boy.

¹⁴⁷ Human Rights Watch interview with a Hausa-Fulani leader from Tim-Tim, Jos, January 30, 2012.

Sabon Gidan Kanar

Witnesses said that on the morning of January 19 the village head, who is Berom, called the Hausa-Fulani together and assured them that there would be no problems in Sabon Gidan Kanar. Shortly after the meeting, however, an armed mob of Berom from outside Sabon Gidan Kanar began setting fire to Hausa-Fulani houses and attacking the Hausa-Fulani residents. One of the witnesses, whose mother and three other relatives were killed in the attack, said he pleaded with his Christian neighbors to help: “We begged them, ‘Our fathers were born here—we were born here. How can you join with them to kill us?’” he recalled. “None of them listened to us. They said, ‘Your people in Jos killed our people in Jos. That is why we are going to kill you.’”¹⁴⁸

Muslim leaders from Sabon Gidan Kanar provided the federal authorities with a list of 62 Muslims who were killed in the attack: 44 men, 8 women, and 10 children. They also said that the town’s mosques and two Islamic schools and 220 Muslim houses and shops were destroyed.¹⁴⁹ Hausa-Fulani leaders said that following the attack some of the witnesses went to the police headquarters in Jos, along with witnesses from other communities, to file police reports. The two witnesses interviewed by Human Rights Watch, however, said they had not gone to the police. Two years after the attack, they said none of the Hausa-Fulani had returned to Sabon Gidan Kanar.¹⁵⁰

Sabon Gidan Forum

Witnesses said that on January 19 the village head, who is Berom, called the people together and said there would be peace. That afternoon, about 4 p.m., one of the witnesses said he saw many Berom people coming into the village. He recognized some of them from a nearby village.¹⁵¹ The attackers, armed with guns, sticks, and machetes, began burning Hausa-Fulani houses and killing Hausa-Fulani residents, witnesses said. A Hausa-Fulani leader from Sabon Gidan Forum told Human Rights Watch that about 50 people were killed in the attack. He said the Muslim homes and mosques were also destroyed. “There are now no Muslims living there,” he added.¹⁵² Muslim leaders in Jos provided Human Rights Watch with a list of names of people killed in the January violence. There were 56 names listed under Sabon Gidan Forum.¹⁵³ The three witnesses interviewed by Human Rights Watch said they had not filed a report with the police.

¹⁴⁸ Human Rights Watch interview with a Sabon Gidan Kanar resident, Jos, January 29, 2012.

¹⁴⁹ The Muslim Forum Sabon-Gidan Kanar, “Report of What Took Place in Sabon Gidan Kanar on Tuesday the 19th January 2010,” p. 2. Copy on file with Human Rights Watch.

¹⁵⁰ Human Rights Watch interviews with a Sabon Gidan Kanar residents, Jos, January 29, 2012.

¹⁵¹ Human Rights Watch interview with a Sabon Gidan Forum resident, Jos, February 5, 2012.

¹⁵² Human Rights Watch interview with a Hausa-Fulani leader from Sabon Gidan Forum, Jos, February 5, 2012.

¹⁵³ Plateau State Muslim Ummah, “Muslims Massacred Toll Recorded January 17th 2010, Jos and Environs Crisis.” The victims named on the list were 52 men, 1 woman, and 3 children.

Dogo Nahawa

Muslim leaders reported that 35 Hausa-Fulani were killed in Dogo Nahawa in January 2010.¹⁵⁴ A witness from Dogo Nahawa told Human Rights Watch that on the morning of January 19, Berom men attacked the Muslim residents in Dogo Nahawa and burned their homes. He said his grandmother and nephew were killed in the attack. He returned to Dogo Nahawa a week later, under military escort, and found the decaying corpse of his grandmother. “Most of the Hausa houses were burned. A few of the Hausa houses were not burned, but the Berom are now living inside them,” he said. “None of us have gone back to the town.” He added that the Fulani houses in the settlements on the outskirts of the village were also burned, and none of the Fulani had gone back.¹⁵⁵

Berom residents in Dogo Hahawa, however, told Human Rights Watch that there were no Hausa-Fulani killed or houses burned in January 2010. One of the Berom leaders said the Hausa-Fulani who had lived in the area left on their own “because of what happened in the city of Jos,” adding “I said to them, ‘Why are you leaving? We have lived in peace with you.’”¹⁵⁶ Another Berom resident also insisted that no Hausa-Fulani residents were attacked. “We had been living in peace with them,” he said. When asked why the Hausa-Fulani left, he responded, “They started selling their houses. They said they wanted to take their children to learn in Islamic schools.”¹⁵⁷

Ethnic Cleansing of Rural Fulani

Beginning on January 19, groups of armed men also attacked numerous Fulani settlements in predominately Berom communities in Jos South, Barkin Ladi, and Riyom local government areas. The mobs killed or drove out Fulani residents, burned their homes, and killed or stole their cattle, in numerous communities in these areas, Fulani witnesses and leaders allege. Many of the attacks took place during the day on January 19, and in some areas attacks continued through at least, or were carried out on, January 21.

Fulani leaders in Plateau State claim that rural Fulani have nothing to do with the crisis in Jos: “They don’t own anything in Jos. They aren’t practicing politics in Jos,” the head of the Fulani cattle

¹⁵⁴ Hausa-Fulani leaders said that the victims included at least 21 children. See Adam Higazi, “Rural Insecurity on the Jos Plateau, Nigeria,” January 2013, p. 64.

¹⁵⁵ Human Rights Watch interview with a Dogo Nahawa resident, Jos, January 29 2012.

¹⁵⁶ Human Rights Watch interview with a Berom leader in Dogo Nahawa, February 4, 2012.

¹⁵⁷ Human Rights Watch interview with a resident in Dogo Nahawa, February 4, 2012.

breeders association in Plateau State, told Human Rights Watch.¹⁵⁸ Nonetheless, rural Fulani were attacked and killed in both the 2001 and 2010 violence.¹⁵⁹

Following the January 2010 violence, Fulani leaders, in February 2010, submitted to the police in Abuja a complaint that included the names of 209 Fulani killed in Jos South, Barkin Ladi, and Riyom local government areas. The dead were listed as 150 men, 11 women, and 48 children. They said Barkin Ladi was the hardest hit, where 112 Fulani in 14 villages were killed, mostly in Fan district. In Jos South, 81 Fulani were killed in 8 villages, including 27 Fulani killed in Du district, where both the Plateau State governor and the paramount chief—the Gbong Gwom Jos—live. The document also listed 16 Fulani killed in Riyom, all in Wareng Kerena village.¹⁶⁰

A Fulani witness from Rabere village in Fan district told Human Rights Watch that on the morning of January 19, Berom men attacked the villages of Rabere and Bere Riti. The attackers killed eight Fulani in Rabere, including his uncle and two nephews, and “burned all the houses around the village,” he said. He provided Human Rights Watch with the names of the victims killed—all men. In Bere Riti, the attackers burned the Fulani houses, but, he said none of the Fulani was killed. He knew those who carried out the attack. “We were born together and lived together,” he added.¹⁶¹

In Rahei and Budung villages in Fan district, a Fulani witness said a group of Berom attacked the villages on January 19. He said he was in Ruhai at about 4 p.m. when the mob attacked. “I saw at least 10 people killed. Some were shot with guns, some were killed with knives and sticks, and some were burned alive,” he recalled. The mob killed four of his brothers and a nephew, burned all the Fulani houses, and took 373 of their cows, he said. There are no longer any Fulani living in the two villages. The Fulani man provided Human Rights Watch a list of names of 22 people killed in Rahei—19 male and 3 female victims—and 33 people killed in Badung—30 male and 3 female victims. He said that he went with the Fulani leader from the area to file a complaint with the police, but no one was arrested. Two years after the attack, no Fulani were living in the two villages.¹⁶²

¹⁵⁸ Human Rights Watch interview with Muhammed Nuru Abdullahi, Plateau State chairman of the Miyetti Allah Cattle Breeders’ Association of Nigeria, Jos, February 2, 2012.

¹⁵⁹ Fulani leaders said that 148 Fulani were killed in 2001 in the predominately Berom towns and villages of Jos South, Barkin Ladi, and Riyom local government areas, but no one was arrested or prosecuted for those crimes. Ibid.

¹⁶⁰ Miyetti Allah Cattle Breeders’ Association, Plateau State, “Submission of our Complaint, Findings, Observations and Position to your Office as the Officer In-Charge of the Investigation of Jos January 17th, 2010 Crisis,” February 2, 2010, submitted to Force Criminal Investigation Department in Abuja on February 16, 2010. Copy on file with Human Rights Watch.

¹⁶¹ Human Rights Watch interview with a Rabere resident, Barkin Ladi, March 8, 2012.

¹⁶² Human Rights Watch interview with a Ruhei resident, Barkin Ladi, March 8, 2012.

In Kori village, Fan district, a Fulani man, who was born in Kori and whose father was born in Kori, said that on January 21, Berom men from outside Kori village “joined forces with people from Kori” and attacked the Fulani. The Berom men killed 17 Fulani, including his brother, and burned all the Fulani houses, he said. He provided Human Rights Watch with a list of the names of the victims—16 men and 1 woman. “I recognized some of those who carried out the attack,” he said. “We reported what happened to the police at Kadunu police station in Mangu. I talked with the police personally.” But no one has been arrested, he said. “The police said they cannot do anything.”¹⁶³

In Kogot village, Fan district, a Fulani man, who was born in Kogot, said the Berom leaders called the Fulani together on January 20 and told them nothing would happen in the village. The next day, however, Berom men from Kogot and outside Kogot, attacked the Fulani residents, burning their houses and killing seven Fulani. Two other Fulani residents were killed that week in separate incidents, he said. The man provided Human Rights Watch a list of the names of victims—eight men and one woman—and said he knew those who carried out the attack. “I recognized some of them. We lived together,” he recalled. He said he had not gone to the police. “Even if we report to the police, they will do nothing about it.”¹⁶⁴

A Fulani farmer from Sagas in Fan district said that Berom men from outside the community “joined forces with the Berom” men in Sagas and attacked the Fulani on January 21, killing 10 Fulani residents and burning all the Fulani houses. He said he reported the matter to the police, including the identities of three men he saw take part in the killing, but no one has been arrested.¹⁶⁵

A Fulani witness from Fogawa village in Mangu local government area said that on January 21, Berom men from outside Fogawa and some of the Berom men in Fogawa joined in an attack on the Fulani. The mob killed seven Fulani—five men and two boys—and burned all the Fulani houses. “I saw [name withheld] shoot my father. When he fell down they used machetes to finish him off. It was a large crowd—among them were [names withheld],” he added. He also saw the attackers kill two other Fulani men as they were trying to flee. The man reported the matter to the police, but two years later he said he still sees at the market the men who murdered his father.¹⁶⁶

¹⁶³ Human Rights Watch interview with a Kori resident, Barkin Ladi, March 8, 2012.

¹⁶⁴ Human Rights Watch interview with a Kogot resident, Barkin Ladi, March 8, 2012.

¹⁶⁵ Human Rights Watch interview with a Sagas resident, Barkin Ladi, March 8, 2012.

¹⁶⁶ Human Rights Watch interview with a Fogawa resident, Barkin Ladi, March 8, 2012.

The March 2010 Dogo Nahawa Massacre

Following the January 2010 violence, no one was brought to justice for the anti-Fulani pogroms or the massacres of Hausa-Fulani in the towns and villages south of Jos. Two months later, in March 2010, groups of armed Fulani men massacred more than 160 Berom in brutal attacks on Dogo Nahawa and surrounding villages.

On March 7, 2010, at about 3 a.m., groups of men, armed with guns, machetes, and knives, attacked several villages in Jos South and Barkin Ladi local government areas. Witnesses said the attackers came on foot and were speaking Fulbe (the language spoken by Fulani) and Hausa. The attackers, some of them wearing military fatigues with their faces covered, started firing guns in the air and shot residents who tried to flee. They also entered homes and hacked to death women and children inside and set fire to houses. The worst massacre took place in the village of Dogo Nahawa, but the nearby villages of Zot, Ratsat, and Kutgot were also attacked in what appears to have been a coordinated assault. The violence also spread later that day to Mangu local government area.¹⁶⁷

Berom residents of Dogo Nahawa (also known as Dyemburuk) told Human Rights Watch that they were woken up in the night, about 3:30 a.m. by the sound of gunfire. “One group surrounded our village and started shooting. The other ones came closer in and then when we ran out of our houses they attacked us with machetes,” recalled a witness who escaped by climbing a mango tree.¹⁶⁸ Many of the women and children remained inside the houses, witnesses said. The attackers, shouting “Allahu Akbar,” entered the houses and hacked to death the women and children, and some men, who remained inside. They also set fire to the houses. “I could see the burning of our houses and heard our women and children screaming as they were being killed,” recalled another witness who was able to escape by running out of the village.¹⁶⁹

The attackers not only killed men in the village, they also hacked to death women, elderly residents, and children. According to the police, at least 38 children were killed in the attack.¹⁷⁰ In at least one particularly brutal incident, the attackers hacked to death a pregnant woman, cut open her womb, and mutilated the fetus. Human Rights Watch interviewed a woman who was in the house with her husband, her husband’s second wife—who was nine months pregnant—and

¹⁶⁷ See, for example, Nigeria Police Force, “Press Release,” signed by Ikechukwu Aduba, Plateau State commissioner of police, March 10, 2010, pp. 2-3. Copy on file with Human Rights Watch.

¹⁶⁸ Human Rights Watch telephone interview with a student in Dogo Nahawa, March 8, 2010.

¹⁶⁹ Human Rights Watch telephone interview with a resident in Dogo Nahawa, March 8, 2010.

¹⁷⁰ Nigeria Police Force, “Press Release,” signed by Ikechukwu Aduba, Plateau State commissioner of police, March 10, 2010.

four children when this attack took place. They first heard gunshots, she said, and then the attackers came to their house.

I took some of the chairs to block the door, but they used their machetes to break down the door and came in. They were speaking Fulani. One of them spoke in Hausa. I didn't recognize any of them. I heard them say, "Burn the house!" My husband tried to escape through the window. They then started to attack him with a machete. I started to scream. They started hitting me in the head with their machetes. I put up my arms to protect myself. After they cut me up, they went to the children's room.

The woman said she was "struggling with my own pains" and "covered in blood," so she did not see what happened in the adjacent room.¹⁷¹ Her mother-in-law, who entered the house following the attack, told Human Rights Watch that she discovered the bloody corpses of the husband, his second wife, and two children—ages eight and six—inside. The mutilated body of the second wife was on a bed with a small baby next to it. "They cut open her stomach," the mother-in-law recalled. "The child that was in my daughter [in-law] ... was also cut." The baby was a girl.¹⁷²

The attackers butchered residents and torched houses before disappearing back into the night. "The attack lasted until around 4:30 [a.m.] when the military arrived," recalled one witness. "When the attackers saw their lights they disappeared."¹⁷³

Plateau State government officials responded quickly to the massacre. Hours after the attack, the commissioner for information, Gregory Yenlong, led a delegation of journalists to visit the injured and tour the scene of the killing.¹⁷⁴ Governor Jonah Jang and the paramount traditional ruler also paid visits that day to Dogo Nahawa.¹⁷⁵ The following day, March 8, state government officials participated in a mass burial in Dogo Nahawa for the victims.

There are conflicting reports as to how many people died in the attacks. The Plateau State police commissioner released a statement on March 10, 2010, stating that 70 victims were buried in the

¹⁷¹ Human Rights Watch interview with a resident in Dogo Nahawa, February 4, 2012.

¹⁷² Human Rights Watch interview with a resident in Dogo Nahawa, February 4, 2012.

¹⁷³ Human Rights Watch telephone interview with a resident in Dogo Nahawa, March 8, 2010. A witness in Ratsat also recalled that the military arrived at about 4:30 a.m. Human Rights Watch telephone interview with a Ratsat resident, Ratsat, March 8, 2010.

¹⁷⁴ See Isa Abdulsalami, "300 feared killed in fresh Plateau violence," *The Guardian* (Lagos), March 8, 2010.

¹⁷⁵ See Muh'd Sani and Golu Timothy, "Over 200 Killed In Fresh Jos Crisis," *Leadership* (Abuja), March 7, 2010.

mass grave: 16 men, 16 women, and 38 children. In addition to the mass burial, the police said that 12 bodies were privately buried in Dogo Nahawa, 18 bodies were buried in Barkin Ladi, and 9 other victims died at Jos University Teaching Hospital. The police put the total death toll at 109.¹⁷⁶

Yenlong, on the other hand, told journalists that more than 500 people were killed.¹⁷⁷ The police commissioner responded by saying the 500 figure had been “fabricated and should be disregarded.”¹⁷⁸ The Barkin Ladi local government constructed a monument at the site of the mass grave with a plaque stating that 501 victims were massacred in Dogo Nahawa. Another plaque at the monument lists the names of 354 victims.¹⁷⁹ The village head in Dogo Nahawa told Human Rights Watch that the names on the plaque were those buried in the mass grave and that other victims, not named, were buried separately.¹⁸⁰

Following the statement by the police, the president of the Shen Community Development Association, a group representing the Dogo Nahawa community, said the police “grossly underestimated” the death toll, pointing to the fact that more corpses were found after the mass burial and other injured victims died of their injuries.¹⁸¹ In 2012 the Christian Association of Nigeria provided Human Rights Watch with a list of 164 victims who died in the Dogo Nahawa attack, compiled by the Shen Community Development Association.¹⁸²

The evidence suggests that the March 7, 2010 attacks were coordinated attacks carried out by groups of Fulani. None of the witnesses interviewed by Human Rights Watch, however, could identify individual attackers. The village head told Human Rights Watch that a boy in Dogo

¹⁷⁶ Nigeria Police Force, “Press Release,” signed by Ikechukwu Aduba, Plateau State commissioner of police, March 10, 2010, pp. 4-5. See also Ahmed Mohammed and Mahmud Lalo, “Jos: Police, govt disagree over casualty figures,” *Daily Trust* (Abuja), March 11, 2010. A foreign journalist who witnessed the mass burial reported that “61 corpses, 32 of them children, were buried in the mass grave.” Jon Gambrell, “Hundreds slaughtered in Nigeria including infants in latest religious violence flare-up,” Associated Press, March 8, 2010.

¹⁷⁷ See Aminu Abubakar, “Appeals for calm after Nigerian sectarian slaughter,” Agence France-Presse, March 8, 2010; Mohammed and Lalo, “Jos: Police, govt disagree over casualty figures,” *Daily Trust*, March 11, 2010. Yenlong told journalists on March 10, 2010 that, “As Commissioner for Information, I led both national, local and international media to the affected villages, journalists saw the people massacred and counted them, even members of the communities whose people were killed are alive and they know that they lost over 500 people.”

¹⁷⁸ Nigeria Police Force, “Press Release,” signed by Ikechukwu Aduba, Plateau State commissioner of police, March 10, 2010, p. 5.

¹⁷⁹ Site visit to Dogo Nahawa by a Human Rights Watch researcher on February 4, 2012.

¹⁸⁰ The village head said there was only one mass burial. Human Rights Watch interview with Daniel Jik, Dogo Nahawa village head, Dogo Nahawa, February 4, 2012. The police commissioner also said there was “only one mass grave site.” Nigeria Police Force, “Press Release,” signed by Ikechukwu Aduba, Plateau State commissioner of police, March 10, 2010, p. 4. See also Mohammed and Lalo, “Jos: Police, govt disagree over casualty figures,” *Daily Trust*, March 11, 2010.

¹⁸¹ See Taye Obateru, “Jos crisis: Group faults casualty figures,” *Vanguard* (Lagos), March 23, 2010.

¹⁸² The document lists the names of 32 men, 34 women, and 98 children killed in the attack. “List of Victims of the Dyemburuk (Dogo Nahawa) Attacks on the 7th March 2010,” compiled by Rwang D. Chuwang, president of the Shen Community Development Association. Copy on file with Human Rights Watch.

Nahawa had said he recognized some of the voices of the attackers but he was afraid and “later changed his story.” He added that, “There is no one else who recognized any voices.”¹⁸³

The police commissioner, however, released a statement on March 10, 2010, stating that those who carried out the attack “had been clearly identified as Fulanis.” The police said some Fulani had been arrested and “owned-up to carrying out the invasion and killings” as a “revenge mission” for the violence in January 2010.¹⁸⁴ One of the Fulani men who made a police statement was from a nearby village in Barkin Ladi local government area. He told the police that he agreed to participate in the attack because his parents had been killed in January 2010, and the people of Dogo Nahawa had “fought them” and “carted away” his family’s cattle.¹⁸⁵ He and another Fulani man also provided the police with the names of individuals who allegedly paid them to carry out the attack.¹⁸⁶

Other Attacks on Berom

The attacks on Dogo Nahawa and surrounding villages were just the beginning. Since then there have been dozens of attacks on predominately Christian villages, mostly Berom, in Jos South, Barkin Ladi, and Riyom local government areas. Many of these attacks have been night raids, allegedly carried out by Fulani, who enter a village and shoot or hack to death the residents, set houses on fire, and then disappear into the night. Human Rights Watch estimates that between April 2010 and November 2013, more than 500 Christians, the vast majority Berom, have been killed attacks on small towns and villages in northern Plateau State.¹⁸⁷

Human Rights Watch interviewed 14 Christian residents from towns and villages south of Jos that were attacked in 2011. Human Rights Watch also visited the scenes of five of the attacks. In all of these cases, the attack took place at night. Witnesses said the attackers spoke Fulbe, and in some incidents they saw men in military fatigues, in some cases speaking English, accompanying the attackers.

On January 10, 2011, about 11:30 p.m., armed men attacked Wareng village, in Riyom local government area, and killed 15 residents, including four women and seven children. A Berom

¹⁸³ Human Rights Watch interview with Daniel Jik, Dogo Nahawa village head, February 4, 2012.

¹⁸⁴ Nigeria Police Force, “Press Release,” signed by Ikechukwu Aduba, Plateau State commissioner of police, March 10, 2010, p. 2.

¹⁸⁵ See *Federal Republic of Nigeria v. Dauda Abubakar & Anor*, Federal High Court of Nigeria, Jos Judicial Division, Judgment, FHC/J/14C/2010, February 14, 2011, p. 7. Copy on file with Human Rights Watch.

¹⁸⁶ *Ibid.*, p. 10.

¹⁸⁷ The estimated death toll is based on Human Rights Watch monitoring of Nigerian and foreign media reports of violence and interviews with witnesses from some of the affected communities.

man who survived the attack told Human Rights Watch that the attackers were speaking Fulbe and included at least one soldier in military fatigues. “They came to my house and broke the door. As they entered the house they were shooting,” he recalled. “I hid in the second room. They entered inside but didn’t find me. It was God that hid me.” He added that the attackers “killed the women and children with knives,” while one of the infants “died from the smoke when they burned the house.”¹⁸⁸

The following month in Bere Reti, in Fan district, Barkin Ladi local government area, residents said Fulani attackers, accompanied by at least one man in a military uniform, killed seventeen residents, including seven women and nine children, and injured seven others. The attackers also stole some of the cattle. The attack started about 1 a.m. on February 22, witnesses said. A Berom boy, who was badly injured in the attack, described to Human Rights Watch what he saw:

That night, we were five children sleeping in one room. I heard the sound of a gun. Four men entered inside the room and three others stayed outside by the door. They had big guns and machetes. I recognized two of them [names withheld]. I recognized their voices because they used to live here. They were Fulani. All the Fulani left in 2010. [The first man] then started shooting. He shot and killed my brother and my friend. They were 13 and 14 years old [respectively]. I dodged the bullets, but [the second man] started cutting me with a machete. He cut me on my right arm, left arm, and across the head. [The attackers] thought I was dead. My grandmother and sister were [also] killed. Later that night I was taken to JUTH [Jos University Teaching Hospital]. I stayed in the hospital for three months.¹⁸⁹

Three witnesses told Human Rights Watch that they saw one of their former Fulani neighbors participate in the attack. The witnesses said he left in 2010 along with the other Fulani who had lived in the village. One of the witnesses pointed to the remains of some broken down houses. “He lived right here,” he said, but insisted that, “The house was destroyed by itself.”¹⁹⁰ Two of the witnesses said they saw a soldier in military fatigues participate in the attack.

¹⁸⁸ Human Rights Watch telephone interview with a Wareng resident, January 19, 2011.

¹⁸⁹ Human Rights Watch interview with a boy in Bere Reti, Bere Reti, February 1, 2012.

¹⁹⁰ Human Rights Watch interview with a Bere Reti resident, Bere Reti, February 1, 2012.

The residents said the police came to the village later in the day and spoke with the witnesses, but there have been no arrests. “I have seen [one of the men] at the Mango market,” recalled one of the residents. “The last time I saw him was about two months ago.”¹⁹¹

In Gwanfil village, in Jos South local government area, Fulani gunmen, allegedly accompanied by soldiers who spoke English, opened fire on the residents in two compounds at about 7:30 p.m. on September 9, 2011, killing 15 people. Twelve people died in the first compound—one man, three women, including a pregnant woman, and eight children. In the second compound, two men and a woman were killed. All of the victims were shot, the witnesses said. The residents of the village were Berom Christians. The police came the next day and took witness statements and collected bullet casings, but “The police never came back,” recalled one of the witnesses. “There have been no arrests.”¹⁹²

Brutal attacks on predominately Berom villages continued in 2012 and 2013. Human Rights Watch estimates that more than 300 Christians, the vast majority Berom, died in these attacks.¹⁹³ On July 7, 2012, for example, at least 65 people were killed, and possibly many more, in a series of horrific attacks on villages in Barkin Ladi and Riyom local government areas.¹⁹⁴ On November 26, 2013, at least 37 people were killed in attacks on four Berom villages in Barkin Ladi, after several Fulani cattle herders were allegedly killed in the area.¹⁹⁵

The head of the Fulani cattle breeders’ association in Plateau State, however, denied that Fulani from Plateau State were responsible for attacks on Berom communities.¹⁹⁶ Despite the general denials, a Fulani leader in Barkin Ladi acknowledged in 2012 that the fighting with the Berom would continue “because our cows are with them.” He added: “We see them arise and kill everywhere and we see our cows with them. We see someone who is holding our property. That is why you see the crisis will not

¹⁹¹ Human Rights Watch interview with a Bere Reti resident, Bere Reti, February 1, 2012.

¹⁹² Human Rights Watch interview with a Gwanfil resident, Gwanfil, February 4, 2012.

¹⁹³ The estimated death toll is based on Human Rights Watch monitoring of Nigerian and foreign media reports of violence.

¹⁹⁴ The military said the attackers killed 63 “villagers” and 2 police officers, and the security forces killed 21 of the attackers. The following day, July 8, gunmen opened fire on a funeral service for the victims. A federal senator, Gyang Dantong, the majority leader of the Plateau State House of Assembly, Gyang Fulani, died during the funeral attack. The state governor’s spokesperson said the two legislators, both from the Berom ethnic group, were shot by the gunmen, while the military spokesperson said they died due to panic. The militant Islamist group Boko Haram claimed responsibility for the attacks, but the police denied that Boko Haram had any role in the violence. See Isaac Shobayo et al., “PLATEAU BURIAL MASSACRE,” *Nigerian Tribune* (Ibadan), July 11, 2012; Taye Obateru, “Plateau Massacre – We Did It – Boko Haram – It’s a Lie – Police,” *Vanguard* (Lagos), July 11, 2012. For more information on the July 7-8, 2012 attacks, see Adam Higazi, “Rural Insecurity on the Jos Plateau, Nigeria,” January 2013, pp. 75-85.

¹⁹⁵ See “Military: Gunmen kill 37 in central Nigeria plagued by ethno-religious conflict,” Associated Press, November 26, 2013; Achor Abimaje, “Gunmen Kill 37 in Plateau Villages,” *Leadership* (Abuja), November 27, 2013.

¹⁹⁶ Human Rights Watch interview with Muhammed Nuru Abdullahi, Plateau State chairman of the Miyetti Allah Cattle Breeders’ Association of Nigeria, Jos, February 2, 2012.

finish.” He continued, “Fighting will continue because there is no justice.” But the Fulani will forgive, he argued, if there is justice. “Where they will never forgive is where you kill and take, and there is no compensation and no justice.” If there is justice, “It would be the end of the crisis.”¹⁹⁷

Renewed Violence in Jos and Southern Plateau State

On Christmas Eve, December 24, 2010, a series of bombs exploded in two predominantly Christian neighborhoods in Jos, leaving at least 33 people dead.¹⁹⁸ The militant Islamist group Boko Haram claimed responsibility for the bombings, stating that it carried out the attacks to “start avenging the atrocities committed against Muslims in those areas.”¹⁹⁹ The bombings sparked more than a month of sectarian bloodletting in and around Jos that claimed some 200 Muslim and Christian lives. Many of the victims were targeted and killed, often in horrific circumstances, based simply on their ethnic or religious identity.²⁰⁰

Eight months later, on August 29, 2011, Muslims from the Izala sect gathered at their prayer ground in Jos for the Eid-el Fitr prayers to commemorate the end of Ramadan. The prayer ground is located in a predominately Christian neighborhood near the site of the Christmas Eve 2010 bombings. Witnesses said that while they were praying, Christians surrounded the prayer ground and blocked the road leading out of the neighborhood. Soldiers who had been deployed to provide security for the worshipers told them they should wait until the road was clear, but while they waited the surrounding mob attacked. Muslim worshipers fled on foot along the road through the Christian neighborhoods. Mobs along the road also attacked the fleeing worshipers, as soldiers attempted to escort them out of the area, witnesses said.²⁰¹ Muslim leaders said at least 10 Muslim worshipers died in the attack, and several hundred vehicles and motorcycles were burned.²⁰²

Videos widely circulated on mobile telephones in the aftermath of the attack appear to show Christian youth, among charred cars and motorcycles, cutting up the corpse of a Muslim victim and eating the flesh. The faces of the youth are clearly identifiable. The video clips also show the decapitated head of one of the victims impaled on a stick, with a Muslim cap placed on his head

¹⁹⁷ Human Rights Watch interview with a Fulani leader in Barkin Ladi, February 5, 2012.

¹⁹⁸ See “Police dispute NEMA on death toll,” *Daily Trust*, December 29, 2010.

¹⁹⁹ Imam Imam and Seriki Adinoyi, “Jos Bombings – Group Claims Responsibility,” *ThisDay* (Lagos), December 27, 2010.

²⁰⁰ See “Nigeria: New Wave of Violence Leaves 200 Dead,” Human Rights Watch news release, January 27, 2011, <http://www.hrw.org/news/2011/01/27/nigeria-new-wave-violence-leaves-200-dead>.

²⁰¹ Human Rights Watch interviews with two Muslim worshipers and a Christian youth leader, Jos, February and March, 2012.

²⁰² See Andrew Agbese and Mahmud Lalo, “Jos Eid Crisis – Our Story – JIBWIS,” *Daily Trust*, September 5, 2011. Human Rights Watch interview with A.A. Sangei, lawyer representing victims of the Eid attack, Jos, March 9, 2012.

and cigarette in his mouth. The decapitated corpse of a victim can be seen in another video clip with a beer can in his charred hand.²⁰³

One senior academic at Ahmadu Bello University in Zaria, Kaduna State, estimated that “90 percent of Muslims in Nigeria have seen this video.” But to government authorities, he added, “It’s like it didn’t happen.”²⁰⁴ Muslim leaders in Jos told Human Rights Watch that they sent the police a copy of the video clips but have received no response.²⁰⁵

Four months later, on December 25, 2011, two suicide bombers detonated a car bomb outside a Catholic church in Madalla, Niger State, at the end of Christmas morning mass, killing at least 43 worshipers and bystanders.²⁰⁶ A Boko Haram spokesperson claimed responsibility for the bombing, stating, “What we did was a reminder to all those that forgot the atrocities committed against our Muslim brothers during the Eid el-Fitr celebrations in Jos.” When Muslims were killed, the spokesperson asserted, “The Federal Government and the international community maintained sealed lips.”²⁰⁷ Boko Haram has since then claimed responsibility for several other suicide bombings at church services in and around Jos that have killed and injured Christian worshipers and sparked reprisal killings against Muslims.²⁰⁸

Violence also erupted again in 2013 in southern Plateau State. Deadly inter-communal clashes in Wase, Langtang South, and Shendam local government areas left at least 150 people, and possibly many more, dead, in the worst violence in the southern part of the state since the 2004 massacres in Yelwa.²⁰⁹

²⁰³ Video clips of aftermath of Eid attack on file with Human Rights Watch.

²⁰⁴ Human Rights Watch interview with Dr. Bashir Kurfi, department head, Department of Business Administration, Ahmadu Bello University, Zaria, March 2012.

²⁰⁵ Human Rights Watch interview with Lawal Ishaq, secretary of the Ulama/Elders Council, Plateau State, Jos, February 6, 2012.

²⁰⁶ See Human Rights Watch, *Spiraling Violence: Boko Haram Attacks and Security Force Abuses in Nigeria*, October 2012, <http://www.hrw.org/reports/2012/10/11/spiraling-violence-o>, pp. 48-49.

²⁰⁷ See Hamza Idris, “Boko Haram Claims Responsibility,” *Daily Trust*, December 27, 2011.

²⁰⁸ In February 2012 a suicide car bomber killed at least three people during Sunday morning service at the Jos headquarters of the Church of Christ in Nigeria, where Governor Jang attends. Two suicide bombers in a car killed at least seven people during Sunday mass at a Catholic church in March 2012 in Rayfield, an affluent suburb of Jos. In June 2012, a suicide car bomber in Jos detonated a bomb killing himself and injuring 28 worshipers at a Christ Chosen Church of God service on Sunday morning. See Human Rights Watch, *Spiraling Violence*, October 2012, p. 97.

²⁰⁹ The estimated death toll is based on Human Rights Watch monitoring of Nigerian and foreign media reports of violence.

IV. Impunity for the 2010-2013 Violence in Plateau State

Most people keep doing what they are doing because nobody is tried and prosecuted. The law that is there is just on the books.

—Christian youth leader, Jos, February 6, 2012²¹⁰

Following the January 2010 violence in Jos and surrounding communities, the acting president at the time, Goodluck Jonathan, addressed the nation in a televised speech and pledged to bring the perpetrators to justice. “We will not allow any one [to] hide under the canopy of group action to evade justice. Crime, in all its gravity, is an individual responsibility, not a communal affair,” he said. “The Federal Government is determined to secure convictions of the perpetrators of this crime, no matter how highly placed.” He also pledged that, “Those found to have engineered, encouraged or fanned the embers of this crisis, through their actions or pronouncements, will be arrested and speedily brought to justice.”²¹¹

The police announced on January 25, 2010 that 313 people had been arrested in relation to the January violence.²¹² The police spokesperson in Plateau State also confirmed that the perpetrators of the “mindless killing” in Kuru Karama, Tim-Tim, and other affected communities would be brought to justice. “The suspects are known and they are on the run and if they fail to give themselves up, they will be declared wanted,” he said, adding that “we assure the people that all the culprits will be arraigned in court here in Jos.”²¹³ Following the March 7, 2010 massacre in Dogo Nahawa and surrounding villages, the police reported on March 10 that they had arrested 49 Fulani men suspected of carrying out the Dogo Nahawa attack, while 151 other people were arrested with deadly weapons in neighboring Mangu local government area.²¹⁴

The Federal Attorney General Steps In

Similar to the 2008 violence, the police headquarters in Abuja again stepped in and took over the investigation of the January and March 2010 cases. But unlike in previous cases, where the cases were eventually dropped, the Federal Attorney General’s Office filed criminal charges against more

²¹⁰ Human Rights Watch interview with a Christian youth leader, Jos, February 6, 2012.

²¹¹ See Madu Onuorah et al., “Jonathan vows to punish Jos crisis culprits,” *The Guardian* (Lagos), January 22, 2010.

²¹² See Madu Onuorah and Isa Abdulsalami, “We know culprits of Jos crisis, say police,” *The Guardian* (Lagos), January 26, 2010.

²¹³ Statement made by Assistant Superintendent Mohammed Lerama, Plateau State police public relations officer, during a press conference on January 25, 2010. See Onuorah and Abdulsalami, “We know culprits of Jos crisis, say police,” *The Guardian* (Lagos), January 26, 2010.

²¹⁴ Nigeria Police Force, “Press Release,” signed by Ikechukwu Aduba, Plateau State commissioner of police, March 10, 2010.

than 600 suspects in Federal High Court.²¹⁵ “This is the only time the federal government took time to prosecute,” recalled a defense lawyer handling some of the cases in Jos.²¹⁶ “[T]he federal government wants to demonstrate a kind of seriousness,” another defense lawyer said. “People said it is because people are not punished and that is why this crisis continued, and this is why they said let us take over these cases ... and see whether we have a solution to solve this crisis.”²¹⁷

A senior official in the Federal Attorney General’s Office told Human Rights Watch that they decided to prosecute the cases because of allegations that the Plateau State government was “biased against a certain tribe.” The official explained that some people were concerned that since nearly all prosecutors and judges in Plateau State were Christian, the accused persons would not receive a fair trial.²¹⁸ The officer in charge of the Legal department at police headquarters in Plateau State gave a similar explanation for the federal prosecutions. “There was the allegation that the state was an interested party,” he recalled. “So the federal government had no option but to direct that all of the [suspects] should be arraigned at the Federal High Court.”²¹⁹

Plateau State’s attorney general, Edward Pwajok, strongly objected to these allegations of bias, calling them “outlandish and outrageous.”²²⁰ “People have always received a fair trial in Plateau State,” he insisted. “All of the allegations are based on suspicion.”²²¹ Pwajok told Human Rights Watch that he demanded that the case files be handed over to his office for prosecution in state High Court, but he was rebuffed.²²²

The federal attorney general, however, could not charge the suspects with culpable homicide, arson, or rioting—which are triable only in state courts—so he had to find federal offenses to

²¹⁵ Letter from the Department of Public Prosecutions, Office of the Hon. Attorney-General of the Federation, Federal Ministry of Justice, Abuja, to Human Rights Watch, November 29, 2013.

²¹⁶ Human Rights Watch interview with defense lawyer J.B. Danboyi, Jos, January 27, 2012.

²¹⁷ Human Rights Watch interview with defense lawyer Ahmed Garba, Jos, January 26, 2012.

²¹⁸ Human Rights Watch interview with a senior prosecutor in the Federal Attorney General’s Office, Abuja, July 14, 2010.

²¹⁹ Human Rights Watch interview with Egoh Ahomafo, officer in charge of the Legal Department, Plateau State, Nigeria Police Force, Jos, March 12, 2012.

²²⁰ Human Rights Watch interview with Edward Pwajok, Washington, DC, April 22, 2013.

²²¹ Human Rights Watch interview with Edward Pwajok, Jos, March 12, 2012. He noted that: “We have Muslim judges and we have Christian judges. But more importantly our judges are sworn on oath to do justice fair and justly, and they should not be biased at all.” He added that there are both Muslims and Christians in the Plateau State Ministry of Justice. “When I go to assign a case, I don’t start looking at whether somebody is a Muslim or a Christian.” Ibid. He later told Human Rights Watch that there were two Muslim judges on the state High Court, out of 10 or 11 judges, and that about five state counsel are Muslim, out of a total of some 30 state counsel. Human Rights Watch interview with Edward Pwajok, April 22, 2013. On the other hand, a Muslim defense lawyer alleged that although there are a few Muslims in the state Ministry of Justice, “If there are any issues related to this crisis, they are not allowed to handle those matters.” Human Rights Watch interview with a defense lawyer in Jos, 2012.

²²² Human Rights Watch interview with Edward Pwajok, March 12, 2012.

charge them with. Federal prosecutors thus charged the suspects with illegal possession of firearms and terrorism—both federal offenses. Nigeria had not yet passed its Terrorism Prevention Act, so prosecutors had to base the terrorism charges on a provision found in the anti-corruption Economic and Financial Crimes Commission (Establishment) Act.²²³

The federal prosecutors first charged the suspects in March 2010 in Federal High Court in Abuja, but defense lawyers challenged the jurisdiction of the Abuja court to hear the matter, and the cases were transferred to Federal High Court in Jos, where police lawyers in April 2010 filed new charges against the accused.²²⁴ The federal attorney general then hired outside private counsel to prosecute the cases, which were heard by two federal judges.²²⁵

The federal prosecutions were an important step forward. By the end of 2010, for the first time in Plateau State's history, the Nigerian authorities had prosecuted and secured the conviction of perpetrators for inter-communal violence. At time of writing, at least 74 persons had been convicted in Federal High Court.²²⁶ These included at least 11 people convicted in connection to the January 2010 violence in neighborhoods in Jos North and Bukuru—eight Christians and two Muslims were convicted on terrorism charges and sentenced to between three and five years in prison, and a Muslim man was given an 11-year prison sentence for the illegal possession of a firearm.²²⁷ Two Fulani men were convicted on terrorism charges for their role in the March 2010 Dogo Nahawa massacre and sentenced to 21 years in prison.²²⁸ At least 55 people were also convicted for the March 2010 violence in Mangu local government area: 40 Christians, including 2 pastors, were convicted and sentenced to five-year prison terms for burning Fulani homes,²²⁹ and 15 Fulani men were convicted on terrorism charges and sentenced to 15 years in prison.²³⁰

²²³ The National Assembly passed the Economic and Financial Crimes Commission (Establishment) Act, 2004, which provides that “Any person who commits or attempts to commit a terrorist act or participates in or facilitates the commission of a terrorist act” is punishable to life imprisonment. See EFCC Act, 2004, sec. 15(2). In 2011, the National Assembly passed the Terrorism (Prevention) Act, 2011, which was subsequently amended by the National Assembly in 2013.

²²⁴ Human Rights Watch interview with Egoh Ahomafo, March 12, 2012.

²²⁵ Ibid.

²²⁶ Letter from the Department of Public Prosecutions, Office of the Hon. Attorney-General of the Federation, Federal Ministry of Justice, Abuja, to Human Rights Watch, November 29, 2013.

²²⁷ Human Rights Watch review of court documents and telephone interviews with lawyers with knowledge of the cases, Jos, 2012 and 2013.

²²⁸ *Federal Republic of Nigeria v. Dauda Abubakar & Anor*, Federal High Court of Nigeria, Jos Judicial Division, Judgment, FHC/J/14C/2010, February 14, 2011, p. 7. Copy on file with Human Rights Watch.

²²⁹ *Federal Republic of Nigeria v. Fidelis Peter et al.*, Federal High Court of Nigeria, Jos Judicial Division, Judgment, FHC/J/73C/2010, June 26, 2013; *Federal Republic of Nigeria v. Yakubu Sati, et al.*, Federal High Court of Nigeria, Jos Judicial Division, Judgment, FHC/J/75C/2010, June 26, 2013; Copies on file with Human Rights Watch.

²³⁰ *Federal Republic of Nigeria v. Mohammed Auwal et al.*, Federal High Court of Nigeria, Jos Judicial Division, Judgment, FHC/J/34C/2010, December 16, 2010. Copy on file with Human Rights Watch.

These convictions represented a significant step toward accountability and breaking the cycle of violence. In many of the other cases brought by the federal attorney general, however, the charges were dismissed or the accused persons were acquitted at trial.²³¹ Moreover, no charges were filed against those responsible for some of the worst incidents of mass killing, including the January 2010 massacres in Kuru Karama and other towns and villages south of Jos, and the anti-Fulani pogroms. Nor were the organizers of the Dogo Nahawa massacre brought to justice, even though the two convicted men named individuals who organized the attack.

Impunity for Mass Murder in January 2010

As the police acknowledged, as early as January 2010, witnesses of the January massacres recognized many of the alleged perpetrators.²³² In Kuru Karama, for example, Human Rights Watch interviewed 12 witnesses who said they saw people, whom they can identify, kill people in Kuru Karama.²³³ Muslim leaders and witnesses also told Human Rights Watch that 10 witnesses from Kuru Karama went as a group to the police headquarters in Jos on February 2, 2010—two weeks after the attack—to file criminal complaints. The police told them, however, that they only needed statements from five of the witnesses, so only five witnesses gave statements to the police. Human Rights Watch interviewed three of the witnesses who said they filed formal police statements with the police that day.²³⁴ They all said they described to the police what they had witnessed, including killings they saw and the identity of the individuals who committed the killings.²³⁵ Muslim leaders from Kuru Karama also submitted to federal authorities, on March 5, 2010, the names of 86 suspects and a list of four vehicles, including license plate numbers and the names of the drivers, that were seen at the scene of the attack.²³⁶

But Muslim leaders and witnesses told Human Rights Watch that no one was arrested for the massacre.²³⁷ One of the witnesses, whose two small children were killed in Kuru Karama, lamented that: “The people who killed us, we know them. We gave the police the list of the people, but still nothing has happened to them.”²³⁸ Victims and witnesses said they still see the perpetrators

²³¹ See section below, Criminal Prosecutions: The Rare Exceptions.

²³² See Onuorah and Abdulsalami, “We know culprits of Jos crisis, say police,” *The Guardian* (Lagos), January 26, 2010.

²³³ Human Rights Watch telephone interviews with two Kuru Karama residents, January 2010, and interviews with Kuru Karama residents, January and February 2012.

²³⁴ Human Rights Watch also interviewed a fourth witness who said he was with the 10 witnesses, but the police said they only needed statements from five witnesses. Human Rights Watch interviews with Kuru Karama residents, January and February 2012.

²³⁵ Human Rights Watch interviews with Kuru Karama residents, January and February 2012.

²³⁶ See The Muslim Forum Kuru Karama, “Report of What Took Place in Kuru Karama on Tuesday 19th January 2010,” p. 2.

²³⁷ Human Rights Watch interviews with Kuru Karama residents, January and February 2012, and telephone interviews with Muslim leaders in Jos, November 2013.

²³⁸ Human Rights Watch interview with a Kuru Karama resident, Jos, January 29, 2012.

moving about freely. One of the witnesses who filed a report with the police, for example, told Human Rights Watch that he described to the police how he saw four people killed and the identity of the people who killed them. “I signed [the statement]. I left my phone number with the police, but up until now, I have not heard from them,” he recalled. “They [the four suspects] are still alive to this day. I have seen all of them around, but nothing has happened to them.”²³⁹

Similarly, in Tim-Tim two witnesses told Human Rights Watch that they went to the police after the January 19 attack to file a formal police report. One of them recalled what happened when he reported the matter at the divisional police headquarters in Bukuru immediately following the attack. “When we reported the matter, the police refused to record a written statement, because they said there were too many people there to take everyone’s statement,” he said. “So they just took our information in the log book and told us to go.” He said the police did not get back to him.²⁴⁰ Another witness, whose father and brothers were killed, also went to the police and filed a formal police report. He said he has followed up with the police, but they still have taken no action:

On January 20 [2010] I went to the divisional police headquarters in Bukuru. The police on duty gave me a paper to draft the statement and I signed it. I wrote down what I saw and gave them the names of the people who took part in the attack. I left my telephone number for them. The police said they will follow it up, but nothing has happened until today. They have never called me.... I [later] went back to the police in Bukuru. They said I should not worry them and they will take action. Nothing has come out. Nothing. That is why I am always discouraged. I will leave everything to God, because there is nothing I can do. Whatever has happened to you has happened to you. Nobody will follow it up.²⁴¹

Fulani leaders also submitted a report to the police that listed the names of 77 individuals who allegedly killed rural Fulani and burned their houses. The Fulani leaders called for the immediate arrest and prosecution of the perpetrators.²⁴² Individual Fulani witnesses interviewed by Human Rights Watch also said they filed complaints with the police. A Fulani man from Sagas, in Fan district of Barkin Ladi local government area, said that on January 21, 2010, immediately after the attack, he went to the police station in Gyembas. “I told them everything that I saw,” he said. He

²³⁹ Human Rights Watch interview with a Kuru Karama resident, Jos, January 29, 2012.

²⁴⁰ Human Rights Watch interview with a Hausa-Fulani leader from Tim-Tim, Jos, January 30, 2012.

²⁴¹ Human Rights Watch interview with a Tim-Tim resident, Jos, January 30, 2012.

²⁴² See Miyetti Allah Cattle Breeders’ Association, “Submission of our Complaint, Findings, Observations and Position to your Office as the Officer In-Charge of the Investigation of Jos January 17th, 2010 Crisis,” February 2, 2010.

gave them the identities of three men he saw take part in the killings. “The police said they were not given permission from the command to do anything there,” he recalled. “They said this crisis is a national problem. It is beyond their power.” Since then he has seen the three men. “I have seen all three of them in the market in Mangu. I saw them just two weeks ago,” he added. “No one has been arrested.”²⁴³

Similarly, a Fulani man in from Fogawa village in Mangu local government, who on January 21, 2010 saw men murder his father and two other Fulani men, went to the police immediately after the attack and reported what happened.

I reported to the Mangu divisional police station that day. I told the police everything, including the names of the people who participated in the attack. They wrote down my statement and I signed it. The police said they would go to see what happened. I went with five police officers and identified the men [who had participated in the attack]. The police arrested four people. It was around 3:00 to 3:30 p.m. I then went to look for the rest of my family....

The following day I went back to the police station. The police said the four men who had been arrested were released around 8 p.m. the previous night. The police told me to just go away. I went back again to the police on Monday [January 25]. I asked them what happened, and they said the concerned policemen were not there, so they could not speak with me. They [then] told me not to come back. They said I should just go away.

He said he has not gone back to the police. “Nothing has happened since then. I have seen the four men, who were arrested, in the Mangu market,” he recalled. “The police see that if a Fulani man is killed, it is nothing. They will do nothing about it,” he added. “If this happens again, I wouldn’t go to the police. It is a waste of time. They will take no action.”²⁴⁴

The head of the Fulani cattle breeders association in Plateau State told Human Rights Watch that they have repeatedly gone back to the police, including to the Criminal Investigation Department (CID) at Force Headquarters in Abuja, to follow up on their complaint, but the police have taken no action. “Up until today, these people [who carried out the attacks] are there. We know them, they

²⁴³ Human Rights Watch interview with a Sagas resident, Barkin Ladi, March 8, 2012.

²⁴⁴ Human Rights Watch interview with a Fogawa resident, Barkin Ladi, March 8, 2012.

know us. They are still there in the villages,” he said. “They are still roaming about in their villages without any problem. None of them was arrested.”²⁴⁵

Despite ample eyewitness testimony and numerous leads, no one has been brought to justice for the January 2010 massacres in Kuru Karama and surrounding communities or the January 2010 anti-Fulani pogroms. The perpetrators remain in the area, while many of their victims remain displaced, without justice, struggling to eke out a living to survive.

Human Rights Watch asked the police, in March 2012, about the status of the investigations into these specific cases. The head of State CID in Jos said he was not assigned to Plateau State at the time, and since Force CID in Abuja handled the investigations, “I didn’t go back to find out what happened.”²⁴⁶ The police commissioner overseeing administration at Force CID in Abuja said he had no information on the cases at that time.²⁴⁷ In a November 2013 statement, the police said that 340 suspects were arrested and charged to court for the January 2010 violence. “Some of these suspects were those involved in the Tim Tim, Sabon Gida Forom and Sabon Gida Kara [Kanam] crisis,” the statement added without providing further detail on specific cases.²⁴⁸

Impunity for the Organizers of the Dogo Nahawa Massacre

In February 2011, two Fulani men were convicted in Federal High Court and sentenced to 21 years for their role in the March 7, 2010 Dogo Nahawa massacre. The federal judge noted in his judgment that the two men identified, in their confessional statements to the police, the names of the individuals who contacted and paid them to participate in the attack:

[The two men] gave account of how they were invited from their respective residences in Bauchi State to attend meetings in Jos East Local Government Area of Plateau State. They disclosed how at the meetings the decision to attack Dogo

²⁴⁵ Human Rights Watch interview with Muhammed Nuru Abdullahi, Plateau State chairman of the Miyetti Allah Cattle Breeders’ Association of Nigeria, Jos, February 2, 2012.

²⁴⁶ Human Rights Watch interview with Ibrahim Umar, assistant commissioner of police in charge of State Criminal Investigation Department, Plateau State, Jos, March 12, 2012.

²⁴⁷ Human Rights Watch interview with Jonathan Johnson, commissioner of police in charge of Administration, Force Criminal Investigation Department, Abuja, March 2012.

²⁴⁸ Letter from Nwodibo Ekechukwu, deputy commissioner of police, Legal/Prosecution Section, “D” Department (FCID), Abuja, emailed to Human Rights Watch on November 28, 2013. The statement added that the federal attorney general “issued fiat to a number of lawyers who are prosecuting the suspects/Accused persons,” and “[a]ll the cases are at various stages of prosecution.”

Nahauwa was taken and everyone at the meeting was assigned a role in the mayhem. How much they were promised and how much they eventually paid.²⁴⁹

The two men, who had no formal education, also disclosed in their police statements the names of the people who called them to attend the meetings, assigned them their individual role, and gave them money to participate in the attack.²⁵⁰ The judge stated, over the defense lawyer's objection, that he believed the "contents of the confessional statements."²⁵¹ Yet since that time there have been no known arrests or prosecutions of the individuals named, or other organizers or planners, of the Dogo Nahawa massacre.²⁵²

Federal and State Prosecutions for Renewed Violence

The federal attorney general's focus on federal prosecutions was short-lived. Using private lawyers was expensive, and by the middle of 2010 the federal and state governments reached an agreement that cases going forward would be handled by either the state or federal attorney general, depending on the nature of the offenses.²⁵³ The officer in charge of the police's legal department in Plateau State said they agreed that police lawyers would file charges against the accused, without first seeking "advice" from the attorney general, and then hand the case over to the federal or state attorney general, based on the type of offense. He said that between April 2010 and March 2012, they had filed charges against more than 820 suspects in some 240 cases. He estimated that about 200 cases were filed in state courts—either the magistrates' courts or the High Court—while about 40 cases were filed in Federal High Court.²⁵⁴

The director of public prosecutions in Plateau State gave Human Rights Watch information on 21 cases, involving 90 accused persons (79 Muslims and 11 Christians) who had been charged in state High Court in relation to incidents of communal violence in 2010 and 2011. In addition, he

²⁴⁹ *Federal Republic of Nigeria v. Dauda Abubakar & Anor*, Federal High Court of Nigeria, Jos Judicial Division, Judgment, FHC/J/14C/2010, February 14, 2011, p. 10.

²⁵⁰ *Ibid.*, pp. 12-13.

²⁵¹ *Ibid.*, p. 10. The defense counsel stated at trial that the accused persons denied making or signing the statements. The judge ruled that because the accused persons did not enter a defense, they could not successfully deny making the statements. *Ibid.*, pp. 8-10.

²⁵² The Federal Attorney General's Office stated in November 2013 that it had no record of any prosecutions of the organizers of the Dogo Nahawa attack. Letter from the Department of Public Prosecutions, Office of the Hon. Attorney-General of the Federation, Federal Ministry of Justice, Abuja, to Human Rights Watch, November 29, 2013.

²⁵³ Human Rights Watch interview with Edward Pwajok, March 12, 2012, and an interview with Eogh Ahomafo, officer in charge of the Legal Department, Plateau State, Nigeria Police Force, Jos, March 12, 2012.

²⁵⁴ Human Rights Watch interview with Eogh Ahomafo, Jos, March 12, 2012. Human Rights Watch requested information from the Federal Attorney General's Office on these cases but received no information on their status. Human Rights Watch letter to Attorney General of the Federation and Minister of Justice Mohammed Bello Adoke, October 21, 2013.

provided Human Rights Watch with information on nine cases, involving 113 accused persons charged in chief magistrates' courts, during the same period.²⁵⁵

By November 2013 the director of public prosecutions told Human Rights Watch that they had secured three convictions. The state High Court convicted a Fulani man for culpable homicide, sentencing him to 20 years in prison for a March 13, 2011 attack on Kai village, in Barkin Ladi local government area, which left five members of a Berom family, including two children, dead. The High Court also convicted a Fulani cattle herder for homicide, sentencing him to a 15-year prison term for beating to death an old woman on August 31, 2011 in Barkin Ladi local government area. He said, another man, also Muslim, was convicted in the chief magistrate's court, for unlawful assembly and rioting, and sentenced to six months in prison.²⁵⁶

These cases, including the homicide convictions, are important first steps toward breaking the cycle of Plateau State violence. It is not clear, however, whether other cases will go forward. Some witnesses interviewed by Human Rights Watch, including witnesses to renewed violence since 2010, said they still see alleged perpetrators in their communities.²⁵⁷ Plateau State prosecutors will also need to demonstrate that suspects implicated in crimes are prosecuted regardless of their religious or ethnic identity.

²⁵⁵ Human Rights Watch interview with Justin Manomi, Plateau State director of public prosecutions, Jos, February 7, 2012. In some of the cases before the chief magistrate's court, Muslim and Christian suspects were charged together in the same "First Information Report," making it more difficult to determine the religious affiliation of the individuals suspects.

²⁵⁶ Human Rights Watch telephone interview with Justin Manomi, Jos, November 29, 2013.

²⁵⁷ See, for example, the section above on the February 22, 2011 attack on Bere Reti village in Barkin Ladi local government area.

V. Inter-Communal Violence in Kaduna State, 1987-2002

Bloody inter-communal clashes and massacres over the past several decades have left thousands of people dead in Kaduna State. The highest casualties have occurred in the state capital of Kaduna, including deadly riots in 2000 and 2002, and in the southern part of the state, where communal violence and mass killings have left thousands dead.

1987 Kafanchan Violence

Longstanding inter-communal tensions in Kafanchan spilled over into violence in March 1987, when a Christian student association at the Kafanchan College of Education, located on the outskirts of the town, sponsored a religious “revival.”²⁵⁸ The visiting evangelist allegedly misrepresented the teachings of the Quran and the Prophet Mohammed, sparking protests by Muslim students, which soon escalated into clashes. Several students and staff were injured, and a mosque on campus was burned during the violence. Two days later, the violence spread to Kafanchan town when Muslim students allegedly attacked a Christian church service. Mobs of Christians retaliated, killing Muslims and burning Muslim properties, including several mosques.²⁵⁹ News of the violence soon reached the city of Kaduna and northern Kaduna State, and Hausa-Fulani youth retaliated by burning Christian properties, including churches, hotels, and beer parlors.²⁶⁰

A commission of inquiry, set up by the military administrator, found that at least 19 people died in the violence.²⁶¹ Some 152 churches and 5 mosques were also reportedly destroyed.²⁶² Most of the dead were Hausa-Fulani killed in Kafanchan, while the vast majority of property damage was inflicted on Christians in northern Kaduna State.

²⁵⁸ Tensions have simmered between the Hausa-Fulani, who hold the traditional leadership positions in Kafanchan under the Jema’ a Emirate, which traces its history to the 1800s, and various Christian indigene groups who controlled the local government administration but have also sought to have their own traditional chieftaincies. See Rotgaki I. Gofwen, *Religious Conflicts in Northern Nigeria and Nation Building: The Throes of two Decades 1980-2000* (Human Rights Monitor, 2004), pp. 83-101; Hussaini Abdu, *Clash of Identities: State, Society and Ethno-Religious Conflicts in Northern Nigeria* (Kaduna: DevReach Publishers, 2010), pp. 130-31.

²⁵⁹ See Kaduna State Government, “White Paper on the Report of the Committee to Investigate Causes of Riots and Disturbances in Kaduna State, 6th-12th March, 1987,” pp. 36-39 (“1987 White Paper”); Rotgaki I. Gofwen, *Religious Conflicts in Northern Nigeria and Nation Building*, 2004, pp. 83-101; Hussaini Abdu, *Clash of Identities*, 2010, pp. 131-33.

²⁶⁰ See Kaduna State Government, “1987 White Paper,” pp. 48-55.

²⁶¹ The commission found that 12 people died in Kafanchan, 6 in Kaduna, and 1 in Zaria. See *ibid.*, pp. 55-56.

²⁶² See Hussaini Abdu, *Clash of Identities*, 2010, p. 132.

Kafanchan Special Judicial Tribunal

The federal military government, under Gen. Ibrahim Babangida, established a Civil Disturbances Special Tribunal, tasked with prosecuting the perpetrators of the violence.²⁶³ Most of the suspects arrested were Hausa-Fulani from northern Kaduna State, leading Hausa-Fulani leaders to allege that the process was biased.²⁶⁴ Muslim lawyers claimed that “[a]ll the accused person[s] in the first 10 cases numbering about 89 are Muslims,” and “so far no single Christian has been arraigned for any offense whatsoever.”²⁶⁵ In August 1987, Muslim defense lawyers withdrew from the tribunal alleging various due process violations in the tribunal.²⁶⁶

According to media reports, the tribunal convicted 75 persons: 71 Muslims and 4 Christians.²⁶⁷ One of the former prosecutors at the tribunal told Human Rights Watch that although they were able to secure convictions, “something funny happened” before all the trials could be completed:

The prosecution team decided that we should start with the minor offenses while tempers could cool down. When we were to start the serious ones, involving homicide cases, a directive came from the federal government that the tribunal should stop, and that was the end. So before we got to the main culprits, they just stopped it abruptly.²⁶⁸

A senior lawyer who worked as a defense lawyer at the Kafanchan tribunal recalled that, “Most of these trials are just done to placate some people and after some time the dust settles and the whole thing is over. They don’t proceed with the prosecutions any longer.”²⁶⁹

1992 Zangon Kataf Violence

In February and May 1992, longstanding tensions between Hausa-Fulani and members of the predominately Christian Atyap ethnic group (also known as Kataf) exploded into violence in the town of Zango in southern Kaduna State, leaving nearly 2,000 people in Kaduna State dead.²⁷⁰ The

²⁶³ The special tribunal, which sat in Abuja, consisted of a five-member panel headed by Supreme Court Justice A.G. Karibi Whyte.

²⁶⁴ See Bashir Isyaku, *The Kafanchan Carnage* (Afkar Books Centre, Al-Tawheed Publishing Company, 1991), p. 44.

²⁶⁵ See *ibid.*, p. 134.

²⁶⁶ The Muslim defense lawyers alleged that the “likelihood of gross miscarriage of justice” was “very high,” and cited various objections, including the “absence of an appellate forum.” See *ibid.*, pp. 133-37.

²⁶⁷ See *ibid.*, p. 45. Human Rights Watch was unable to confirm the offenses or sentences of those convicted.

²⁶⁸ Human Rights Watch interview with a former prosecutor at the Civil Disturbances Special Tribunal (name withheld), Kaduna, November 2011.

²⁶⁹ Human Rights Watch interview with Emmanuel Toro, Kaduna, November 14, 2011.

²⁷⁰ Zango town is predominately Hausa ringed by Atyap farming communities. The Atyap and Hausa have long been embroiled in a bitter debate about which group is the “true indigenes” of the area. The dispute is compounded by a longstanding disagreement over ownership of farmland around Zango town. Under British colonial rule the area was placed under the control of the Zaria Emirate,

violence was triggered in February by a dispute over the location and control of a market used by the Hausa and Atyap communities.²⁷¹ According to a commission of inquiry, established by the governor, 95 people, mostly Hausa-Fulani, were killed during the February 6 riots.²⁷² The commission identified individuals implicated in the violence and recommended that they be investigated, prosecuted, and “duly punished.”²⁷³ The commission later observed—in a second report following the May violence—that “not a single person was arrested or weapon confiscated.”²⁷⁴ The commission concluded that “had the Police arrested the perpetrators and culprits of the February 6th, 1992 riots, the story today would have been different.”²⁷⁵

Three months later, a longstanding dispute between the Hausa-Fulani and Atyap over ownership of farmland on the outskirts of Zango spiraled into mass violence.²⁷⁶ On May 15, a large group of Atyap gathered and surrounded Zango. According to the commission of inquiry, the mob attacked Zango, “looting, maiming and killing,”²⁷⁷ while the police “stood by and watch[ed].”²⁷⁸ The police only intervened to disperse the mobs on the afternoon of the second day of the violence.²⁷⁹ Following a site visit in June 1992, the commission observed that “what used to be Zango town has now been reduced to rubbles. Not a soul is living in that town anymore.”²⁸⁰

whose Hausa administrators treated the Atyap with contempt. The Atyap have struggled for, and obtained, a greater degree of local autonomy since independence but have never forgotten the historical wrongs their community suffered under Emirate rule. See, for example, Akin Akinteye, James Wuye and Muhammen Ashafa, “Zangon-Kataf Crisis: A Case Study,” in *Community Conflicts in Nigeria: Management, Resolution and Transformation* (London: Spectrum, 1999), p. 225-28.

²⁷¹ Local government officials decided to move the market, which was dominated by Hausa traders, to a new location on the outskirts of Zango, to which the Hausa objected. The Hausa tried to block traders from using the new market and on February 6 went to the new market site with a court injunction blocking the relocation of the market. The Atyap alleged that Hausa assaulted some Atyap women and destroyed some of their market goods. The Atyap allegedly retaliated by attacking the Hausa and burning their houses. See Kaduna State of Nigeria, “Report of Zangon Kataf (Market) Riots Judicial Commission of Inquiry,” June 1992, pp. 10-12 (“February 1992 Zangon Kataf Report”).

²⁷² See *ibid.*, pp. 43-44.

²⁷³ See *ibid.*, p. 53.

²⁷⁴ Kaduna State of Nigeria, “Report of Zangon Kataf (Market) Riots and Subsequent Riots Judicial Commission of Inquiry,” September 1992, p. 24 (“May 1992 Zangon Kataf Report”).

²⁷⁵ *Ibid.*, pp. 26-27.

²⁷⁶ In April 1992 Atyap village heads sent a letter to the local government chairman informing him that “we have decided with immediate effect to take back the ownership of our farm lands that were confiscated by the emirate council.” Letter to the chairman of the Zangon Kataf Local Government Council, from eight Atyap village heads, April 21, 1992. *Ibid.*, Appendix 10. The Hausa alleged that the Atyap began uprooting their crops and reported the matter to the police, but the police took no action. On May 15, the Atyap allege that the Hausa uprooted crops on an Atyap farm. See *ibid.*, pp. 16-18.

²⁷⁷ See *ibid.*, p. 47.

²⁷⁸ *Ibid.* According to the commission of inquiry, the police “pleaded” with the Atyap mob to “lay down their arms but they refused.” *Ibid.*, pp. 53-54.

²⁷⁹ See *ibid.*

²⁸⁰ *Ibid.*, pp. 47-48. The commission found that 662 houses were destroyed or damaged in Zango. See *ibid.*, Appendix 14, p. 1.

News of the Zango massacre sparked sectarian clashes and reprisal killings against Christians in the city of Kaduna and northern parts of the state.²⁸¹ The commission found that 1,833 people died in the May violence—1,528 in Zango alone.²⁸² The Atyap community refused to participate in the commission, alleging that it was biased.²⁸³ The authorities responded this time with mass arrests, including the arrest of senior Atyap leaders.²⁸⁴

Zangon Kataf Special Tribunals

The federal military government, under General Babangida, established two special tribunals—jointly known as Zangon-Kataf Civil and Communal Disturbances Tribunal—to try individuals involved in the violence.²⁸⁵ Most of the accused persons tried by the tribunals were Atyap, and their leaders accused the tribunals of carrying out “hurried and bungled vengeance.”²⁸⁶

The first tribunal, headed by retired judge B.O. Okadigbo, tried 23 accused persons, including a retired army officer, Maj. Gen. Zamani Lekwot.²⁸⁷ The Okadigbo tribunal convicted 12 persons—eight were convicted of culpable homicide, including General Lekwot, and sentenced to death by hanging—and acquitted 11 others. The second tribunal, headed by retired judge E.A. Adegbite, was set up after the first tribunal and tried 30 defendants, including new charges against some of those charged and acquitted in the first tribunal. The Adegbite tribunal convicted 21 persons, including seven who were sentenced to death, and acquitted nine others.²⁸⁸

²⁸¹ On May 17, mobs of Hausa-Fulani carried out revenge attacks against Christians in Kaduna city, in some cases ordering victims to recite the Islamic declaration of faith—the *shahada*—and attacked those who were unable. The following day, May 18, Christians in other parts of the city carried out retaliatory attacks on Muslims and their properties. Hausa-Fulani mobs in Zaria looted and burned Christian properties and raided the prison. The “wanton shooting and killing by the Army” further “escalated” the rioting, the commission of inquiry concluded. In Ikara town, north-east of Zaria, Hausa-Fulani mobs stormed a police station where some “2,000 non-indigenes” had taken refuge. One of the police officers was dragged away and killed, but, unlike in Zango, the police stood their ground and prevented a massacre. See *ibid.*, pp. 19-23, 56, 78-79.

²⁸² The commission also found that 247 people were killed in and around the city of Kaduna, 36 in Zaria, 10 in Ikara, and 6 in other communities in the state. See *ibid.*, Appendix 13. The Christian Association of Nigeria reported that 29 of its members were killed, while 19 churches were destroyed or damaged in the violence. See *ibid.*, Appendix 14, p. 3.

²⁸³ The Atyap leaders pointed to the fact that there were no Atyap member on the commission and that the commission’s report on the February 1992 violence was biased in favor of the Hausa in Zango. See *ibid.*, pp. 72-78. See also Toure Kazah Toure, *Ethno-Religious Conflicts in Kaduna State*, 2003), pp. 158-59.

²⁸⁴ See Kaduna State of Nigeria, “May 1992 Zangon Kataf Report,” September 1992, p. 38.

²⁸⁵ The tribunals, which sat in the city of Kaduna, were seven-member panels headed by former judges. However, one of the members of the panel, Godwin Graham-Douglas, a Christian, resigned from the panel in protest early in the proceedings. See “Nigeria: Military Injustice: Major General Zamani Lekwot and Others Face Government-Sanctioned Lynching,” *News from Africa Watch*, March 30, 1993, vol. 5, No. 4, p. 4.

²⁸⁶ “Report of the Committee for Reconciliation and Search for Lasting Peace for Zango Kataf Community,” March 1995, p. 77.

²⁸⁷ See National Defence and Security Council, “Confirmation of the Judgements of the Judicial Tribunals on Civil and Communal Disturbances at Zango-Kataf, Kaduna State, Memorandum by the President Commander-in-Chief of the Armed Forces of the Federal Republic of Nigeria,” June 14, 1993. Copy on file with Human Rights Watch. Witnesses alleged that Maj. Gen. Zamani Lekwot, who was also an outspoken proponent for Atyap rights, had participated in the violence. See Kaduna State of Nigeria, “May 1992 Zangon Kataf Report,” September 1992, p. 38.

²⁸⁸ See National Defence and Security Council, “Confirmation of the Judgements of the Judicial Tribunals on Civil and Communal Disturbances at Zango-Kataf,” June 14, 1993; “Nigeria: Military Injustice,” *News from Africa Watch*, March 30, 1993, p. 5.

The Trial of General Lekwot

The special tribunals were widely criticized for lacking basic due process guarantees. General Lekwot was first charged with unlawful assembly, disturbing the peace, and rioting. In August 1992, after the prosecution had closed its case and the defense had called nine witnesses, the prosecution withdrew all charges. General Lekwot was immediately rearrested and charged again. The new charges were identical to the first charges but added culpable homicide.²⁸⁹ Lekwot's lawyers appealed, arguing that the new charges violated the defendant's right to a fair trial. But before the Supreme Court could hear the appeal, the military government handed down Decree No. 55, which stripped the courts of their jurisdiction to hear appeals of any decision or judgment of the tribunals, leaving only the military's supreme council to confirm the tribunals' judgments.²⁹⁰ The defense team withdrew from the tribunal in protest.²⁹¹ The tribunal continued the trial of General Lekwot and his co-accused, without legal representation, and in February 1993 General Lekwot and five co-accused were convicted of culpable homicide and sentenced to death by hanging.²⁹²

A Lagos-based human rights group brought a case before the African Commission on Human and Peoples' Rights on behalf of seven of the men sentenced to death by the Okadigbo Tribunal. In October 1994, the commission declared, based on the written submissions, that the defendants had been deprived of their "right to defence" and their "right to an appeal to competent national organs."²⁹³ The commission furthermore declared that the government of Nigeria had violated its duty to "guarantee the independence of the Courts" by establishing a tribunal which "may be composed of persons belonging largely to the executive branch of the government."²⁹⁴ The commission recommended that Nigeria's government "free the complainants."²⁹⁵

In the end, General Babangida commuted the sentences of those on death row to five-year prison terms, and they were released after time served.²⁹⁶

²⁸⁹ See "Addendum to the Kataf Community Memorandum of 30th July, 1999, on the 1992 Zango Kataf Riots Trial, To the Human Rights Violations Investigation Panel, FCT, Abuja," pp. 9-10; "Withdrawal of Professional Services," Letter to Maj. Gen. Zamani Lewot from G.O.K. Ajayi & Co, January 4, 1993. Copy of file with Human Rights Watch.

²⁹⁰ Decree No. 55 revived the power of the Civil Disturbances (Special Tribunal) Act, Part IV, Sec. 8(1), which provided that: "The validity of any decision, sentence, judgment, ... or order given or made, ... or any other thing whatsoever done under this Act shall not be inquired into in any court of law." See African Commission on Human and Peoples' Rights, decision, "87/93 Constitutional Rights Project (in respect of Zamani Lewot and 6 Others/Nigeria)," October 1994, para. 22; "Withdrawal of Professional Services," Letter to Maj. Gen. Zamani Lewot, January 4, 1993; "Nigeria: Military Injustice," News from Africa Watch, March 30, 1993, pp. 4-5.

²⁹¹ The defense lawyers stated that following Decree No. 55, the tribunal "ceased to qualify" as a type of tribunal where they could offer professional legal services. See "Withdrawal of Professional Services," Letter to Maj. Gen. Zamani Lewot, January 4, 1993.

²⁹² The Okadigbo Tribunal acquitted one of General Lekwot's co-accused. See National Defence and Security Council, "Confirmation of the Judgements of the Judicial Tribunals on Civil and Communal Disturbances at Zango-Kataf," Kaduna State, June 14, 1993.

²⁹³ African Commission on Human and Peoples' Rights, decision, "87/93 Constitutional Rights Project," October 1994, paras. 28-29.

²⁹⁴ *Ibid.*, paras. 30-33. The Civil Disturbance (Special Tribunal) Act, Part II, Sec. 2(2) provided that the members of the tribunals shall be appointed by the "Commander-in-Chief of the Armed Forces" and consist of at least one member belonging to the armed forces. See *ibid.*, para. 30.

²⁹⁵ *Ibid.*

²⁹⁶ Human Rights Watch interview with Maj. Gen. Zamani Lekwot, Kaduna, November 14, 2011.

2000 “Sharia Riots”

In February and May 2000, at least 2,000 people, and possibly many more, were killed in sectarian and inter-ethnic violence sparked by Christian protests over the proposed adoption of Sharia law in Kaduna State.²⁹⁷ On February 21, the Christian Association of Nigeria (CAN) organized a protest march in the state capital in reaction to proposals to introduce Sharia in Kaduna State.²⁹⁸ Muslim youth allegedly stoned some of the Christian protesters, sparking clashes between Muslim and Christian youth.²⁹⁹ The violence spread to other neighborhoods in the city and soon spiraled out of control, leading to widespread killings by roving mobs. On both sides of the religious divide entire city blocks were reduced to rubble.³⁰⁰

Soldiers were deployed and eventually brought rioting in the city to an end, but violence also spread to other towns and rural areas in the state.³⁰¹ An accurate death toll for the riots has never been fully ascertained. A commission of inquiry, set up by the state government, reported that at least 1,295 people had been killed, while many others were buried unidentified or declared missing.³⁰²

When bodies of Igbo victims killed in Kaduna State began arriving home in southeast Nigeria, mobs of Igbo took revenge on Hausa-Fulani residents. According to media reports, in the city of Aba, mobs massacred several hundred Hausa-Fulani on February 28 and 29.³⁰³ President

²⁹⁷ See Human Rights Watch, *Nigeria: The “Miss World Riots”: Continued Impunity for Killings in Kaduna*, July 2003, p. 4.

²⁹⁸ The protest followed pro-Sharia demonstrations by Muslims in Kaduna State. See Rotgaki I. Gofwen, *Religious Conflicts in Northern Nigeria and Nation Building*, 2004, pp. 114-15.

²⁹⁹ See Kaduna State of Nigeria, “White Paper on the Report of Judicial Commission of Inquiry into Kaduna State Religious Disturbances of February 2000” (Government Printer, April 2001), p. 8 (“2000 White Paper”). The Kaduna State police commissioner, on the other hand, alleged that “Christian youths moved to the streets and started throwing stones at the shops of Muslims.” See Rotgaki I. Gofwen, *Religious Conflicts in Northern Nigeria and Nation Building*, 2004, pp. 116-17.

³⁰⁰ See Tim Sullivan, “A Nigerian neighborhood, emptied of life, is left to the corpses,” Associated Press, February 28, 2000; Hussaini Abdu, *Clash of Identities*, 2010, pp. 172-73.

³⁰¹ The worst affected area was Kachia town in southern Kaduna State, where mobs of Christians killed Hausa-Fulani residents and burned their property. See *ibid.*, p. 173; “Kaduna violence spreads to nearby towns where death toll reaches 90,” *The Guardian* (Lagos), February 28, 2000. In northern Kaduna State, Hausa-Fulani mobs also attacked Christians and burned their property in Birnin Gwari and Zaria. See Kaduna State of Nigeria, “2000 White Paper,” pp. 10-11.

³⁰² See *ibid.* The police, on the other hand, recorded 609 deaths. See Rotgaki I. Gofwen, *Religious Conflicts in Northern Nigeria and Nation Building*, 2004, p. 119. Civil society leaders interviewed by Human Rights Watch believed that the number of people killed far exceeded the figure of 2,000. See Human Rights Watch, *Nigeria: The “Miss World Riots,”* July 2003, pp. 4-5. The police also reported that 1,944 houses and commercial buildings, 123 churches, and 55 mosques were burned or destroyed. See Rotgaki I. Gofwen, *Religious Conflicts in Northern Nigeria and Nation Building*, 2004, p. 119.

³⁰³ See, for example, Mike Oduniyi, “Over 400 killed in eastern Nigeria riots,” Reuters, March 1, 2000; Peter Cunliffe-Jones, “Military sources say 450 slain in south Nigeria clashes,” Agence France-Presse, March 1, 2000. Northern Muslims were also attacked in other southwest cities, including Umuahia.

Obasanjo addressed the nation on March 1 and described the violence as “one of the worst instances of bloodletting” the country had seen since the 1967-70 civil war.³⁰⁴

The police arrested more than 300 people in Kaduna State,³⁰⁵ and the state government set up a commission of inquiry that identified individuals implicated in the violence and called on the police, “as a matter of urgency,” to investigate these individuals.³⁰⁶

On May 25, a second round of sectarian violence erupted in Kaduna city. According to media reports, two days of violence left several hundred dead.³⁰⁷ The state governor vowed to bring those responsible to justice. “We are not going to use the avenue of the Judicial Commission of Inquiry, like the one set up for the February crisis,” the governor said. “This time around, instant justice will be carried out and those found guilty will immediately be punished.”³⁰⁸ The police said more than 200 suspects were arrested and charged before magistrates’ courts.³⁰⁹

2002 “Miss-World” Riots

In November 2002, violence again erupted in Kaduna. The apparent trigger was an article published on November 16 in a Lagos-based newspaper, *ThisDay*, about the Miss World beauty contest, which was due to be held the following month in Lagos. The article was perceived as blasphemous by some Muslims and provoked a storm of outrage.³¹⁰ Muslim demonstrators took to the streets in the state capital on November 20. The protest soon turned violent, and youth attacked and burned *ThisDay*’s regional offices.³¹¹ The following day, November 21, armed mobs, shouting “Allahu Akbar,” attacked and killed Christians and burned and looted Christian homes, businesses, and churches. Christian groups soon retaliated and on November 22, armed mobs killed Muslims and burned Muslim homes, businesses, and mosques.³¹² The security forces also

³⁰⁴ President Obasanjo stated: “When all the statistics of the devastation in Kaduna, Kachia, Aba and Umuahia are recorded, we will find, I am sad to say, that this has been one of the worst instances of bloodletting that this country has witnessed since the civil war.” See “Obasanjo condemns ‘worst bloodletting ... since the civil war,’” Agence France-Presse, March 1, 2000.

³⁰⁵ See “More than 300 arrested over Nigerian religious riots: reports,” Agence France-Presse, February 28, 2000.

³⁰⁶ See Kaduna State of Nigeria, “2000 White Paper,” April 2001, pp. 15-18.

³⁰⁷ See “More than 200 suspects face trial over riots in Nigeria,” Agence France-Presse, May 30, 2000.

³⁰⁸ “200 To Face Trial Over Kaduna Crisis,” Panafican News Agency, May 30, 2000.

³⁰⁹ See “More than 200 suspects face trial over riots in Nigeria,” Agence France-Presse, May 30, 2000.

³¹⁰ The article, written by a Lagos-based journalist, suggested that the Prophet Mohammed would have approved of the Miss World contest. It stated: “What would Muhammed think? In all honesty, he would probably have chosen a wife from among them.” See Human Rights Watch, *Nigeria: The “Miss World Riots,”* July 2003, p. 7.

³¹¹ The police did not intervene to stop the violence by the protesters or make any arrests. See *ibid.*

³¹² See *ibid.*, pp. 7-13.

killed scores of people before eventually quelling the violence.³¹³ Human Rights Watch estimates that some 250 people were killed in Kaduna between November 21 and 23.³¹⁴

The state governor again said that the government would not set up a commission of inquiry, but insisted that those responsible for the violence would be promptly prosecuted.³¹⁵ The police announced that more than 1,000 people were arrested and many were charged to court.³¹⁶ But Kaduna State officials told Human Rights Watch in 2011 that apart from some possible summary convictions, leading mostly to fines, no one was convicted for crimes committed during either the 2000 or 2002 riots. “There have been some convictions of rioting or mischief by fire, where they said they did it and the court tried and convicted them summarily, but the sentences were slight, usually fines,” the state deputy director of public prosecutions said. “They were too minute to be of any significance in the fight against communal clashes.”³¹⁷ A chief magistrate who has handled some of the cases was even more categorical about the outcome of the 2000 and 2002 cases. “All of the cases were discharged,” he insisted.³¹⁸ Similarly, a state High Court judge told Human Rights Watch that they had no record of any prosecutions. “I’m not aware of any prosecutions,” he said. “It is one of the major problems in this country. People commit offenses and get away with it.”³¹⁹

³¹³ See *ibid.*, pp. 9, 13-24.

³¹⁴ See *ibid.*, p. 9. A committee set up by the state government to assess the property damage also reported that 109 churches, 39 mosques, and hundreds of houses and businesses were destroyed during the violence. See *ibid.*, p. 25.

³¹⁵ See *ibid.*

³¹⁶ See “350 Charged in Connection With Kaduna Riots,” *IRIN*, November 26, 2002. The authorities also arrested a number of religious and community leaders and alleged sponsors of the violence. See Human Rights Watch, *Nigeria: The “Miss World Riots,”* pp. 26-27.

³¹⁷ Human Rights Watch interview with Bayero Dari, then Kaduna State deputy director of public prosecutions, Kaduna, August 18, 2011.

³¹⁸ Human Rights Watch interview with a chief magistrate (name withheld), Kaduna State, November 2011.

³¹⁹ Human Rights Watch interview with a Kaduna State High Court judge (name withheld), Kaduna State, November 2011.

VI. Deadly Post-Election Violence in Kaduna State in 2011

Despite the paucity of prosecutions, Kaduna State remained relatively calm from 2002 until 2011, when presidential elections between Goodluck Jonathan, a Christian from southern Nigeria, and Muhammadu Buhari, a Muslim northerner, largely divided the country along ethnic and religious lines. The April 16, 2011 presidential election was a significant improvement over the two previous national elections, and many heralded it as perhaps Nigeria's freest and fairest. Still, campaign violence, allegations of vote rigging, and inflation of results—particularly in the rural areas of southeastern Nigeria, Jonathan's stronghold—marred the election. Buhari, who contested the election on the ticket of the opposition Congress for Progressive Change (CPC), swept the northern states, while Jonathan, the candidate for the ruling People's Democratic Party (PDP), won an overwhelming majority in most of central and southern Nigeria.³²⁰

As election results began to trickle in on April 17, and it became clear that Buhari was set to lose, opposition leaders alleged that the vote had been rigged. Buhari's supporters took to the streets in towns and cities across the north to protest what they alleged to be a stolen election. The protests soon turned violent. The rioters, nearly all Hausa-Fulani Muslims, attacked the property of prominent ruling party stalwarts in the north—most of whom were also Hausa-Fulani Muslims—and northern traditional leaders seen as having backed the PDP. Rioters also torched police stations and offices of the electoral commission.

The rioting quickly took on a deadly sectarian and ethnic dimension. Mobs of CPC supporters attacked Christians and members of ethnic groups from southern Nigeria, burning and looting their homes, businesses, and churches. As one Christian leader put it, "It was politically motivated violence, but religiously executed."³²¹ The damages suffered by Christians were widespread and catastrophic. The Christian Association of Nigeria, the umbrella organization representing the majority of Christian denominations in Nigeria, estimated that at least 170 Christians were killed in northern Nigeria, while more than 350 churches and hundreds of homes and businesses were burned or destroyed.³²² A panel of investigation, set up by the federal

³²⁰ See, for example, "Q&A: Nigeria elections," *BBC Online News*, April 22, 2011, <http://www.bbc.co.uk/news/world-africa-12941582>.

³²¹ Human Rights Watch interview with Yunusa Nmadu, Kaduna State CAN secretary, Kaduna, November 14, 2011.

³²² Human Rights Watch interviews with Sunday Oibe, CAN northern states, public relations officer, Kaduna, April 2011.

government, found that 938 people in northern Nigeria were killed in the violence—more than 80 percent of those deaths occurred in Kaduna State.³²³

The violence in Kaduna State swept through northern and central parts of the state on the morning of Monday, April 18. In northern Kaduna State, mobs of CPC supporters, mostly Hausa-Fulani, burned buildings owned by ruling party officials. They also attacked Christians and burned and looted their property. Clashes between Muslim and Christian youth also erupted in the state capital as mobs on both sides of the religious divide burned and looted property, and killed those of the opposing faith. In the predominately Christian town of Maraban Rido, on the outskirts of Kaduna city, mobs killed and burned the property of Muslim residents.

As news of the violence spread, including reports of Muslims attacking Christians and churches in the state capital and northern Kaduna State, mobs of Christians in predominantly Christian communities in southern Kaduna State attacked Muslims. Beginning on the evening of April 18 and continuing into the day on April 19, mobs in southern Kaduna State killed hundreds of Muslims and “ethnically cleansed” entire towns and villages of their Muslim populations, including Zonkwa, Matsirga, and Gidan Maga. In Kafanchan, which has a large Hausa-Fulani Muslim population in the center of the town, the fighting left both Muslims and Christians dead and their properties, mosques, and churches destroyed. On April 19, Christians in southern Kaduna State also killed or drove out hundreds of rural Fulani—many of them pastoralists—in rural settlements across the southern half of the state. The attacks were widespread and in many cases appeared to be carried out in a coordinated manner. The federal panel of investigation found that more than 80 percent of the deaths in Kaduna State occurred in the southern part of the state “where communal violence has been known to be pronounced for over 25 years.”³²⁴

The federal panel concluded that 827 people died in Kaduna State,³²⁵ while a commission of inquiry, set up by the state government, listed the names of 815 people killed in the violence.³²⁶ The state commission also compiled an extensive list of property damage. Its report listed claims

³²³ The panel found that 943 people were killed. This figure, however, included five deaths in Akwa Ibom in southern Nigeria. The panel noted that, “Over *eighty per cent* of those killed are from Kaduna State.” See Federal Republic of Nigeria, “White Paper on the Report of the Federal Government Investigation Panel on the 2011 Election Violence and Civil Disturbances,” August 2012, p. 17 (“2011 White Paper”).

³²⁴ See *ibid.*

³²⁵ See *ibid.*

³²⁶ The commission of inquiry listed the names of the following people killed in 10 local government areas: Zangon Kataf, 463; Jema’a, 113; Kaura, 73; Kaduna South, 52; Chikun, 49; Kaduna North, 25; Zaria, 18; Igabi, 8; Jaba, 5; and Sabon Gari, 4. See Kaduna State of Nigeria, “White Paper on the Report of the Judicial Commission of Inquiry into the Post-Presidential Election Disturbances in Kaduna State, April 2011,” p. 58 (“2011 White Paper”). The death tolls reported to the commission by the various law enforcement agencies varied considerably. The police reported that 401 people died, while the National Security and Civil Defence Corps put the figure at 957. See *ibid.*

for 1,976 houses, 925 shops, 1,352 vehicles, 96 churches, and 47 mosques destroyed, burned, or vandalized.³²⁷ The Christian Association of Nigeria reported that 75 Christians were killed and 129 churches destroyed in the violence.³²⁸ Muslim leaders from five communities in southern or central Kaduna—Zonkwa, Matsirga, Gidan Maga, Kafanchan, and Maraban Rido—as well as Fulani leaders representing rural Fulani pastoralists, reported that, together, 825 Muslims were killed in the violence.³²⁹

Sectarian Violence in Northern Kaduna State

Attacks on Christians in Zaria

Human Rights Watch interviewed Christian victims and witnesses of the violence in the city of Zaria and neighboring Sabon Gari, as well as in Birnin Gwari and Soba local government areas in northern Kaduna State, and in Kafanchan, southern Kaduna State. Human Rights Watch also interviewed Christian leaders in the city of Kaduna and in Zonkwa, southern Kaduna State.

In Zaria and Sabon Gari neighborhoods with large Christian populations, mobs of CPC supporters, chanting political slogans, set fire to churches and burned and looted Christian property. A Human Rights Watch researcher met a group of Christians inside a burned-out church in Zaria. The pastor said the April 18, 2011 attack was the third time mobs had burned the Nasara Baptist Church.³³⁰ In Zaria and Sabon Gari, Yoruba leaders and several Christian victims also provided Human Rights Watch with a list of houses and businesses destroyed by the mobs, but they said they were unable to identify individual perpetrators.³³¹

Mobs also killed a Christian lecturer and several Christian students at the campus of the Nuhu Bamalli Polytechnic, a technical college in Zaria. Witnesses said that on April 18, about 10:30 a.m., mobs of youth armed with sticks, clubs, and machetes stormed the campus. Members of the mob demanded that victims identify their political affiliation and religious and ethnic identity. A Muslim lecturer who witnessed the attack told Human Rights Watch that the mob stormed the

³²⁷ See *ibid.*, p. 75.

³²⁸ The Christian Association of Nigeria (CAN) listed death tolls in nine local government areas: Jema'a, 30; Zangon Kataf, 18; Igabi, 7; Zaria, 6; Sabon Gari, 5; Kaura, 4; Soba, 3; Ikara, 1; and Kauru, 1. CAN also listed churches destroyed in the following 13 local government areas: Kaduna North, 20; Soba, 18; Giwa, 14; Igabi, 14; Jema'a, 14; Birnin Gwari, 9; Kaduna South, 8; Sabon Gari, 8; Kubau, 7; Zaria, 7; Makarfi, 4; Ikara, 3; and Kauru, 3. In addition, CAN listed 62 churches that were vandalized during the violence. "Report on Kaduna 2011 Post-Presidential Election Violence," provided to Human Rights Watch by CAN officials in Kaduna in November 2011. Copy on file with Human Rights Watch.

³²⁹ See section below on violence in southern Kaduna State.

³³⁰ He said mobs burned the Nasara Baptist Church, which was built in 1959, in 1987, 1992, and 2011. Mobs also attempted to burn the church in 2000 and burned the church offices in 2010. Human Rights Watch interview with Rev. Ishaku Halilu, Zaria, November 13, 2011.

³³¹ Human Rights Watch interviews with Yoruba leaders and Christian victims, Zaria and Sabon Gari, November 2011.

campus chanting pro-Buhari slogans and shouting, “Where are the Christians that supported the ruling party?” Some of the Christian students tried to flee, “but the mob pursued them into the staff quarters, and they had nowhere to go,” he said. “The mob beat them to death and hit them with machetes.”³³² The attackers also killed a lecturer, Afolalu Felix Olugbenga, who was a Christian Yoruba from southwest Nigeria.

A Christian woman who lived in the staff quarters told Human Rights Watch that Olugbenga came to her house to hide when the attack started. She described what happened next:

They [the mob] broke into the house, smashed the windows, and put fire inside. The children hid themselves under their bed. They [the mob] broke the door into the bedroom. I was standing there, and the lecturer was standing behind me. They asked me to say the *kalimat ash-shahada*—the Islamic prayer. I said, “I don’t know anything like that.” One of the boys among then slapped me three times. They took my handset [mobile phone] and said we should come out. The house was still on fire. We went out the back door.

They then said we should say “CPC.” So we started saying “CPC! CPC!” They said my son and I should go to one side and the lecturer should go to the other side. I then saw the body of Levi Sunday, a Christian [student] from Kaura local government. I screamed “Levi, Levi!” One of them said, “You are very stupid. We have already finished with him.” They surrounded us. Some of them had knives, others had machetes and sticks. I begged them on my knees, “You should leave my son, he is just 16 years old. He didn’t even vote, he isn’t even up to the age of voting.” A man then hit my son with a stick on the head. He said “This boy is a bad egg. We cannot leave him, because if we leave this one, he will kill us.” He then hit him again. My son shouted, “Ma!” He fell down. I then went and lay down on him and said, “If you kill my son, kill me with my son.” One of them said, “We should just beat her.” But another said, “No, we should not touch women and children.”

They started arguing with each other. I said, “I will only get up if you swear you will do nothing to my son.” They said, “We swear to Allah that nothing will happen to your son.” They then asked me, “Are you from Plateau State?” I said, “No.” They

³³² Human Rights Watch interview with a lecturer from the Nuhu Bamalli Polytechnic, Zaria, April 30, 2011.

asked me, “Are you a Kataf [Atyap] woman?” I said, “No.” I said I was from [location withheld]. They said, “Look at the way she speaks Hausa. She is our own.”³³³

The woman said that a Muslim staff member came and intervened to help them. When the military arrived, between 12 and 1 p.m., she took some of the soldiers in the direction where she had seen the mob take Olugbenga. They found the body of the lecturer. “They said I should not touch him,” she recalled. “It was my neighbor—*he* was my neighbor.”³³⁴ Both witnesses interviewed by Human Rights Watch said the members of the mob had painted faces, and it was difficult to identify individual perpetrators.

The military stayed at the polytechnic to protect the students. As the Muslim lecturer recalled, “The military gathered the students to the main football field and kept guard. They all slept that night on the football field.”³³⁵ In other locations around Zaria, including outside the emir’s palace, soldiers shot and killed protesters, and carried out extrajudicial killings of unarmed residents.³³⁶

Attacks on Christians in Other Northern Kaduna Communities

Mobs also attacked Christians and burned and looted their property in other towns and villages in northern Kaduna State. On the morning of April 18, in Soba local government area, for example, Hausa-Fulani Muslims, who witnesses said supported the CPC, attacked Hausa-Fulani Christians, who supported the PDP. Christian witnesses in three villages said they recognized the attackers as Muslims from neighboring communities. The mob attacked the first two villages—Ungwar Kerau and Unwar Dawa—and burned Christian homes and churches. No one was killed, they said.³³⁷

By that afternoon, news of the first attacks reached the third village, Ungwar Tuji. The Christian men in the village sent their families across the river for safety and prepared to defend their homes. A Hausa-Fulani farmer from Ungwar Tuji, who is Christian, described to Human Rights Watch what happened when the mob attacked:

That day is a day like we haven’t seen in the whole of our lives. We were only nine but they were many. They were armed with guns, machetes, bows and arrows, axes,

³³³ Human Rights Watch interview with a Christian resident at Nuhu Bamalli Polytechnic, Zaria, November 20, 2011.

³³⁴ Ibid.

³³⁵ Human Rights Watch interview with a lecturer from the Nuhu Bamalli Polytechnic, Zaria, April 30, 2011.

³³⁶ See “Nigeria: Post-Election Violence Killed 800,” Human Rights Watch news release, May 16, 2011, <http://www.hrw.org/news/2011/05/16/nigeria-post-election-violence-killed-800>.

³³⁷ Human Rights Watch interviews with residents in Ungwar Kerau and Unwar Dawa villages, November 20, 2011.

cutlasses, and sticks, and they came with gallons of petrol. We had locally made guns. They saw us with weapons and they went after us. In my own presence my kinsmen were killed. Mato had an 8-round gun. When he finished shooting and tried to reload, someone came from behind and “dropped” him down. Another man came with an axe and hit him on the neck. Others then came and took their turn to cut at him. Dangwate saw this and shot at the mob. The mob then pursued him. They followed him to the back of a house and used their sticks to smash his legs and brought him down. They then cut him with their machetes.

When we saw they overpowered us, we had to draw back. Some of us started to run. They then went into the houses, ransacked the houses, looted the property, and then set the houses on fire. They also set one of the churches ablaze. None of the Muslim houses were touched. Only the Christian houses were burned. The group then dispersed.³³⁸

Christian leaders and witnesses in the three villages told Human Rights Watch that they reported the attacks to the police, but there have been no arrests.³³⁹

Sectarian Violence in Central Kaduna State

Violence in the City of Kaduna

In the city of Kaduna, protests also turned violent on the morning of April 18. Clashes between Muslim and Christian youth soon broke out, and mobs on both sides of the religious divide burned and looted property. Christians and Muslims who found themselves on the wrong side of Kaduna River or in neighborhoods where they were the religious minority were bludgeoned to death by marauding mobs. According to media reports, Christian travelers were dragged out of their vehicles by groups of Muslims and killed on the main road leading north of the city. Mobs of Christians also torched vehicles and killed Muslim motorists on the expressway leading through Gonin Gora and other predominantly Christian neighborhoods in the southern side of the city.³⁴⁰

³³⁸ Human Rights Watch interview with a resident of Ungwar Tuji, November 20, 2011.

³³⁹ Human Rights Watch interviews with residents in Ungwar Tuji, Ungwar Kerau, and Unwar Dawa villages, Soba local government area, November 20, 2011.

³⁴⁰ See, for example, “Post Election Riots in Kaduna, Bauchi, Yobe, Niger,” *Vanguard* (Lagos), April 19, 2011; Njuwa Maina and Joe Bavier, “Relatives search for bodies after Nigeria riots,” Reuters, April 20, 2011.

Members of both the police and the military were implicated in the excessive use of force, including extrajudicial killings, and other abuses while responding to violence in the city.³⁴¹ The state commission of inquiry listed the names of 25 people killed in Kaduna North and 52 people killed in Kaduna South.³⁴²

Attacks on Muslims in Maraban Rido

Maraban Rido is a small town in Chikun local government area located just outside the state capital on the main road leading to the southeast region of the state. The town, and surrounding area, is predominantly Christian, mostly from the Gbagyi ethnic group, but the center of the town has a large Hausa-Fulani Muslim population. Local government officials recognize the Gbagyi as the indigenes of the area, but Hausa-Fulani leaders complain that although some Hausa-Fulani families have lived in Maraban Rido for “more than 100 years,” they are still viewed as “settlers.”³⁴³

On the morning of April 18, mobs of Christians, many of them from outside Maraban Rido, attacked Muslim residents in the town, according to Muslim witnesses. Muslim residents tried to defend themselves, they said, but they were greatly outnumbered. The attackers, armed with guns, machetes, and cutlasses, burned and looted Muslim property and killed Muslim men. The fighting, which started at about 10:30 a.m., continued until late afternoon. Mobile police officers eventually intervened at about 4 p.m. and escorted Muslim residents to safety. One of the Muslim residents who held on to the back of a police pickup truck as the convoy left the town described to Human Rights Watch what he saw:

The Christian youth blocked the road with big stones and trees. We were not going straight; we had to zigzag to pass where they blocked the road. One of us fell from the back of the vehicle. I saw the Christian youth start cutting him with machetes and knives. The police kept driving.... [Later when the police vehicles stopped] I started to walk. There were Christians lined up on both sides of the road. We were in the middle. They were shouting we should leave their village, we are settlers, it is not our town, we are from the north, we are not the indigenes of the community. They said [that] we want CPC, [but] now no more CPC, now PDP. They will kill us all.³⁴⁴

³⁴¹ See “Nigeria: Post-Election Violence Killed 800,” Human Rights Watch news release, May 16, 2011.

³⁴² See Kaduna State of Nigeria, “2011 White Paper,” p. 58.

³⁴³ “Memorandum Submitted by the Muslim Community of Maraban Rido Sabon Gida Mamishi, Chikun Local Government of Kaduna State to the Kaduna State Judicial Commission of Inquiry on Post Election Crisis of 2011,” p. 7. Copy on file with Human Rights Watch.

³⁴⁴ Human Rights Watch interview with a Maraban Rido resident, Kaduna, August 17, 2011.

The police escorted the convoy of Muslims to the compound of the government oil refinery, which had heavy security, on the outskirts of Kaduna. Two days later, some of the Muslims returned to the town under military and police escort and discovered other Muslim residents who were still hiding. The Muslim man, who escaped with the police convoy, said he went back with the group, and they found survivors hiding in wells and in the ceilings of houses. Other Muslims were saved because Christians hid them in their houses, he said.³⁴⁵

In a memorandum submitted to the state commission of inquiry, Muslim community leaders listed the names of 40 Muslims killed in Maraban Rido and stated that about 400 houses, 6 mosques, and 8 Islamic schools were burned.³⁴⁶ A Human Rights Watch researcher visited Maraban Rido on April 24, 2011—the week after the violence. Scores of burned-out houses and shops were visible from the main road leading through town, as was the charred frame of the central mosque, with anti-Islamic and anti-CPC graffiti—“Fuck Islam” and “Fuck Buhari”—and the words “Jesus is Lord” inscribed on the walls.³⁴⁷

Muslim residents who fled Maraban Rido were unable to vote in the gubernatorial election held the following week in Kaduna State. A Human Rights Watch researcher returned to Maraban Rido on April 28—the gubernatorial election day. Results posted on the wall of a polling station near the burned-out central mosque showed the PDP candidate for governor, a Christian from southern Kaduna State, received 441 votes, while the Muslim candidate for the CPC failed to register a single vote.³⁴⁸

Sectarian Violence in Southern Kaduna State

Mass Killings of Muslims in Zonkwa

On the afternoon of April 18, Christians in the southern Kaduna town of Zonkwa, who were mostly from the Bajju ethnic group, set up roadblocks on the main road leading through Zonkwa. That evening, some of the youth attempted to stop a truck driven by a Hausa-Fulani man. The driver initially refused to stop, but the youth managed to stop the vehicle and the driver fled. Christian leaders said the youth manning the roadblock suspected that the vehicle, loaded with yams, was also carrying weapons.³⁴⁹ A Muslim shop owner who saw the incident said the youth removed the

³⁴⁵ Ibid.

³⁴⁶ See “Memorandum Submitted by the Muslim Community of Maraban Rido,” p. 5.

³⁴⁷ Human Rights Watch site visit to Maraban Rido, April 24, 2011.

³⁴⁸ Human Rights Watch site visit to Maraban Rido, April 28, 2011.

³⁴⁹ Human Rights Watch interview with Christian leaders, Zonkwa, May 1, 2011.

produce and then burned the truck. “There were no weapons,” he added. He said the youth then burned nearby shops belonging to Hausa-Fulani residents, and the violence soon spread.³⁵⁰

Christian leaders, on the other hand, allege that Hausa-Fulani in Zonkwa started the violence and burned a hotel owned by a retired military officer.³⁵¹ Muslim residents deny that Hausa-Fulani burned the hotel, claiming instead that the hotel caught fire when Christians burned Hausa-Fulani houses next to it.³⁵² Human Rights Watch was unable to confirm this incident.

The fighting went on throughout the night. Muslim witnesses said they tried to defend themselves but only had sticks and stones and were outnumbered by the Christians. The police, including the divisional police officer (DPO)—the head of the police in Zonkwa—was seen in a police vehicle at various times during the night. The police shot tear gas at some point in an apparent effort to disperse the groups, but then left, witnesses said. Sometime about 2 a.m. soldiers arrived in Zonkwa but did not stay and instead continued on to the town of Kafanchan, witnesses said.³⁵³

The mass killings began on the following morning, by which time the Christians were using more sophisticated weapons, including AK-47s assault rifles, Muslim witnesses said. When the Christians surrounded them, many of the Muslim residents decided to surrender. The Christian men divided the men from the women and children and then killed the men, witnesses said. Some of the Bajju men ordered the Muslims who surrendered to say “Jonathan should be the president,” recalled a Hausa-Fulani fruit seller. “Some of us said it,” he added, “but they continued to kill us.”³⁵⁴ The mobs also went house to house, burning houses and killing Muslim men found hiding inside. A fuel vender recalled that some of the Muslim leaders advised that it was best to “surrender and beg for our lives.”³⁵⁵

Many of the victims were killed after they surrendered. Human Rights Watch interviewed a mechanic, whose father and three brothers were killed in the violence. He recalled that the armed

³⁵⁰ Human Rights Watch interview with a shop owner from Zonkwa, Zango, May 1, 2011.

³⁵¹ Human Rights Watch interview with Christian leaders, Zonkwa, May 1, 2011. See also “A Limit To Archbishop Fearon’s Lies and Misrepresentation of Southern Kaduna Peoples,” Southern Kaduna Peoples Union press statement, April 30, 2013.

³⁵² Human Rights Watch interviews with Zonkwa residents, Zango, May 1, 2011.

³⁵³ A Human Rights Watch researcher visited Zonkwa on April 24, 2011—five days after the violence—and again on May 1, 2011. Human Rights Watch also interviewed nine Muslim witnesses from Zonkwa who relocated to the nearby town of Zango and to a displaced persons camp in the city of Kaduna, as well as Muslim and Christian leaders, and Bajju traditional leaders in Zonkwa. In March 2012, Human Rights Watch requested an interview with the police in Zonkwa but was referred by the police to the police headquarters in the state capital.

³⁵⁴ Human Rights Watch interview with a fruit seller from Zonkwa, Zango, May 1, 2011.

³⁵⁵ Human Rights Watch interview with a fuel vender from Zonkwa, Kaduna, August 16, 2011.

men divided the Muslim men and women and gathered the men into a group in front of a house in Zonkwa. Some of the leaders of the armed men began discussing among themselves. Then five or six of them, armed with AK-47s, opened fire on the group, he said. He ran and managed to escape. “I recognized two of them that started shooting,” he added.³⁵⁶

The Teacher Who Killed My Father

A 19-year-old student at Government Girls School in Zonkwa, who was among a group of Muslim women who surrendered and was escorted by a Christian man to the police station, tried to save her injured father from the mob by dressing him up as woman. She described what happened:

About six o'clock in the morning [on April 19], the Christians came to [the house where we were hiding] and asked us to surrender. They said the women should go to one side and the men should go to the other side. They told us that they will not kill women. It is only men that they will kill. One of the Christian men [then] escorted the women to [ward] the police station. He was carrying an old Muslim woman on his back.

As we were going to the police station, I saw my father. He was kneeling down in front of a house. He was injured. We begged the Christian man that he should give the old woman to my father to carry. He agreed and gave my father the old woman. But my father was injured and couldn't carry the old woman. I removed my wrapper [cloth skirt] and my *hijab* and gave it to him, because they were not killing the women. He put on the wrapper and *hijab*, and I carried the old woman on my back.

[But] when we were walking, some of the Christians saw my father's trousers, and they pulled him out of the group. My history teacher was among them. He had a long knife. He was with two Igbo people. One of them had a gun, the other had a cutlass. They started beating my father and he fell down. When I saw that, I dropped the old woman and went to my father. I told my teacher, “This is my father,” but he didn't care. My teacher told me that I should go, but I refused. He gave me one slap. While I was crying he continued to beat my father. He [then] took a long knife and cut his throat. I was still standing in that place. He said, “I told you, you should go, but you refused.” I said, “Yes,” He gave me another slap.

She eventually made it to the safety of the police station.³⁵⁷ She later testified at the federal panel of

³⁵⁶ Human Rights Watch interview with a mechanic from Zonkwa, November 12, 2011.

³⁵⁷ Human Rights Watch interview with a student from Zonkwa, Kaduna, August 16, 2011.

investigation. The panel recommended that federal authorities order the police to investigate this incident.³⁵⁸ Human Rights Watch raised this case with the police in Kaduna. “If she reported it at the commission of inquiry, that didn’t involve us,” one of the police investigators responded. “We haven’t got that case.”³⁵⁹

Some of the Muslim residents in Zonkwa chose not to surrender. When the police returned about 7 a.m., Muslim residents climbed into the back of the two police pickup trucks. The police tried to get them off but they refused to leave, recalled one of the Muslim survivors who managed to remain in the police vehicle. He said the armed mob surrounded the police vehicles and shot at the Muslims. He was shot and injured but others were not as lucky. “Three people fell out,” he recalled. “They were macheted to death in front of me,” The police managed to get through the mob after “six mobile police came out and formed two lines and were shooting in the air.” The man said he filed a formal statement with the police some weeks after the incident and included in his statement the name of the man who shot him.³⁶⁰

Other witnesses also said they could identify people who carried out the attack and had gone to the police. For example, a young man, who worked as a tailor, said a group of men, who he recognized, attacked him and left him for dead.

[One of the attackers] told the group that he is the one that will kill me.... [Name withheld] and the others started attacking me with cutlasses. They hit me on my head and I fell down. One of them said they should stop hitting me because I will soon die. Another one said they should just finish me. [But] then a group of Hausa people came running by, and they left me and followed them.

He said police officers from Kaduna State’s Criminal Investigation Department (State CID) later came to the camp in Kaduna where he was staying with other displaced Muslims and took his statement.³⁶¹

³⁵⁸ See Federal Republic of Nigeria, “2011 White Paper,” August 2012, pp. 24-25. The federal panel referred to this incident in its report and recommended the federal government “order[] the Police to investigate this as well as similar allegations and bring those who may have committed any criminal offences to account.” The federal government responded in the white paper that it “accepts these recommendations.” Ibid.

³⁵⁹ Human Rights Watch interview with B.W. Dakyer, second in command, Criminal Investigation Department, Kaduna State, Nigeria Police Force, Kaduna, March 13, 2012.

³⁶⁰ Human Rights Watch interview with a fuel vender from Zonkwa, Kaduna, August 16, 2011.

³⁶¹ Human Rights Watch interview with a tailor from Zonkwa, Kaduna, November 18, 2011.

Another Muslim man, whose 19-year-old son was killed in Zonkwa, said that early in the morning, on April 19, he and his son went to hide inside a house owned by a Muslim man that had not been burned. “There were too many people in the house,” he told Human Rights Watch, “so I left my son in the house, and I entered another house close by.” He described what happened next:

Around 9 a.m. I saw [named withheld]—one of their leaders—enter a house with others armed with cutlasses, machetes, and guns. [He] is Bajju and Christian. He is a butcher and sells dog meat in Zonkwa. I then heard shouting and sounds of gunfire. After that I saw [the man] and his group come of the house. I saw blood on [his] body....

After one hour, the military came. I then went with the military to the house to see what had happened. Inside the house I saw 15 or 16 bodies in the main room of the house, including my son [name withheld]. His body was cut with cutlasses.

He said that police officers came to the camp in Kaduna where he was staying and took his statement. “I told them what I saw [the man] do. I signed the police statement,” he said. “Up until now I see [the man] in Zonkwa. The police have not done anything. He has not been arrested.”³⁶²

In some cases, Muslims were saved because Christian residents intervened to protect their neighbors. An 18-year-old Muslim man, who was badly injured in the attack, told Human Rights Watch that on the morning of April 19 a group of Christians attacked him:

One of them had a machete and tried to cut me but missed me. The second time he hit me on the head. I fell down and started begging him, but he continued to cut me on my hand. When they thought I was dead, they left me. After they left, I woke up. When I put my hands down to stand up, I found that my hands didn’t move. They were broken. I had to use my elbows to get up.

I saw a Hausa person enter a house of a Bajju man—he is Christian. I went and entered the house. I saw many people there. There were up to 15 people—Hausa men—in the house. He told me to enter a room and keep quiet. [Later that morning,]

³⁶² Human Rights Watch interview with a father from Zonkwa, Kaduna, November 18, 2011.

[t]he soldiers came with a speaker saying that anyone left should come out. The soldiers lifted me into the truck and took me to the hospital.³⁶³

Once the soldiers arrived in Zonkwa, the violence stopped, but not before mobs of Christians had killed or driven out nearly all the Muslims from the town. One of the traditional leaders, who is Bajju, acknowledged to Human Rights Watch: “The boys here made it total. They would not relent.”³⁶⁴

According to a Muslim leader who participated in the burials of the victims, 311 Muslims were buried, nearly all of them men, during three mass burials in April 2011—105 on April 21, 149 on April 22, and 57 on April 23. He also said that 24 others, many of their corpses charred beyond recognition, were buried in one of the town’s wells.³⁶⁵ In a report later submitted to the government commissions of inquiry, Hausa-Fulani Muslim leaders reported that 296 Muslims were killed in Zonkwa.³⁶⁶ The memorandum also reported that 299 houses, 180 businesses, 98 vehicles, and 113 motorcycles owned by Hausa-Fulani were burned.³⁶⁷ Christian leaders reported that 18 Christians were killed in Zangon Kataf local government area, an area which includes Zonkwa.³⁶⁸ No churches were burned in Zonkwa.³⁶⁹

Human Rights Watch interviewed the Bajju paramount chief at his home in Zonkwa two weeks after the violence. He was at a loss for words to describe what happened. “We have always lived in peace. Nothing has happened like this before,” he said. The violence was “regrettable and very sad—the work of the devil,” he added. “How it happened, we don’t know. We’re not bad people.”³⁷⁰

³⁶³ Human Rights Watch interview with an 18-year-old Zonkwa resident, Kaduna, November 13, 2011.

³⁶⁴ Human Rights Watch interview with a Bajju traditional leader, Zonkwa, May 1, 2011.

³⁶⁵ Human Rights Watch interviews with Idris Adamu, Jama’atu Nasril Islam (JNI) secretary, Zangon Kataf local government area, Zonkwa, April 24, and Zango, May 1, 2011.

³⁶⁶ See “Memorandum Presented by Hausa/Fulani Muslim Community of Zonkwa Town in Zangon Kataf Local Government Area of Kaduna State to The Presidential Judicial Panel of Investigation into the Post-Presidential Election Violence of 16th April 2011.” The memorandum listed 253 names of victims, as well as the wife and child of Kabiru Danladi, and 41 Islamic students, whose names were not listed in the report. Copy of memorandum on file with Human Rights Watch.

³⁶⁷ See *ibid.*

³⁶⁸ See “Report on Kaduna 2011 Post-Presidential Election Violence,” provided to Human Rights Watch by the Christian Association of Nigeria, Kaduna. The Southern Kaduna Peoples Union, a group that represents indigene ethnic groups in southern Kaduna State, listed the names of 17 people killed in Zonkwa. See “A Limit To Archbishop Fearon’s Lies and Misrepresentation of Southern Kaduna Peoples,” Southern Kaduna Peoples Union, press statement, April 30, 2013.

³⁶⁹ Human Rights Watch interviews with Christian leaders, Zonkwa, May 1, 2011. See also “Report on Kaduna 2011 Post-Presidential Election Violence,” provided to Human Rights Watch by the Christian Association of Nigeria, Kaduna.

³⁷⁰ Human Rights Watch interview with Nuhu Batare, the Bajju paramount chief, Zonkwa, May 1, 2011.

Violence in Kafanchan

The town of Kafanchan, south of Zonkwa, also saw sectarian clashes and massive destruction of property on both sides of the religious divide. The property damage in Kafanchan was likely the most extensive of any area in southern Kaduna State. Muslim leaders reported that 17 Muslims were killed in Kafanchan, while 30 mosques and 241 houses were burned or destroyed.³⁷¹ Christian leaders reported that 30 Christians were killed in Jema'a local government area, which includes Kafanchan, and 14 churches were destroyed.³⁷² A leader for the Igbo ethnic group in Kafanchan, the vast majority Christians from southeast Nigeria, told Human Rights Watch that 11 Igbo residents were killed, while 224 of their houses and 837 shops, many of them in the central market, were burned in the violence.³⁷³

Muslim leaders allege that the violence started early in the day on April 18 when Bajju youth killed a Hausa-Fulani man on the outskirts of Kafanchan and vandalized his vehicle.³⁷⁴ Human Rights Watch was unable to confirm this incident. That evening, Muslims said that Christians, predominantly from the Bajju ethnic group, started burning Muslim homes and attacking Muslims on the outskirts of Kafanchan.³⁷⁵ A Hausa-Fulani man, who is a civil servant and lives in the Rumada neighborhood of Kafanchan, told Human Rights Watch that at about 8 p.m. Bajju youth from Katsit community, armed with locally made guns and other weapons, started attacking the Hausa-Fulani residents in Rumada. "We had some stones, but nothing else to defend ourselves," he said. His house and everything in it was burned. "They burned all the Hausa-Fulani houses in that area," he added. He said that at about 10 p.m. they ran to the emir's palace, which is located in the center of Kafanchan.³⁷⁶

Muslim witnesses said that as word of the attack took place, mosques around Kafanchan sounded the call to prayer to alert Muslims of the attack. "There was a constant call to prayer to notify us that they were attacking us," recalled a lecturer at the Kaduna State College of Education. "When

³⁷¹ See "A Text of Memorandum Submitted to the Kaduna State Government Judicial Commission of Inquiry on 2011 Election Violence and Civil Disturbances, Submitted by Kafanchan Muslim Community, C/O Central Jama'at Mosque, Kafancha," June 6, 2011, p. 11 and annexes. The memorandum listed the names of 80 Muslims killed in Kafanchan and Matsirga, a village located on the border between Zangon Kataf and Jema'a local government areas. A Muslim leader from Kafanchan told Human Rights Watch that 17 of the victims listed in the report were killed in Kafanchan, while the others were killed in Matsirga. Human Rights Watch telephone interview with Ilyasu Musa Kalla, JNI secretary, Jema'a local government area, Kafanchan, December 1, 2013.

³⁷² See "Report on Kaduna 2011 Post-Presidential Election Violence," provided to Human Rights Watch by the Christian Association of Nigeria, Kaduna.

³⁷³ Human Rights Watch telephone interview with Chies Akpu, president of the Igbo community, Kafanchan, May 11, 2011.

³⁷⁴ See "A Text of Memorandum Submitted to the Kaduna State Government Judicial Commission of Inquiry on 2011 Election Violence and Civil Disturbances," Submitted by Kafanchan Muslim Community, June 6, 2011, pp. 3-4.

³⁷⁵ See *ibid.*, p. 4.

³⁷⁶ Human Rights Watch interview with a civil servant from Kafanchan, May 2, 2011.

we heard the call to prayer, and not at the normal time, we knew something was wrong.”³⁷⁷ Many of the Hausa-Fulani residents assembled at the emir’s palace that night, Muslim witnesses said. According to the lecturer, “The Hausa-Fulani youth went out to defend the streets so they [the other side] didn’t get access into town.”³⁷⁸

Christian residents, on the other hand, allege that the calls to prayer were a signal for Muslims in Kafanchan to come out and attack the Christians. As one pastor in Kafanchan noted, “Immediately after the unusual call to Salah there were gunshots all over.” For him, and many Christians in Kafanchan, this was evidence that the Hausa-Fulani “must have planned” the attack. “They were well prepared,” he added. As the calls to prayer and gunshots continued, “Our people had to rise in defense,” he said, adding that the Christians “only had sticks and stones to defend themselves.”³⁷⁹

Both sides claimed to be acting in self-defense, but the evidence shows that both Christians and Muslims also participated in burning, looting, and killing. Muslim and Christian youth clashed and burned and looted properties belonging to the other side. Gunshots, the calls to prayer, and clashes continued unabated throughout the night, but the police were largely absent, witnesses said.

A Bajju woman, who is Christian and lived in a predominantly Muslim neighborhood in Kafanchan, told Human Rights Watch that after she heard the calls to prayer and gunshots she bundled her children into her car and took them to a largely Christian neighborhood. As they were leaving, some of her Muslim neighbors, armed with knives and other weapons, chased her car, she recalled. When she returned after the violence, she found that her house had been burned and all her family’s property looted.³⁸⁰

Witnesses said that soldiers arrived in the early morning hours of April 19 but then left. After the soldiers left, “then the actual burning started,” recalled a Christian businessman, whose house and shop were burned.³⁸¹ A pastor also said “when the soldiers arrived, they sent our boys back, and the Muslims had free rein to burn.”³⁸² Another Christian man, whose house was burned, told Human Rights Watch: “We thought the soldiers were going to secure the area, so we the Christians retreated from protecting our area, thinking the army was around, but they disappeared and it

³⁷⁷ Human Rights Watch interview with a lecturer at the Kaduna State College of Education, Kafanchan, May 2, 2011.

³⁷⁸ Ibid.

³⁷⁹ Human Rights Watch interview with a Christian pastor in Kafanchan, May 2, 2011.

³⁸⁰ Human Rights Watch interview with a Bajju woman from Kafanchan, November 19, 2011.

³⁸¹ Human Rights Watch interview with a Christian businessman in Kafanchan, November 19, 2011.

³⁸² Human Rights Watch interview with a Christian pastor in Kafanchan, May 2, 2011.

gave a free rein to the Muslims—the Hausas—and they kept burning until they burned the way they wanted.”³⁸³ The soldiers returned later in the morning, residents said, and shot and killed some of the youth, before ending the violence.³⁸⁴

A Human Rights Watch researcher visited Kafanchan on April 24—five days after the violence—and in May and November 2011. Large sections of the central part of the town were burned, including the main central market, which primarily housed the shops of Igbo traders, as well as Hausa-Fulani and Yoruba merchants, located across from a burned-out mosque, used predominately by Yoruba Muslims. In other neighborhoods, Christian churches and homes were burned.

Most of the witnesses interviewed by Human Rights Watch said they fled their homes when the violence started during the night and were unable to identify specific individuals who had burned their property or killed people in the town. After the violence, a police official from Abuja came and informed the leaders that the police would take complaints from witnesses who could identify who carried out the violence.³⁸⁵

The Destruction of Matsirga

Matsirga is a small town located along the main road between Zonkwa and Kafanchan.³⁸⁶ The town is predominately Hausa-Fulani, while the surrounding area is dominated by Christian indigene groups, including Bajju. Muslim witnesses allege that about 7 p.m. on April 18, Bajju men began setting up roadblocks on roads leading into Matsirga. Later that night, witnesses allege, the men attacked the Hausa-Fulani residents and burned their houses and properties. The violence continued through the night and into the next day, as roving bands of armed men hunted down and killed Hausa-Fulani men and boys found hiding in the town and surrounding countryside.

Muslim leaders submitted a report to the government commissions of inquiry listing the names of 71 Muslims killed in the attack—63 men and 8 boys.³⁸⁷ They also reported that 143 houses, 8 mosques, 15 shops, 13 vehicles, and 65 motorcycles were burned.³⁸⁸

³⁸³ Human Rights Watch interview with a resident from Kafanchan, November 19, 2011.

³⁸⁴ Human Rights Watch interviews with Kafanchan residents, November 2011.

³⁸⁵ Human Rights Watch interview with Ilyasu Musa Kalla, JNI secretary, Jema’a local government area, Kafanchan, November 19, 2011.

³⁸⁶ The town is located on the southern boundary of Zangon Kataf local government area, and southern settlements in Matsirga extend into Jema’a local government area.

³⁸⁷ “Memorandum Submitted to the Judicial Commission of Enquiry on 2011 Post Election Violence and Civil Disturbance, By Matsirga Muslim Community of Zangon Kataf Local Government Area of Kaduna State,” May 29, 2011, p. 7 and Appendix I. The memorandum stated that 74 Muslims were killed in Matsirga, while Appendix I listed the names of 71 persons. The list of names was numbered to 72 but was missing number 56. In addition, the memorandum stated that seven Muslims were still missing at the time the memorandum

Human Rights Watch visited Matsirga on April 24—five days after the violence—the charred remains of houses, some with CPC posters still posted to the walls, were all that visibly remained in what otherwise appeared to be a ghost town. A civil servant from Matsirga described to Human Rights Watch what he witnessed on the night of the attack:

Around 8 p.m., after Isha’a prayers, we were sitting around our mosque eating with our neighbors. One of my sons told me that people had made a roadblock on the road entering our town. I called one of the Bajju leaders [name withheld] and he told me this trouble is from Kaduna and he can’t do anything. He said I should pack my family and go hide. But they had blocked the road so we couldn’t leave. I stood by the gate with my family.

Around 10 p.m. I was told that the Bajju youth had set fire to one of the houses. I saw the fire in the distance. Sometime past 10 p.m., a group of Bajju youth came and set fire to my neighbor’s house. They were large in number. Some had sticks, machetes, and catapults. I recognized one of them. I called out to him, “What is going on?” He said, “Today you will face the music.” Another Bajju youth had a double barrel gun. My neighbor Yahaya pleaded with him saying, “Why are you doing this?” But he shot Yahaya at close range. He was gasping for breath and died. I ran to my house and told my family to run. I climbed a mango tree by my house. I saw the Bajju come and set fire to my house. I saw them burn my house, my car, my neighbor’s house, and the neighborhood mosque.

Around 3 a.m., after all the houses were burned, I climbed down from the tree and crawled on the ground until our burial ground. I then ran to the river about two kilometers away. I hid in the water for about an hour. When it started getting light, I crawled out of the river and climbed a nearby mountain and hid. I saw the Bajju people looking for us. I saw them kill three people by the river with machetes and an axe. I could see them but they couldn’t see me.

was submitted. A Muslim community leader later said that 102 people were killed in Matsirga, including victims who were “killed in the bush in their bid to escape.” Email from Sanusi Maikudi, December 1, 2013, to Human Rights Watch.

³⁸⁸ “Memorandum Submitted to the Judicial Commission of Enquiry on 2011 Post Election Violence and Civil Disturbance, By Matsirga Muslim Community of Zangon Kataf Local Government Area of Kaduna State,” May 29, 2011, p. 8.

The man said he later went back to the town, with police and soldiers, to find his house and everything he owned “burned to ashes.”³⁸⁹

A Hausa-Fulani woman from Matsirga told Human Rights Watch that Bajju Christian men killed her husband and a neighbor on the morning of April 19, about 8 a.m. She described what she saw:

After they destroyed the village they gathered the women and children around a road leading [out of Matsirga]. The Bajju said let us take some mangos before we reach some Fulani houses in the bush. They didn’t know that my husband and Suleiman were hiding in the mango tree. One of them [the Bajju men] saw people in the tree and shouted to the others to see the other Hausa people.

One of them shot Suleiman in the tree and he fell down. My husband dropped down from the tree and tried to escape. The mob caught him and hit him with cutlasses and axes and killed him. They also cut Suleiman and killed him. They were killed in my presence. I was not far away. I know who killed them. I recognized some of them in the group. We all lived together with them in the village.³⁹⁰

Attack on Muslims in Gidan Maga

Violence erupted on the morning of April 19 in Gidan Maga, a small town located in Zangon Kataf local government area. The town’s population is predominately from the Anghan ethnic group (also known as Kamatan). The Anghan are both Christians and Muslim and are recognized as indigenes of Gidan Maga. The surrounding communities are predominately Bajju. At the time of the violence, the district head—the traditional leader—in Gidan Maga was an Anghan Muslim by the name of Ahmed Bako.³⁹¹

A teacher, who was in Gidan Maga on the day of the attack, recalled that Bajju men from several neighboring communities, armed with guns, machetes, bows and arrows, and axes, surrounded Gidan Maga that morning. The armed men then attacked the town, burning property and killing Muslim residents. The teacher, who hid in a goat pen during the attack, said he saw groups of

³⁸⁹ Human Rights Watch interview with a civil servant from Matsirga, Kafanchan, May 2, 2011.

³⁹⁰ Human Rights Watch interview with a Matsirga resident, Kafanchan, November 19, 2011.

³⁹¹ See “A Memo Submitted to Federal Government Panel of Investigation of April, 2011 Election Violence in respect of Kamuru-Ikulu (Ikulu Chieftdom) and Gidan Maga (Anghan Chieftdom) all in Zangon Kataf Local Government Kaduna State, by Nkulu/Anghan Muslim Youth Forum” (“Gidan Maga Memorandum”). Copy on file with Human Rights Watch.

attackers, including individuals he recognized, murder several people.³⁹² Community leaders said the mobs killed 21 people, including the district head, whose body was allegedly dumped in a well outside his house. The mobs also burned four mosques in the town, including the central mosque, and 42 houses.³⁹³ The district head's son told Human Rights Watch that all of the dead in Gidan Maga were Muslim—mostly Anghan, as well as some Hausa-Fulani.³⁹⁴

Ethnic-Cleansing of Rural Fulani

Beginning on April 19, armed groups of Christians, mostly from various indigene ethnic groups, carried out pogroms against Fulani farmers and pastoralists living in rural areas of southern Kaduna State. Vast areas of rural southern Kaduna State were ethnically cleansed of their Fulani population. According to the Miyetti Allah Cattle Breeders Association of Nigeria, 380 Fulani were killed in seven local government areas. The group also reported that 3,947 cattle were killed and 24,815 cattle were missing as a result of the attacks.³⁹⁵

Human Rights Watch interviewed 19 displaced Fulani from Chikun, Kaura, Jaba, and Zangon Kataf local government areas in southern Kaduna State. Most of the Fulani interviewed said they had lived their entire lives in those communities, and in some cases their parents and grandparents had been born there. Most of the attacks began on April 19 and in some cases continued into April 20.³⁹⁶ The attacks took place during the day and many of the witnesses said they recognized the individuals who carried out the attacks, stating that it was their neighbors or other Christians from surrounding communities. In most cases only Fulani men were killed.

In Kurdan village, Zangon Kataf local government area, a Fulani man told Human Rights Watch that he witnessed Bajju attackers kill seven Fulani men. He described what he saw:

On Tuesday [April 19], about 1 p.m., the Bajju people came to our house. They lived together with us. They were armed with guns, sticks with nails, knives, and cutlasses. They attacked us. I ran and climbed up a tree. I saw them circle my father's house where people were hiding. They broke down the door and entered

³⁹² Human Rights Watch interview with a teacher from Gidan Maga, Kaduna, August 17, 2011.

³⁹³ Muslim Youth Forum, "Gidan Maga Memorandum."

³⁹⁴ Human Rights Watch interview with a son of Gidan Maga district head, Kaduna, August 17, 2011.

³⁹⁵ See Miyetti Allah Cattle Breeders Association of Nigeria, Kaduna State Chapter, "List of Fulani Killed During Post Presidential Election Violence on 18-19/2011, in Kaduna State." Copy on file with Human Rights Watch. In addition to the list of 380 Fulani killed, the May 2011 report included a list of 120 Fulani who were still missing and presumed dead.

³⁹⁶ Fulani witnesses said some of attacks near Zonkwa started on the night of April 18. Human Rights Watch interviews with Fulani residents from Zangon Kataf, November 15, 2011.

the house. There were 10 men and 12 women in the house. They took the men out one after the other and then slaughtered them. They then burned the bodies. Seven men were killed, including three of my brothers. When the other three men realized what they were doing they escaped through a window. They let the women go and then burned the house.³⁹⁷

A Fulani man from Ayagon village, also in Zangon Kataf, told Human Rights Watch that his Bajju neighbors began attacking them at about noon on April 19. He saw them kill his brother. The man's house and property were burned and some of his cattle killed.³⁹⁸

In Fadan Daji village, Kaura local government area, Fulani residents said that 47 Fulani—all men, except one woman—were killed in an attack on April 19. The mobs, primarily from the Kagoro ethnic group, burned Fulani houses and property and drove out the entire Fulani population from the area, the witnesses said. A Fulani man said they went to the village head's house for safety, but an armed mob came to the compound.

They started shooting us. I was running with one of my senior brothers and one of my junior brothers. I saw [name withheld] shoot my senior brother and he fell down. My junior brother and I ran away from there. We moved forward and saw the corpses of four of our younger brothers. They killed them at the same place. We then went inside a Christian's house. Nobody was inside, so we hid in the ceiling of the house. That night we came down and trekked all night and entered Zangon Kataf local government to a village where they were living in peace. The next day the soldiers came and took us to the police headquarters in Kaura.

He went back to the village, escorted by soldiers, and found all their houses and property burned. "All of the Fulani left," he added. "There are no Fulani there now."³⁹⁹

Renewed Violence in Kaduna State, 2011-2013

Since the April 2011 post-election violence and sectarian and ethnic killing, Kaduna State has been racked by renewed bloodletting. Over the past two and a half years, there have been several

³⁹⁷ Human Rights Watch interview with a Fulani man from Kurdan village, November 15, 2011.

³⁹⁸ Human Rights Watch interview with a Fulani man from Ayagon village, November 15, 2011.

³⁹⁹ Human Rights Watch interview with a Fulani man from Fadan Daji village, November 15, 2011.

dozen attacks on largely Christian rural communities in southern Kaduna State.⁴⁰⁰ In a pattern similar to Plateau State, the evidence suggests that some of the attacks have been carried out by Fulani, in apparent revenge attacks.

In one incident on the evening of November 3, 2011, gunmen opened fire on worshipers in a Catholic church in the village of Tabak, killing two women and injuring 12 others. Tabak residents told Human Rights Watch that Fulani homes on the outskirts of the village were burned in the April 2011 violence. They denied burning the houses but suspected that the Fulani blamed them and had returned to exact revenge.⁴⁰¹ Less than a week later, violence also erupted in Kafanchan, on November 9, leaving at least eight people dead and dozens of houses and shops burned. Human Rights Watch interviewed a Bajju woman whose house had been burned in the April 2011 violence. She said they rebuilt part of the house, but on November 9, mobs of Hausa-Fulani again burned the house. “Now there is nothing,” she said. “We can’t go back. They will kill me.”⁴⁰²

On March 15, 2012, gunmen attacked several villages in Chikun local government area, killing 10 Christians, including a pastor. According to the Kaduna State police commissioner, “The attack appeared to be a reprisal by relations of Fulani herdsmen who were victims of the April 2011 post-election crisis in Kaduna state, who were said to have lost their lives, cows and motorcycles.”⁴⁰³

Suspected members of the militant Islamist group Boko Haram have also bombed church services in the cities of Zaria and Kaduna, which have sparked further sectarian bloodletting. On June 17, 2012, suspected Boko Haram members bombed two church services in Zaria and a church in Kaduna, killing at least 21 people. The bombings set off several days of sectarian violence and reprisal killings in Kaduna, resulting in the deaths of at least 80 others.⁴⁰⁴

The leader of the Southern Kaduna Peoples Union, a group representing the interests of indigene ethnic groups, estimated in February 2013 that more than 120 people had been killed in 25 separate attacks in southern Kaduna State since the April 2011 violence. He added, “What is most shocking is that each time someone is arrested, nothing happens to the person. He is left to go

⁴⁰⁰ Human Rights Watch monitoring of Nigerian and foreign media reports of violence and interviews with witnesses from some of the affected communities.

⁴⁰¹ The residents claimed that one of the women killed had yelled out the name of a former Fulani neighbor before she died. Human Rights Watch interviews with a Catholic seminarian and Tabok residents, November 19, 2011.

⁴⁰² Human Rights Watch interview with a Bajju woman in Kafanchan, November 19, 2011.

⁴⁰³ John Shiklam, “Kaduna Killings, a Reprisal, Says Police Commissioner,” *ThisDay* (Lagos), March 19, 2012.

⁴⁰⁴ See Haruna Umar and Yinka Ibukun, “Official: Death toll from church attacks, reprisals in north Nigeria up to 98; clashes ongoing,” Associated Press, June 20, 2012.

free.”⁴⁰⁵ Communal bloodletting in 2013 also spread to Attakar villages in Kaura local government area. According to media reports, clashes between Fulani and members of the Attakar ethnic group left at least 100 people dead in communities bordering Plateau State.⁴⁰⁶

⁴⁰⁵ Luka Binniyat, “We Will Not Stop Youths From Retaliating Killing of Our Kinsmen – Southern Kaduna People Warn,” *Vanguard* (Lagos), February 26, 2013.

⁴⁰⁶ See Sunday Isuwa, “Rights commission probe killings in Kaduna villages,” *Daily Trust* (Abuja), September 30, 2013.

VII. Impunity for the 2011 Post-Election Violence in Kaduna

The only way we can put a stop to this is to ensure that those who are perpetuating these acts of violence are arrested and prosecuted to serve as a deterrent to others who want to repeat the same thing.

—Kaduna State Governor Patrick Yakowa, November 9, 2011⁴⁰⁷

Following the April 2011 post-presidential election riots and sectarian violence, the state government set up a commission of inquiry to investigate the causes and identify those responsible for the violence.⁴⁰⁸ The federal government also established a panel to investigate the post-election violence in northern Nigeria.⁴⁰⁹ The state commission's report listed the names of "272 people [who] were alleged to have committed one offense or another" and recommended that the police investigate those individuals.⁴¹⁰ The commission noted that 709 people had been arrested and 692 suspects charged before magistrates' courts in Zaria and Kaduna.⁴¹¹ However, the federal panel of investigation found that as of September 2011 there had been "no arrest in connection with" the killings in southern Kaduna State.⁴¹²

Kaduna State's deputy commissioner of police told Human Rights Watch in November 2011 that a team of police investigators came from Abuja to investigate the post-election violence:

Immediately after the incident, the inspector general of police set up a high-powered investigation team. The team from Abuja partnered with Kaduna CID [Criminal Investigation Department]. Complaints were channeled to that high-powered team. They went very deep into the cases where individuals were

⁴⁰⁷ Human Rights Watch interview with Patrick Yakowa, then-Kaduna State governor, Kaduna, November 9, 2011. Governor Yakowa died in a helicopter crash in southern Nigeria on December 15, 2012.

⁴⁰⁸ The state commission of inquiry submitted its report to the Kaduna State government, which then published a white paper on the report. See Kaduna State of Nigeria, "2011 White Paper," pp. 77-133.

⁴⁰⁹ The federal panel of investigation submitted its report to the federal government in September 2011, which then published a white paper in August 2012. See Federal Republic of Nigeria, "2011 White Paper," August 2012, p. 17.

⁴¹⁰ See Kaduna State of Nigeria, "2011 White Paper," pp. 77-133.

⁴¹¹ Those arrested and charged were listed as from the following areas: 259 from Kaduna metropolis, 359 from Zaria and Sabon Gari, 41 from Hunkuyi, 13 from Makarfi, and 22 from Kafanchan. The commission also said that 17 juveniles were "released on bail." See *ibid.*, p. 76.

⁴¹² See Federal Republic of Nigeria, "2011 White Paper," August 2012, p. 17.

identified. The team arrested a number of them and they were arraigned. There are a few cases where the suspects are at large.⁴⁴³

Some community leaders confirmed that police from Abuja came to investigate the violence. Muslim leaders in Kafanchan told Human Rights Watch that a police official from Abuja came and informed the leaders that the police would take complaints from witnesses who could identify people who carried out the violence.⁴⁴⁴ Muslim community leaders also said that in June 2011 police went to a camp for displaced Muslims, located in Kaduna city, and interviewed witnesses from Zonkwa.⁴⁴⁵ The community leaders provided Human Rights Watch with a list of 15 individuals interviewed by the police.⁴⁴⁶ One of the Zonkwa residents recalled that they offered to find other witnesses for the police. “I said to the police who came that we can get more witnesses from Zonkwa. The [police officer] in charge said he didn’t have enough paper and he would come back,” recalled the Zonkwa resident. “He didn’t come back.”⁴⁴⁷

Civil society leaders in Kaduna State also said they sent the police a series of photographs of the violence in Zonkwa that included the faces of alleged perpetrators. One photograph depicts what appears to be a group of Muslim young men lying on the ground surrounded by Christian men armed with sticks and machetes. A second photograph at the same location shows what appear to be the dead bodies of the same Muslim young men in pools of blood. A civil society leader confirm that in July 2011 they sent copies of photographs to various security agencies, including the Kaduna State police commissioner and the inspector general of police in Abuja.⁴⁴⁸

Witnesses in three Christian villages attacked in April 2011 in Soba local government, in northern Kaduna State, said they reported the attack to the police. One of the witnesses from Ungwar Tuji village, where two Hausa-Fulani Christians were killed, said the police came after the attack and “went around the houses and took pictures.” He added that police asked whether anyone could identify the perpetrators, and “we told them the names of the people we could identify.”⁴⁴⁹

⁴⁴³ Human Rights Watch interview with Nwodibo Ekechukwu, then-deputy commission of police, Kaduna State, Kaduna, November 11, 2011.

⁴⁴⁴ Human Rights Watch interview with Ilyasu Musa Kalla, JNI secretary, Jema’a local government area, Kafanchan, November 19, 2011.

⁴⁴⁵ Human Rights Watch interview with Zonkwa community leaders, Kaduna, August 2011.

⁴⁴⁶ List of names of witnesses who provide statements to the police on file with Human Rights Watch.

⁴⁴⁷ Human Rights Watch interview with a Zonkwa resident, Kaduna, November 18, 2011.

⁴⁴⁸ Human Rights Watch interview with Bashir Kurfi, department head, Department of Business Administration, Ahmadu Bello University, Zaria, March 2012. Copy of photographs on file with Human Rights Watch.

⁴⁴⁹ Human Rights Watch interview with a resident of Ungwar Tuji, November 20, 2011.

Christian witnesses in two nearby villages also said that police came and took photographs of the crime scene and took down the names of the people who allegedly carried out the attack. A delegation of 13 community leaders and witnesses also went to the police headquarters in the town of Maigana on April 20, 2011 and filed formal, signed statements. “We have not heard anything back,” explained one of the residents. “We still see the people [who carried out the attack]. They are still in the community.”⁴²⁰ Similarly, the witness from Ungwar Tuji said he still sees the men who killed his two neighbors. “I see them almost daily going about their normal business,” he mused. “There have been no arrests.”⁴²¹

Human Rights Watch interviewed two witnesses from Matsirga in southern Kaduna State who said they went to the police to file a complaint but were turned away. One of the witnesses, a woman who saw her husband and neighbor murdered in her presence in April 2011, said that when she heard that police from Abuja had come to the nearby town of Kafanchan to take witness statements, she went to file a complaint:

I heard that the police were taking complaints, so I went to the police headquarters in Kafanchan. The police said Matsirga is under Zangon Kataf [local government area], so we should go to Zonkwa. That same day we hired a car and went to the Zonkwa police station. Six of us went together—we were all women—and we met two men [from Matsirga] at the Zonkwa police station. When we got to the police station the men told us that the Zonkwa police hadn’t received any signal like that, so we just went back.⁴²²

Similarly, a civil servant from Matsirga who witnessed people killed went to the police in Kafanchan to file a formal police report immediately after the violence, but the area commander there told him, “if the police started arresting people now, it would cause more problems.” Instead the area commander advised him to wait until a commission of inquiry was set up to investigate the violence.⁴²³ Muslim leaders from Matsirga later submitted a report to the state commission of inquiry and the federal panel and included the names of the perpetrators they could identify, but none of the alleged perpetrators has been arrested. “Nobody has been arrested. They are going

⁴²⁰ Human Rights Watch interview with a resident of Unwar Dawa, November 20, 2011.

⁴²¹ Human Rights Watch interview with a resident of Ungwar Tuji, November 20, 2011.

⁴²² Human Rights Watch interview with a Matsirga resident, Kafanchan, November 19, 2011. A Human Rights Watch researcher went to the divisional police headquarters in Zonkwa on March 12, 2012 to ask about the investigations but was told that all questions had to be referred to police headquarters in Kaduna.

⁴²³ Human Rights Watch interview with a civil servant from Matsirga, Kafanchan, May 2, 2011.

about living their normal lives,” the civil servant later lamented. “There is not a day that I go to the market that I do not see one or two of them.”⁴²⁴

Witnesses from other communities, however, said they were able to file formal police complaints. In May 2011, a group of Muslim residents from Maraban Rido went to the police headquarters in Kaduna and filed police reports with the Criminal Investigation Department (CID). A Muslim resident from Maraban Rido provided Human Rights Watch with a list of 35 witnesses who filed police complaints. The list included the name of the witnesses, the perpetrators they could identify, and the types of offenses the perpetrators had allegedly committed.⁴²⁵ But the police did not take any action, he said. “They haven’t arrested anybody. Up until now the people that we saw shooting and killing are still in Maraban Rido.”⁴²⁶

Fulani leaders said that they compiled a report on the attacks on rural Fulani in southern Kaduna State and submitted it to the state commission of inquiry and the federal panel. They also said they filed a complaint at police headquarters in Kaduna, but there have been no arrests.⁴²⁷ In Gidan Maga, the town where the district head was killed, the Muslim community submitted a report to the state commission of inquiry and the federal panel of investigation. The report included names of the persons killed, witnesses, and perpetrators.⁴²⁸

Human Rights Watch met with the police in Kaduna and Abuja in March 2012 and asked about the status of the investigations in the specific cases. The deputy head of State CID in Kaduna—who has been with the investigations department since before the April 2011 violence—showed an astonishing lack of interest in the case, “I wouldn’t know if they reported [to the police]. There were a few complaints that came afterwards. It’s possible that a few individuals came and filed complaints, and the police made some effort but the suspects were not there.” He added, however, that there were no open investigations from the post-election violence at that time.⁴²⁹ The head of the Legal department at police headquarters in Kaduna also told Human Rights Watch that she was unaware of anyone else charged for the violence apart from those charged following the initial arrests in April 2011.⁴³⁰ Human Rights Watch also met with the police commissioner overseeing

⁴²⁴ Human Rights Watch telephone interview with a civil servant from Matsirga, November 12, 2011.

⁴²⁵ List of witnesses from Maraban Rido on file with Human Rights Watch.

⁴²⁶ Human Rights Watch interview with a resident from Maraban Rido, Kaduna, August 17, 2011.

⁴²⁷ Human Rights Watch interview with Ahmadu Suleiman, chairman of the Miyetti Allah Cattle Breeders Association of Nigeria, Kaunda State Chapter, Kaduna, November 13, 2011.

⁴²⁸ See Muslim Youth Forum, “Gidan Maga Memorandum.”

⁴²⁹ Human Rights Watch interview with B.W. Dakyer, March 13, 2012.

⁴³⁰ Human Rights Watch interview with S.A. Bugaje, March 13, 2012.

administration at Force CID in Abuja but was told that the police commissioner who had been leading the investigation into the Kaduna violence had been transferred from Force Headquarters, so they had no information on the cases at that time.⁴³¹

The director of public prosecutions in Kaduna State told Human Rights Watch in November 2013 that the police have sent five case diaries to his office from the April 2011 violence. The case diaries involved about 200 suspects. He explained that 14 suspects from Kaduna metropolis had been caught with stolen property during the violence and were charged with theft, while five other suspects—also from Kaduna—were charged with theft and mischief by fire. He said that all the other suspects were discharged for “want of evidence.”⁴³²

The Federal Attorney General’s Office also confirmed in November 2013 that “There is no report or records of [the] April 2011 violence in our office.”⁴³³

⁴³¹ Human Rights Watch interview with Jonathan Johnson, then commissioner of police in charge of administration, Force Criminal Investigation Department, Abuja, March 2012. In October 2013 Human Rights Watch again requested information from the police on the status of the investigations. Human Rights Watch letter to Inspector-General of Police Mohammed Abubakar, October 21, 2013. The police responded with a written statement that listed the initial arrests referenced in the report of the Kaduna State judicial commission of inquiry, but the police statement provided no further detail on the specific cases. Letter from Nwodibo Ekechukwu, deputy commissioner of police, Legal/Prosecution Section, “D” Department (FCID), Abuja, emailed to Human Rights Watch on November 28, 2013.

⁴³² Human Rights Watch telephone interview with Bayero Dari, Kaduna State director of public prosecutions, Kaduna, November 22, 2013.

⁴³³ Letter from the Department of Public Prosecutions, Office of the Hon. Attorney-General of the Federation, Federal Ministry of Justice, Abuja, to Human Rights Watch, November 29, 2013.

VIII. The Legal Framework

International Law

This report documents a catalogue of serious crimes including numerous incidents of murder and mass killings that have been committed in Plateau and Kaduna states. Nigerian authorities have an obligation under international law to investigate and prosecute those responsible for these crimes. Under the International Covenant on Civil and Political Rights, ratified by Nigeria in 1993, the government is obligated to ensure each person's right to life, security, and physical integrity, and provide an "effective remedy" to those whose rights are violated.⁴³⁴ The African Charter on Human and Peoples' Rights provides that all peoples have a right to national "peace and security" and every person is entitled to "respect for his life and the integrity of his person."⁴³⁵

The United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted by the UN General Assembly, states that victims of crimes "are entitled to access to the mechanisms of justice and to prompt redress, as provided for by national legislation, for the harm that they have suffered."⁴³⁶ Victims of crimes should be informed of the "timing and progress of the proceedings and of the disposition of their cases."⁴³⁷ Furthermore, the UN principles state that offenders should "make fair restitution to victims, their families or dependants."⁴³⁸ When compensation is not available from the offender, "States should endeavour to provide financial compensation" for "[v]ictims who have "sustained significant bodily injury or impairment of physical or mental health as a result of serious crimes," and [t]he family, in particular dependants of persons who have died or become physically or mentally incapacitated as a result of such victimization."⁴³⁹

Nigeria has also been a state party to the Rome Statute of the International Criminal Court (ICC) since September 2001.⁴⁴⁰ The ICC has jurisdiction over crimes of genocide, war crimes, and crimes

⁴³⁴ International Covenant on Civil and Political Rights, adopted on December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force on March 23, 1976, acceded to by Nigeria on July 29, 1993, art. 2, 6, 7, and 9.

⁴³⁵ African [Banjul] Charter on Human and Peoples' Rights, adopted June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force October 21, 1986, art. 4, 23(1).

⁴³⁶ United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power, adopted November 29, 1985, G.A. res. 40/34, annex, 40 U.N. GAOR Supp. (No. 53) at 214, U.N. Doc. A/40/53 (1985), Annex (A)(4).

⁴³⁷ *Ibid.*, Annex (A)(6)(a).

⁴³⁸ *Ibid.*, Annex (A)(8).

⁴³⁹ *Ibid.*, Annex (A)(12)(a)(b).

⁴⁴⁰ Nigeria ratified the Rome Statute on September 27, 2001. See International Criminal Court, "States Parties," http://www.icc-cpi.int/en_menus/asp/states%20parties/Pages/the%20states%20parties%20to%20the%20rome%20statute.aspx (accessed on December 5, 2012).

against humanity committed in Nigeria or by Nigerian citizens since July 2, 2002, the date the Rome Statute entered into force. The ICC is complementary to national criminal jurisdictions, which means that the ICC only investigates and prosecutes crimes under its jurisdiction when the national authorities are unwilling or unable to genuinely carry out the investigation or prosecution.⁴⁴¹ Consistent with its obligations under the Rome Statute and the principle of complementarity, Nigeria should ensure that individuals implicated in serious crimes committed in violation of international law are thoroughly investigated and prosecuted in accordance with international fair trial standards.

In 2010 the ICC announced that the Office of the Prosecutor (OTP) was conducting a “preliminary examination” of the situation in Nigeria.⁴⁴² As part of its preliminary examination, the OTP conducted a legal assessment to “establish whether there is a reasonable basis to believe that crimes against humanity have been committed in the Central and Northern States in the context of inter-communal violence.”⁴⁴³ It concluded, in August 2013, that “the available information is insufficient to establish whether the attacks on the civilian population in central and northern states were isolated and/or spontaneous acts of violence, or were committed pursuant to a State or organizational policy.”⁴⁴⁴ The OTP noted that “[t]he main constraint in establishing the existence of an organizational policy ... is the lack of information on alleged perpetrators and consequently on the existence of an organization or a group implementing an implicit or explicit policy to attack a civilian population.”⁴⁴⁵ It added that, “This conclusion may be revisited in the light of new information.”⁴⁴⁶

Federal and State Law

Plateau and Kaduna states, along with the other states which make up the area of what was known as the Northern Region, have adopted the Penal Code, along with the Criminal Procedure Code.⁴⁴⁷ The Penal Code codifies various criminal offenses, including “culpable homicide,”⁴⁴⁸ “voluntarily causing grievous hurt,”⁴⁴⁹ “mischief by fire” (arson) resulting in the destruction of

⁴⁴¹ See Rome Statute of the International Criminal Court, art. 17.

⁴⁴² See International Criminal Court, The Office of the Prosecutor, *Report on Preliminary Examination activities*, December 13, 2011, p. 12.

⁴⁴³ International Criminal Court, The Office of the Prosecutor, *Situation in Nigeria, Article 5 Report*, August 5, 2013, p. 13, para. 41.

⁴⁴⁴ *Ibid.*, p. 17, para. 61.

⁴⁴⁵ *Ibid.*, p. 18, para. 62.

⁴⁴⁶ *Ibid.*, pp. 32-33, para. 127.

⁴⁴⁷ The Penal Code was passed under the British colonial administration on the eve of Nigeria’s independence in 1960 and has been adopted by the states in northern Nigeria without major modifications. In southern Nigeria, on the other hand, states have adopted the Criminal Code Act and the Criminal Procedure Act.

⁴⁴⁸ Penal Code Act, 1990, sec. 220.

⁴⁴⁹ *Ibid.*, secs. 241-43, 248(1) and (2).

houses, shops, or places of worship,⁴⁵⁰ “rioting,”⁴⁵¹ “unlawful assembly”⁴⁵² and “disturbance of public peace.”⁴⁵³ In addition to these state criminal offenses, Nigeria’s National Assembly has passed legislation codifying various federal criminal offenses, including “terrorism”⁴⁵⁴ and the illegal possession of firearms.⁴⁵⁵

Nigeria’s Criminal Justice System

The Federal Republic of Nigeria is based, as its name implies, on a federal system of government. The country is comprised of 36 states, as well as the Federal Capital Territory. Responsibility for enforcing Nigeria’s criminal laws falls on the federal and state governments. The criminal justice system is comprised of a federal police force responsible for investigating federal and state criminal offenses, supported by federal and state attorneys general tasked with prosecuting criminal suspects in federal or state courts.

The Nigeria Police Force

The Nigeria Police Force, which was established in 1930, is a federal agency. There are no state or local police forces in Nigeria.⁴⁵⁶ The police force, with some 400,000 personnel, falls under the centralized control of the inspector general of police (IGP), who reports directly to the president.⁴⁵⁷ Each of the states is divided into an administrative unit, known as a state command, headed by a commissioner of police, who reports up the chain of police command.⁴⁵⁸ The state commands are

⁴⁵⁰ *Ibid.*, sec. 337.

⁴⁵¹ *Ibid.*, secs. 105, 107.

⁴⁵² *Ibid.*, secs. 100-04.

⁴⁵³ *Ibid.*, sec. 113.

⁴⁵⁴ The National Assembly passed the Economic and Financial Crimes Commission (Establishment) Act, 2004, which provides that “Any person who commits or attempts to commit a terrorist act or participates in or facilitates the commission of a terrorist act” is punishable to life imprisonment. EFCC Act, 2004, sec. 15(2). In 2011, the National Assembly passed the Terrorism (Prevention) Act, 2011, which was subsequently amended by the National Assembly in 2013.

⁴⁵⁵ Firearms Act (1990), sec. 28 and Schedule, Part I-III.

⁴⁵⁶ Nigeria’s Constitution provides that other than the Nigeria Police Force, “no other police force shall be established for the Federation or any part thereof.” Constitution of the Federal Republic of Nigeria, 1999, sec. 214(1). At independence in 1960 there were local police forces, but the military government that emerged in 1966, following two military coups, disbanded the local police forces—amid allegations that the regional governments had used the police for partisan purposes against political opponents—and integrated them into the Nigeria Police Force. See Human Rights Watch, “*Everyone’s in on the Game*”: Corruption and Human Rights Abuses by the Nigeria Police Force, August 2010, <http://www.hrw.org/reports/2010/08/17/everyone-s-game-0>, pp. 13-17.

⁴⁵⁷ See Constitution of the Federal Republic of Nigeria, 1999, sec. 215(3). Nigeria’s Constitution requires the president to consult with the Nigeria Police Council, an oversight body that includes the 36 state governors, prior to appointing or removing the inspector general of police, but in practice the council rarely meets. See *ibid.*, sec. 216(2). The federal Ministry of Police Affairs also has some budgetary and limited administrative oversight of the police force. The Police Service Commission, an independent federal agency, which includes civil society representation, is responsible for appointing, promoting, and disciplining police personnel, with the exception of the inspector general of police. See *ibid.*, schedule 3, part I, sec. M.

⁴⁵⁸ The state commands are grouped into 12 zonal commands—with two to four states in each zone—each under the supervision of an assistant inspector general of police. The commissioner of police at each state command is directly accountable to the assistant

divided into smaller units, known as area commands, police divisions—with a divisional police headquarters headed by a divisional police officer (DPO)—and police stations and posts.

Each state governor is the chief security officer in the respective state and chairs the state’s Security Council. Nigeria’s Constitution provides that state governors can direct the police commissioners regarding “public safety and public order within the state,” but it permits police commissioners to request that any such order be referred to the president for the president’s directions. Many state governments also contribute considerable financial resources to the police within their states, and state governors often wield considerable influence over the police.⁴⁵⁹

The police force and a handful of specialized federal agencies are the only entities in Nigeria empowered to investigate criminal offenses.⁴⁶⁰ The task of investigating crimes falls primarily on the police’s Criminal Investigation Department (CID) at each state command (often referred to as “State CID”) and at Force Headquarters in Abuja (often referred to as “Force CID”).

Federal and State Attorneys General

Nigeria’s Constitution provides that the attorney general of the federation, who is appointed by the president and also serves as the federal minister of justice, has the power to “institute and undertake,” “take over and continue,” and “discontinue” criminal proceedings in respect to any federal offense established by the National Assembly.⁴⁶¹ Under the constitution, each state’s attorney general, who also serves as the state’s “commissioner for justice,” has similar prosecutorial powers with regard to state offenses established by the state’s House of Assembly.⁴⁶² A director of public prosecutors is directly responsible for criminal prosecutions in the respective federal or state attorney general’s offices.

inspector general of police in the respective zone, though in practice the commissioners of police often reports directly to the inspector general of police.

⁴⁵⁹ Many state governments subsidize the salaries of police personnel in the state and provide the police additional vehicles and equipment. State governors can also disburse their “security vote,” a budget line item meant to allow the governor to respond quickly to threats to peace and security in the state. Security vote funds, however, are notoriously opaque with little or no oversight on how they are dispersed. State governors have used the security vote to foment political violence and co-opt political opponents—or the funds have been lost to graft and patronage. See, for example, Human Rights Watch, *Criminal Politics: Violence, “Godfathers” and Corruption in Nigeria*, vol. 19, no. 16(A), October 2007, <http://www.hrw.org/reports/2007/10/11/criminal-politics>, p. 39.

⁴⁶⁰ In addition to the Nigeria Police Force, there are a number of other federal law enforcement agencies tasked to investigate crimes including Nigeria’s internal intelligence agency, the State Security Service (SSS), and specialized law enforcement agencies such as the National Drug Law Enforcement Agency (NDLEA) and the country’s two main anti-corruption bodies—the Economic and Financial Crimes Commission (EFCC), and the Independent Corrupt Practices and Other Related Offences Commission (ICPC).

⁴⁶¹ See Constitution of the Federal Republic of Nigeria, 1999, sec. 174.

⁴⁶² See *ibid.*, sec. 211.

The Nigeria Police Force has also been granted power to prosecute criminal offenses in state and federal courts, although the federal and respective state attorneys general have the power to take over or discontinue these cases. Federal and state attorneys general can also give “fiat” to other legal practitioners to prosecute criminal cases in the respective federal and state courts.

Federal and State Courts

Nigeria’s judiciary comprises both federal and state courts. The federal judiciary consists of the Federal High Court, Court of Appeal, and Supreme Court. The Federal High Court, which, as of 2009, was divided into 24 geographical divisions, including courts located in Jos and Kaduna, has jurisdiction over federal criminal offenses, such as terrorism or illegal possession of firearms. Each state’s judiciary consists of magistrates’ courts and the state High Court. Chief magistrates’ courts have jurisdiction over criminal offenses that have maximum sentences of not more than 10 years in prison, which include offenses such as rioting, unlawful assembly, and disturbance of the public peace. Cases involving criminal offenses with a maximum sentence of more than 10 years—such as culpable homicide, voluntarily causing grievous hurt, mischief by fire resulting in the destruction of houses, shops, or places of worship—must be tried by the state High Court.⁴⁶³ Decisions of the High Court can be appealed to the Federal Court of Appeal and Supreme Court.⁴⁶⁴

Criminal Prosecutions: From Arrest to Judgment

Nigeria’s Constitution provides that when the police arrest a person on “reasonable suspicion” that the person has committed a criminal offense, the police must charge the suspect to court within a “reasonable time,” generally defined as 24 or 48 hours, depending on the distance to a court with component jurisdiction.⁴⁶⁵ The police will generally charge the suspect before a magistrate’s court, regardless of the severity of the offense, with a “first information report” (FIR), a form which often lists little more than the suspect’s name and the name of the alleged offense. The magistrate “takes cognizance” of the suspect and then will generally remand the suspect to prison custody to allow the police to complete their investigation.⁴⁶⁶ The suspect can apply for bail, either before the magistrate’s court or the High Court, depending on the severity of the charges.

⁴⁶³ See, for example, Criminal Procedure Code, sec. 13(2)(a).

⁴⁶⁴ See Constitution of the Federal Republic of Nigeria, 1999, sec. 240. Decisions by the chief magistrates’ courts can be appealed to the state High Court. See Criminal Procedure Code, sec. 279.

⁴⁶⁵ Nigeria’s Constitution provides that where there is a court within 40 kilometers, a “reasonable time” is a period of 24 hours. In all other cases, a “reasonable period is 48 hours or such longer period as in the in the circumstances may be considered by the court to be reasonable.” See Constitution of the Federal Republic of Nigeria, 1999, sec. 35(4) and (5).

⁴⁶⁶ The magistrate can also release the suspect on bail, discharge the case, or if the suspect pleads guilty to an offense that is triable before the magistrate’s court, summarily convict and sentence the accused person. Human Rights Watch interview with a chief magistrate, Kaduna, August 18, 2011.

When the “investigating police officer” (IPO) finishes the investigation, the police send the completed “case diary” to the federal or state attorney general, depending on the nature of the charges, for “advice.” The director of public prosecutions (DPP) at the attorney general’s office reviews the case diary and sends back advice on the appropriate charges in the case. If the case can only be heard before a High Court—such as, for example, culpable homicide—the DPP then drafts the charges and files charges against the suspect in the High Court.⁴⁶⁷

⁴⁶⁷ Human Rights Watch interviews with judges, prosecutors, and defense lawyers in Jos and Kaduna, 2011 and 2012.

IX. The Anatomy of Impunity

The failure to bring the perpetrators of violence to book is a major contributory factor to the perpetration.

—The Federal Government Investigation Panel on the 2011 Election Violence⁴⁶⁸

Nigerian authorities have rarely brought to justice those responsible for serious crimes committed during episodes of inter-communal violence over the past 25 years in Plateau and Kaduna states. This section, based on Human Rights Watch interviews with police officers, lawyers, federal and state prosecutors, judges, and religious and civil society leaders, looks at the most common responses by the Nigerian authorities to communal violence and examines why criminal investigations and prosecutions have often failed.

Failures at Time of Arrest

Human Rights Watch found that in some cases of mass violence in Plateau and Kaduna the police were absent or took no or limited effective measures to contain the violence.⁴⁶⁹ In other cases, the police or, more often, the military responded with excessive force, including extrajudicial killings.⁴⁷⁰ In some incidents of communal violence there were no arrests,⁴⁷¹ but in many cases the police or the military made numerous arrests.⁴⁷² These arrests, however, appeared to have been designed primarily to calm the situation, without a focus on the need for reliable evidence for a criminal investigation.

Mass Arrests to Quell the Violence

Prosecutors and judges observed that in cases of mass violence the police or military frequently arrest anyone they find at the scene of the violence. These mass arrests usually amount to rounding up people, regardless of the evidence, in an attempt to bring the situation under control, by getting some of the youth off the streets, and to be seen by the public as responding to the violence. As a High Court judge in Kaduna, who has presided over communal violence cases, put it, “The police normally embark on these arrests just to cool tempers. That is all. Once people have

⁴⁶⁸ See Federal Republic of Nigeria, “White Paper on the Report of the Federal Government Investigation Panel on the 2011 Election Violence and Civil Disturbances,” August 2012, p. 24.

⁴⁶⁹ See, for example, sections above on the 1992 Zangon Kataf violence, 2004 Yelwa massacres, and 2010 Kuru Karama massacre.

⁴⁷⁰ See, for example, sections above on the 2008 Jos violence; and 2011 Zaria, Kaduna, and Kafanchan violence.

⁴⁷¹ See, for example, sections above on the 2010 Kuru Karama violence; and 2011 Zonkwa, Matsirga, and Gidan Maga violence.

⁴⁷² See, for example, sections above on the 2001 Jos violence, 2002 Kaduna violence, 2008 Jos violence, and 2011 Kaduna violence.

been arrested, people will think that something is being done.”⁴⁷³ A human rights lawyer similarly noted that the police and military often respond to the violence by carrying out “indiscriminate arrests.” As he noted, “they just arrest anybody in order to bring the situation down.”⁴⁷⁴

Others pointed out that, by the time the security services arrive on the scene, the perpetrators have often left, and others—such as onlookers who have gathered at the scene—are arrested. As the head of the Legal department at police headquarters in Jos put it, the military “will arrive on the scene and make arrests and hand them over to the police, but the real culprits—the offenders—have gone long ago. So in most cases they are arresting the wrong persons.”⁴⁷⁵

Evidence Lost at Time of Arrest

Even when the security forces arrest perpetrators of violence caught in the act, they often fail to collect or maintain the evidence necessary to enable the suspects to be successfully prosecuted, judges, prosecutors, and defense lawyers said. A chief magistrate in Kaduna, who has handled communal violence cases, explained that the security services usually just “arrest people and dump them” at police stations without any statement as to “why they were arrested or what they were doing when they were arrested.” He described to Human Rights Watch what generally happens after the arrest:

Military personnel, or a police officer, or a mobile police officer from another state that was mobilized for the purpose of the crisis, will only make the arrest. He will not make a statement at the point of dumping the accused person to another police officer at the [police] division. From there they will pack them to the [police] headquarters. Nobody will care to really make a link [between the suspect and the alleged offense]. Nobody knows who arrested who, or where, or doing what.⁴⁷⁶

The director of public prosecutions in Plateau State noted a similar problem in the response of security forces in Plateau State:

Whenever there is a crisis, the security forces are given orders to just quell the crisis and makes arrests. Whenever they reach the scene of the crime, they will just

⁴⁷³ Human Rights Watch interview with a state High Court judge, Kaduna State, November 2011.

⁴⁷⁴ Human Rights Watch interview with lawyer Festus Okoye, Kaduna, August 15, 2011.

⁴⁷⁵ Human Rights Watch interview with Egoh Ahomafo, officer in charge of the Legal Department, Plateau State, Nigeria Police Force, Jos, March 12, 2012.

⁴⁷⁶ Human Rights Watch interview with a chief magistrate in Kaduna, Kaduna, November 10, 2011.

arrest those they find at the scene. They will take them to the [police] stations along with any weapons as exhibits. They will just drop them there and then go back and arrest another set.

He added that the arresting officer often does not document that “This person I caught him here at point A, with so, so, so exhibit.” As a result, it is difficult, and often impossible, for the investigating police officer to “link the weapon to the person,” establish where they were arrested, or even identify “among these people arrested [who] is A, B, or C.”⁴⁷⁷

A lawyer in Jos, who has represented defendants in communal violence cases, described a similar picture. From his perspective, the main problem with the cases occurs “during the arrest.” As he put it: “They arrest many people and collect the weapons they arrest with them. When they reach the station, they cannot identify which weapon was with a particular person. The arresting officer doesn’t write a police report saying this is the person found with this weapon.”⁴⁷⁸

Since the priority for the security services during the ongoing violence is to protect the public, members of the security services tend not to think about future criminal investigation, prosecutors said. The deputy head of the Criminal Investigation Department (CID) in Kaduna pointed out that during the April 2011 violence, “The effort of the security [forces] was to curtail the violence and protect lives and property.”⁴⁷⁹ This problem is especially acute among military personnel who have not been trained in law enforcement operations. A defense lawyer in Jos, who has represented defendants arrested during communal violence, noted that soldiers usually dumped people at the police station, and the investigating police officer only had the soldier’s name. The lawyer added that when the police officer later tried to determine why the people had been arrested, “Most of the military men had difficulty in remembering the incident.”⁴⁸⁰

The head of State CID in Jos acknowledged that “[t]he army is not trained to investigate cases” but soldiers often “effect arrests.” He pointed out that when he took up his post at State CID the police investigators had “difficulty identifying the exhibits that belonged to each particular suspect.” Since then, however, he said the police have trained the military to “label the exhibit,” such as a weapon found on a suspect “at the scene of the arrest” and “attach it to each particular suspect.”

⁴⁷⁷ Human Rights Watch interview with Justin Manomi, Plateau State director of public prosecutions, Jos, February 7, 2012.

⁴⁷⁸ Human Rights Watch interview with defense lawyer M.S. Salisu, Jos, January 26, 2012.

⁴⁷⁹ Human Rights Watch interview with B.W. Dakyer, second in command, Criminal Investigation Department, Kaduna State, Nigeria Police Force, Kaduna, March 13, 2012.

⁴⁸⁰ Human Rights Watch interview with defense lawyer J.B. Danboyi, Jos, January 27, 2011.

He added that “we have been able to overcome those challenges” and the quality of the evidence collected at arrests in Plateau State has improved.⁴⁸¹

Suspects Charged to Court Without Evidence

Judges and prosecutors observed that after the security services arrest people, the police will often simply gather all the detainees together, and charge them, *en masse*, before a magistrate’s court. A chief magistrate in Kaduna, who has presided over some of these cases, described the quality of evidence in these cases as “substantially bad.” Following the April 2011 violence in Kaduna, he said he reviewed all the cases brought before his court:

Nobody was specifically mentioned in any of the FIRs [first information reports] as saying, so, so person did so, so thing at so, so place. None. They just said they were arrested at various places in Kaduna and environs committing [a list of] offenses.⁴⁸²

Similarly, a High Court judge in Kaduna described the state of the case files that were brought before his court:

There was no mention of the person killed, where they were killed, or who actually killed them, but [the police] lumped about 50 people in one FIR and said they killed people, without mentioning the people [killed] and without mentioning where the person was killed.... The FIRs did not disclose the commission of an offense. It was just an allegation to enable [the police] to hold the person.

The High Court judge recalled that because the police failed to allege any basic facts of a crime, “I granted bail for all of them.”⁴⁸³ The chief magistrate added that the police made no progress on the cases assigned to his court, and after repeated delays he also granted bail to all of the suspects:

After some adjournments it became apparent that the police were simply asking for adjournment upon adjournment in the name of investigation. When I asked them to bring the case diaries for me to see the level of investigation, they refused to bring them; [when I asked them to] send the case diary to the state Ministry of Justice for

⁴⁸¹ Human Rights Watch interview with Ibrahim Umar, assistant commissioner of police in charge of State CID, Plateau State, Jos, March 12, 2012.

⁴⁸² Human Rights Watch interview with a chief magistrate in Kaduna, Kaduna, November 10, 2011.

⁴⁸³ Human Rights Watch interview with a High Court judge, Kaduna, November 2011.

advice, they refused to do that; [when I asked them to] give me reasons why they have not finished the investigation, there was none forthcoming. Now we decided to start granting bail to those who were still in custody.... Eventually, all of them have been released on bail.⁴⁸⁴

The High Court judge said he doubted that the police or the state attorney general would follow through with prosecutions on the cases. “[A]fter the whole thing is forgotten, I can tell you there may be nobody that will be prosecuted,” he said. “The files they compiled, the evidence is not there.”⁴⁸⁵

Cases Quietly Dropped After “Tempers Have Calmed”

After police have charged suspects without evidence before the magistrates’ courts, the investigating police officers have an impossible task of building the case file to enable the suspect to be prosecuted. The chief magistrate in Kaduna explained that police investigators will often eventually hand over the case diary to the state attorney general but state prosecutors faced with no evidence to prosecute the case will quietly discharge the suspects.

Nobody is paying attention to how to build the evidence. It is a big problem. Even if the Ministry of Justice is desirous to prosecute, they cannot just go to the High Court with an empty case file and present the case. You look very stupid if you go to the High Court if you don’t have any evidence. No state counsel worth his name will want to do that. So they prefer, rather than to advise, to table the case. In most cases, some months after the crisis, tempers might have calmed down, people might not be paying attention to the cases, and they go and quietly discharge them. That’s what happens.⁴⁸⁶

These sentiments were echoed by a human rights lawyer in Kaduna who noted: “Sometimes what the police hand over to the Ministry of Justice is completely worthless. If you read the case file, there is no evidence at all, and no attorney general worth his salt wants to file a case in court when there is no evidence whatsoever.”⁴⁸⁷

⁴⁸⁴ Human Rights Watch interview with a chief magistrate in Kaduna, Kaduna, November 10, 2011.

⁴⁸⁵ Human Rights Watch interview with a High Court judge, Kaduna, November 2011.

⁴⁸⁶ Human Rights Watch interview with a chief magistrate in Kaduna, Kaduna, November 10, 2011.

⁴⁸⁷ Human Rights Watch interview with lawyer Festus Okoye, Kaduna, August 15, 2011.

The police official at Force CID in Abuja who managed the investigations into the 2008 Jos violence told Human Rights Watch, in February 2009, that they went through most of the cases of individuals arrested but could not find any link between the individuals and any offense, so there was no reason to continue to detain them.⁴⁸⁸ Similarly, the Kaduna State director of public prosecutions said he reviewed the case diaries from the April 2011 violence—200 suspects lumped into five case diaries—and recommended that charges should be dropped against all but 18 of the suspects. The police had not done a “proper investigation,” he found, adding that there was no evidence that could stand in court to warrant prosecution of the cases.⁴⁸⁹ “The problem is generally not the political will to prosecute,” he argued, “the problem is the quality of evidence.”⁴⁹⁰

Failure to Investigate: The Weak Link

The failure of the police to investigate crimes, by proactively investigating incidents of violence, pursuing credible leads, and following through on criminal investigations, is one of the major impediments in securing accountability for these serious crimes.

The Anonymity of the Mob

Mass violence, which is often carried out by large groups or mobs, is particularly difficult to prosecute, given the challenges of linking evidence to individual suspects. In some incidents documented in this report, for example, members of mobs covered or painted their faces, or the perpetrators carried out the violence at night, making it more difficult for witnesses to identify individual perpetrators.⁴⁹¹ This problem is especially relevant in urban areas such as Kaduna and Jos, where, following years of violence, neighborhoods have become increasingly segregated along religious and ethnic lines, making it less likely that people personally know each other across those divides.

But Human Rights Watch found that in many cases people had witnessed crimes and could identify who, for example, burned their house or killed their neighbors or family members. This was more likely if the violence took place in a small community or rural area—where people are

⁴⁸⁸ Human Rights Watch interview with Abiola Odion, police commissioner in charge of general investigations, Criminal Investigation Department, Force Headquarters, Abuja, February 23 2009.

⁴⁸⁹ Human Rights Watch telephone interview with Bayero Dari, Kaduna State director of public prosecutions, Kaduna, November 22, 2013.

⁴⁹⁰ Human Rights Watch interview with Bayero Dari, then Kaduna State deputy director of public prosecutions, Kaduna, August 18, 2011.

⁴⁹¹ For example, Human Rights Watch conducted a group interview with more than 20 Christian victims in Kafanchan. All of the victims had homes, shops, or vehicles burned, but none of them was able to identify individual perpetrators, noting that much of the violence took place at night and many of them fled when the violence started. See also sections above on the March 2010 Dogo Nahawa massacre or the April 2011 attack on the Nuhu Bamalli Polytechnic in Zaria.

more likely to know each other—and if the violence occurred during daylight hours, when people are more easily identifiable. But even in such cases suspects are rarely arrested.⁴⁹²

Witnesses Fail to Report Crimes

The police point out that one of the difficulties in investigating cases of communal violence is that witnesses are often reluctant to come forward to file complaints with the police. For example, the deputy head of State CID in Kaduna, told Human Rights Watch: “Most of the arrests took place during the violence. If any, there were very few arrests after the violence. We had problems of getting witnesses to come to say I saw so, so, so.”⁴⁹³ Many of the witnesses interviewed by Human Rights Watch also said they had not gone to the police.

The Police Won’t Take Any Action

When Human Rights Watch asked witnesses why they had not reported the crime to the police, witnesses often responded that it would be futile to go to the police because the police would not do anything. In the words of the son of the district head in Gidan Maga, Kaduna State, who was killed in April 2011, “Even if we report it to the police, nothing will happen. The police will take no action.”⁴⁹⁴

Human Rights Watch interviewed a Christian woman in Jos who said mobs had twice set fire to her house—in 2001 and 2008—and a Christian woman in Kafanchan who said mobs had burned down her house twice—in April and November 2011—but no action was taken against the perpetrators.⁴⁹⁵ Similarly, a Christian pastor in Zaria showed Human Rights Watch his church that had been attacked and burned three times with impunity by mobs over the years.⁴⁹⁶ In Plateau State, Fulani leaders pointed to the failure of Nigerian authorities to prosecute anyone for the murder of rural Fulani in 2001 and 2011.⁴⁹⁷

A Fulani man from Fan district in Barkin Ladi local government area, Plateau State, whose house was burned down and his uncle and two nephews killed in January 2010, told Human Rights Watch

⁴⁹² See, for example, sections above on the 2010 Kuru Karama massacre and anti-Fulani pogroms in Plateau State, and the 2011 Zonkwa attack and anti-Fulani pogroms in Kaduna State.

⁴⁹³ Human Rights Watch interview with B.W. Dakyer, second in command, Criminal Investigation Department, Kaduna State, Nigeria Police Force, Kaduna, March 13, 2012.

⁴⁹⁴ Human Rights Watch interview with the son of the Gidan Maga district head, Kaduna, August 17, 2011.

⁴⁹⁵ Human Rights Watch interviews with a Christian woman in Jos, December 2008, and a Bajju woman in Kafanchan, November 19, 2011.

⁴⁹⁶ Mobs burned the Nasara Baptist Church, which was built in 1959, in 1987, 1992, and 2011. Mobs also attempted to burn the church in 2000 and burned the church offices in 2010. Human Rights Watch with Rev. Ishaku Halilu, Zaria, November 13, 2011.

⁴⁹⁷ Human Rights Watch interview with Muhammed Nuru Abdullahi, Plateau State chairman of the Miyetti Allah Cattle Breeders’ Association of Nigeria, Jos, February 2, 2012.

that he recognized those who carried out the attack—they were his neighbors. But he did not go to the police. “If I report it to the police, they won’t do anything,” he said, adding that “this is not the first time it has happened, and they haven’t done anything about it.”⁴⁹⁸ Similarly, a Fulani man from Fadan Daji village in Kaura local government area of Kaduna State, who saw a man he knows murder his brother in April 2011, told Human Rights Watch that he has not gone to the police. “We know that even if we give a complaint to the police, they can’t do anything for us,” he said. As he put it, “We see that many crises have happened and the police never take any action. That’s why we decided not to go to the police to file a report.”⁴⁹⁹

But the deputy commissioner of police in Kaduna State insisted that the police have changed: “If in the past there has been a lack of prosecutions, the present is different,” he said.⁵⁰⁰ Yet the record of the police following the April 2011 violence in Kaduna State has not been encouraging. Similarly, the head of State CID in Plateau State insisted that since he came to his post in April 2011—after the January and March 2010 violence—“I have not seen any crisis that we have not charged people to court.”⁵⁰¹

Witnesses also pointed out that in some cases the police were present during the violence and know what happened but have taken no action, so it is pointless for them to come forward. “Going to the police is a waste of time. It is better to do nothing,” said a Christian man in Kafanchan whose property was burned in the April 2011 violence. “They [the police] were there during the crisis. They don’t need to wait for people to come to them.”⁵⁰² Similarly a Fulani man from a village in Zangon Kataf local government area who saw his brother murdered said he saw no point in reporting the incident to the police. “The policemen were living there when it happened, and they took no action, so it’s not necessary for us to go and tell them now.” He added that even if he went back to the police, “The police won’t do anything.”⁵⁰³

Victims Displaced by Violence Have Limited Resources

Many victims who have been displaced from their communities and had their homes and property looted or destroyed pointed to the sheer financial and logistical difficulty of pursuing

⁴⁹⁸ Human Rights Watch interview with a Fulani man from Fan district, Barkin Ladi, March 8, 2012.

⁴⁹⁹ Human Rights Watch interview with a Fulani man from Fadan Daji village, November 15, 2011.

⁵⁰⁰ Human Rights Watch interview with Nwodibo Ekechukwu, then deputy commission of police, Kaduna State, Kaduna, November 11, 2011.

⁵⁰¹ Human Rights Watch interview with Ibrahim Umar, assistant commissioner of police in charge of State Criminal Investigation Department, Plateau State, Jos, March 12, 2012.

⁵⁰² Human Rights Watch interview with a Christian man in Kafanchan, November 19, 2011.

⁵⁰³ Human Rights Watch interview with a Fulani man from Ayagon village, November 15, 2011.

justice. For example, a Hausa woman from Kuru Karama who saw her husband killed said her house and all her property were also burned. “After what happened, I didn’t have a single shoe,” she said. “I don’t even have money to transport myself to the police station.”⁵⁰⁴ Another Hausa man from Dogo Nahawa said that his house and car were burned in January 2010. “We did not report the incident to the police,” he said. “Everybody is trying to find where to live. Families are living outside as refugees.”⁵⁰⁵

Perceived Religious or Ethnic Bias in the Police

Other witnesses interviewed by Human Rights Watch said they believed the police were biased against them because of their religious or ethnic identity. The head of State CID in Plateau State acknowledged to Human Rights Watch that, “Even though we are trying our best to be non-partisan—non-religious—the people see it along these lines.”⁵⁰⁶ For example, a Christian woman in Kafanchan told Human Rights Watch, “We are Christians, but the DPO [divisional police officer] is Muslim and his assistant is Muslim. Even if you go report [the incident] to the police, they will not arrest them, they are supporting them.” Similarly, a Fulani man from Fan district in Barkin Ladi local government area in Plateau State, who witnessed Berom men from his village burn Fulani homes, said he has not filed a complaint with the police. “The police are mostly Berom at the police station there,” he said. “If we report it, they will do nothing about it.”⁵⁰⁷

Witnesses Fear Reprisals for Reporting Crimes

Fear is at times cited as a reason to not report a case to the police. “I haven’t spoken to the police,” a Fulani man from a village in Zangon Kataf told Human Rights Watch. “I am afraid to tell the police. I am afraid that the Bajju people will come and do us more harm.”⁵⁰⁸ A Fulani man from another village in Zangon Kataf put it even more bluntly: “I am afraid to go report to the police,” he said. “If I go, the Kataf people may kill me.”⁵⁰⁹ In Kuru Karama, Plateau State, a Berom woman, who is Muslim, said she has not gone to the police to report what Berom Christians did in the town. “I am afraid of my relations,” she said. “When I go home, they would kill me because I reported them to the police.”⁵¹⁰

⁵⁰⁴ Human Rights Watch interview with a woman from Kuru Karama, Jos, January 29, 2012.

⁵⁰⁵ Human Rights Watch interview with a Hausa man from Dogo Nahawa, Jos, January 29, 2012.

⁵⁰⁶ Human Rights Watch interview with Ibrahim Umar, March 12, 2012.

⁵⁰⁷ Human Rights Watch interview with a Fulani man from Fan district, March 8, 2012.

⁵⁰⁸ Human Rights Watch interview with a Fulani man from a village in Zangon Kataf local government area, November 15, 2011.

⁵⁰⁹ Human Rights Watch interview with a Fulani man from a village in Zangon Kataf local government area, November 15, 2011.

⁵¹⁰ Human Rights Watch with a Berom woman from Kuru Karama, Jos, January 27, 2012.

Witnesses Report Crimes to Commissions of Inquiry

Many witnesses who had not gone to the police said that they provided information to their community leaders who filed a report to a government commission of inquiry. For example, a Christian man in Kafanchan, whose house was burned, said he has not gone to the police. “It was a general crisis problem. You cannot seek redress anywhere as an individual, because thousands of people were affected in this crisis, so they will not listen to you as an individual,” he said. “Rather we compiled our report as a group as Christians affected by this crisis.”⁵¹¹ Similarly, a teacher in Gidan Maga, Kaduna State, who saw Bajju men he recognized murder several people in April 2011, explained that in a communal crisis, “no one can file single complaints.” Rather, he said, the community compiled a joint report and submitted it to the government commission of inquiry.⁵¹²

Victims Leave “Everything to God”

Some victims said it was futile to report to the police and instead said they would leave it to God to find justice. A Hausa man in Zonkwa who said he saw Berom men, whom he knows, open fire with AK-47s on a group of Hausa residents, said he had not gone to the police. “I don’t have an interest to go and do that,” he said. “I leave everything to God.” He added, however, that if the police came to him, “I would tell them what I saw.” A chief magistrate in Kaduna State explained that the community has lost complete confidence in the police and criminal justice system:

It is a systems failure. Unless the police, Ministry of Justice, and the courts change to make sure we do these things by the book, things will not work. If they don’t work, people will not have confidence. And it is this crisis of confidence that is holding back witnesses to come forward. They prefer to leave everything to God. They believe if they go to the police or the court, eventually they get frustrated, and the suspect gets discharged, and you create more enmity between yourself and the suspect rather than getting justice.⁵¹³

Police Fail to Pursue Leads

Although many witnesses interviewed by Human Rights Watch said they had not come forward to speak with the police, in many other cases witnesses did go to the police to report the crimes, including cases of murder and arson of homes and property. As the report documents above, Human Rights Watch interviewed witnesses from Kuru Karama, Tim-Tim, and rural Fulani or Berom

⁵¹¹ Human Rights Watch interview with a Christian man from Kafanchan, Kafanchan, November 19, 2011.

⁵¹² Human Rights Watch interview with a teacher from Gidan Maga, Kaduna, August 17, 2011.

⁵¹³ Human Rights Watch interview with a chief magistrate in Kaduna, Kaduna, November 10, 2011.

villages in Plateau State, and from Zonkwa, Maraban Rido, Matsirga, and Christian villages in Soba local government area in Kaduna State who reported crimes to the police, but there were no arrests in any of these incidents.

Human Rights Watch spoke with police officials at State CID and the Legal Department at police headquarters in Kaduna. The deputy head of CID—who has been with the investigations department since before the April 2011 violence—said he did not know whether witnesses reported to the police in these cases, but shifted the blame to the witnesses, insisting that they were responsible for the police failing to follow up on the investigation. “If they came here [to report a crime], they should follow up with us,” he said.⁵¹⁴ The officer in charge of the Legal Department was even more candid. “If they don’t follow up, the case doesn’t move,” she said. “The investigating police officers have to be reminded.”⁵¹⁵

But some witnesses said they did follow up on their complaints without any success. In Plateau State, for example, a Fulani man in Mangu local government area, who saw his father and two other Fulani neighbors killed, went back twice to follow up on his complaint. The police eventually “told me not to come back,” he said. “They said I should just go away.”⁵¹⁶ Similarly, in Soba local government area, Hausa-Fulani Christians whose homes and churches were burned by a mob of Hausa-Fulani Muslims said they went to the divisional police headquarters in Maigana to follow up on the initial police investigation, but the police have taken no action.⁵¹⁷

Senior police officials insisted that the victims should take the complaint up the chain of command. “If you are not happy with the response at one level, you address the complaint to the higher level,” Kaduna State’s deputy commission of police told Human Rights Watch. “You don’t regress into your shell.”⁵¹⁸ Similarly, the head of State CID in Plateau State said, “If there is any case that you have reported to the police and the police have not taken action, report in writing to the commissioner of police, and action will be taken.”⁵¹⁹ But witnesses who have taken the matter up the chain of command have also had little success. Fulani leaders in Plateau State, for example,

⁵¹⁴ Human Rights Watch interview with B.W. Dakyer, March 13, 2012.

⁵¹⁵ Human Rights Watch interview with S.A. Bugaje, March 13, 2012.

⁵¹⁶ Human Rights Watch interview with a Fogawa resident, Barkin Ladi, March 8, 2012.

⁵¹⁷ Human Rights Watch interview with a resident of Unwar Dawa, November 20, 2011.

⁵¹⁸ Human Rights Watch interview with Nwodibo Ekechukwu, November 11, 2011.

⁵¹⁹ Human Rights Watch interview with Ibrahim Umar, March 12, 2012.

said they went all the way to police Force Headquarters in Abuja to following up on their complaints about attacks on Fulani in January 2010, but the police did nothing.⁵²⁰

Dysfunction and Corruption in the Police

The failure to conduct or follow through with criminal investigations is a systemic problem within the police force. Human Rights Watch has documented how the police often will not open a criminal investigation without financial inducements from the complainant and will rarely follow through unless the complainant can meet the incessant demands to fund the cost of the investigation. Meanwhile, accused persons with financial resources can sometimes pay off the police to drop the case. Without financial resources or internal or external pressure on the police to follow through on an investigation, the case will rarely go forward.⁵²¹

In communal violence cases, this problem is exacerbated by the fact that many of the victims are poor—inter-communal violence rarely occurs in the affluent neighborhoods in these states—and have often lost all their possessions in the violence. As a community leader from Kuru Karama, whose wife was killed, explained when asked why he had not gone back to the police to follow up on the complaint, “We are greatly handicapped—we lost everything [in the attack].” He added, “As citizens of this country, even if we don’t go back to the police [to follow up on a complaint], they [the police] should do something about it.”⁵²² In addition, external pressure from various communities to protect the perpetrators and pursue political solutions instead works to further discourage the police from going forward with these cases.

Criminal Prosecutions: The Rare Exceptions

The rare cases in which suspects have been charged before federal or state High Court, following the completion of a criminal investigation by the police, have faced an uphill battle at trial. In Plateau State, defense lawyers generally credited the federal prosecutors and judges for holding speedy trials for the cases they brought related to the 2010 violence. By the end of 2010, the first judgments were handed down, including several convictions. Since then, however, one of the High Court judges has been deployed out of Plateau State, which has substantially delayed the

⁵²⁰ Human Rights Watch interview with Muhammed Nuru Abdullahi, Plateau State chairman of the Miyetti Allah Cattle Breeders’ Association of Nigeria, Jos, February 2, 2012.

⁵²¹ See Human Rights Watch, “*Everyone’s in on the Game*”: *Corruption and Human Rights Abuses by the Nigeria Police Force*, August 2010, pp. 13-17.

⁵²² Human Rights Watch interview with a community leader from Kuru Karama, Jos, January 28, 2012.

remaining cases.⁵²³ The federal trials were not without problems. At this writing, many of the accused persons had been acquitted or the charges against them dropped.

Challenges Prosecuting Mass Violence

Defense lawyers and prosecutors pointed to shoddy police investigations and sloppy police work as one of the major factors undermining the cases. As one defense lawyer, who represented some of the defendants from the 2010 violence in Plateau State, put it, “In most of the cases the investigation is very poor. Most of the people discharged and acquitted has to do with the shoddy way the police handle the matter.”⁵²⁴ The director of public prosecutions in Plateau State likewise noted the quality of the police investigations is poor. “Most of these investigating officers are not well trained,” he said. “When the quality of the investigation is poor, you can’t succeed in prosecutions.” He added that, “Apart from a confessional statement, or there is an eyewitness, or the victim himself identifies the person, it is very difficult to succeed in conviction.”⁵²⁵ A senior lawyer in Kaduna State put it even more bluntly. “The police concentrate on torturing people and extracting confessions—that’s all,” he said. “Once they get that, they don’t investigate. If you have a good counsel during trial to test the voluntariness of the confessional statement, it collapses and that’s the end of it.”⁵²⁶

Defense lawyers said many of the 2010 cases prosecuted in Federal High Court in Jos were sloppily prepared. In some cases, Christian and Muslim suspects, arrested in different locations, were lumped together on the same charge sheet and charged with conspiracy to commit terrorism, they said. Many of the cases were later dismissed, or the accused persons were acquitted at trial.⁵²⁷

The two federal court judges handling the cases also spared no words in their criticism of the police and prosecution. In one case where a Christian and a Muslim suspect were charged together with terrorism, the federal judge, A.L. Allogoa, acquitted them, finding that there was “no iota of evidence against the accused persons.”⁵²⁸ Similarly, in acquitting the accused persons in another case, involving seven Muslim suspects who were arrested and charged with conspiracy and terrorism in relation to the Dogo Nahawa massacre, the judge found that they had been

⁵²³ Human Rights Watch interviews with lawyers in Jos, 2011 to 2013.

⁵²⁴ Human Rights Watch interview with a defense lawyer in Jos, January 26, 2012.

⁵²⁵ Human Rights Watch interview with Justin Manomi, Plateau State director of public prosecutions, Jos, February 7, 2012.

⁵²⁶ Human Rights Watch interview with Emmanuel Toro, Kaduna, November 14, 2011.

⁵²⁷ Human Rights Watch interview with defense lawyers in Jos, 2012.

⁵²⁸ *Federal Republic of Nigeria v. Patrick Ishawa and Anor*, Federal High Court of Nigeria, Jos Judicial Division, Ruling, FHC/J/55C/2010, February 17, 2011. Copy on file with Human Rights Watch.

“arbitrarily and randomly arrested” and the prosecution had failed to present “any iota of evidence in proof of this case at all.”⁵²⁹ The other federal High Court judge, B. Aliu, acquitted seven Muslim men in a case from the January 2010 violence in Jos, noting that although the prosecution asserted that a team of police investigators worked on the case, “It seems that the police did not follow up the statements made by the accused persons by even visiting the scene of the incident.” She concluded that “they did not carry out any investigation.”⁵³⁰

Police and state prosecutors observed that one of the other main challenges is that the arresting officer—often a soldier or a police officer deployed from another state to help quell the violence—can be redeployed after the violence, making it difficult to bring the arresting officer back to testify at trial. Funding to transport the witness back is often not available. As the director of public prosecution in Plateau State pointed out, “A police officer will not take money from his pocket and [come back to] give evidence. If he doesn’t come, that is the end of the matter.”⁵³¹ The head of the Legal department for the police in Jos acknowledged: “There have been cases that have been dismissed because the arresting officer did not appear.” He explained that when the prosecution sends a witness summons to the arresting officer, who could be a soldier, the arresting officer will say, for example, “I’m already in Lagos-oh.... If I come who will pay my allowance.” The legal officer added that “if he does not come, that is the end of that case,” yet “nobody will be responsible for his allowance.”⁵³²

The police investigators and state prosecutors also noted that in communal violence cases, it is often difficult to get witnesses to come forward to give evidence against members of their own ethnic or religious group. As the head of the police’s Legal department in Plateau State, put it, “No one will want to come and give evidence against a particular man who worships in the same place.”⁵³³ The head of State CID in Plateau State pointed to the example of the August 2011 attack on Muslim worshipers at the Eid prayer ground in Jos. He confirmed that the police received a video from Muslim leaders that purported to show alleged perpetrators and said he ordered an investigation:

⁵²⁹ *Federal Republic of Nigeria v. Ibrahim Ibrahim et al.*, Federal High Court of Nigeria, Jos Judicial Division, Judgment, FHC/J/42C/2010, February 14, 2011. Copy on file with Human Rights Watch.

⁵³⁰ *Federal Republic of Nigeria v. Shafi’u Danmalam et al.*, Federal High Court of Nigeria, Jos Judicial Division, Judgment, FHC/J/28C/2010, June 23, 2011. Copy on file with Human Rights Watch.

⁵³¹ Human Rights Watch interview with Justin Manomi, February 7, 2012.

⁵³² Human Rights Watch interview with Egoh Ahomafo, Jos, March 12, 2012.

⁵³³ *Ibid.*

We asked the people who have been attacked, “Do you recognize the people who have attack you?” And they said, “No.” So we are left with the option of using the video that they presented to us, which we played, and printed pictures from it, and we gave it out to our detectives to see if they can get information. They have gone around town looking for people to give us information, but the community has not been cooperating—maybe because it has taken a religious dimension. Until now [we have] no leads.⁵³⁴

Federal prosecutors in Plateau State were able to secure a number of convictions of suspects on weapons and terrorism charges—the first major convictions for communal violence in either Plateau or Kaduna states in the past 20 years. Legal experts, however, questioned the federal attorney general’s decision to use a legal provision in anti-corruption legislation that was meant to apply to financial terrorism and apply it to acts of communal violence. As one Kaduna-based lawyer put it, “When you charge them with terrorism, knowing full well that there is no terrorism involved in the offense that they committed, you are setting their stage for discharge.” He argued that they may get a conviction at the level of the trial court, but when the case goes on appeal it will be quashed.⁵³⁵ However, federal prosecutors told Human Rights Watch that the Court of Appeal has upheld one of the terrorism convictions from Plateau State.⁵³⁶ The case has been appealed to the Supreme Court.⁵³⁷

Failure to Systematically Prosecute Cases of Violence

Although the federal prosecutions in Plateau State for the January and March 2010 violence were an important step forward, most of the cases involved suspects who were arrested at the scene of the violence, not suspects who were arrested following a criminal investigation.⁵³⁸ In cases where the police or military did not intervene to stop the violence, including the January 2010 Kuru Karama massacre and the January 2010 anti-Fulani pogroms, there have been no prosecutions, despite numerous eyewitnesses to many of these crimes. While some of the federal prosecutions have involved incidents of mass killing, such as the March 2010 Dogo Nahawa massacre, the selection of cases appears to have been done in a rather haphazard manner and not the result of systematic investigations into the violence. The failure to prosecute some of the most serious

⁵³⁴ Human Rights Watch interview with Ibrahim Umar, March 12, 2012.

⁵³⁵ Human Rights Watch interview with lawyer Festus Okoye, Kaduna, August 15, 2011.

⁵³⁶ Letter from the Department of Public Prosecutions, Office of the Hon. Attorney-General of the Federation, Federal Ministry of Justice, Abuja, to Human Rights Watch, November 29, 2013.

⁵³⁷ Human Rights Watch telephone interview with a defense lawyer from Jos, November 2013.

⁵³⁸ Human Rights Watch review of court documents.

cases of violence has therefore undermined the message that the government is serious about ending the cycle of violence.

Failure to Prosecute the Organizers of Violence

Human Rights Watch asked the police commissioner in Plateau State whether they had investigated those who may have planned or organized the violence. “The sponsors—well, that one is difficult,” he responded. “Those sponsors, they are faceless. We don’t know them.”⁵³⁹ A review of the case files by Human Rights Watch, however, reveals that the authorities might have more information on alleged sponsors than they may want to let on. In the March 2010 Dogo Nahawa massacre, for example, the Federal High Court convicted two Fulani men for conspiracy and terrorism, sentencing them to 21 years in prison, based on their confessional statements to the police.⁵⁴⁰ The two men—who were illiterate and never attended school—gave the names of the people who contacted and paid them to carry out the attack.⁵⁴¹ Human Rights Watch asked the police in Jos and Abuja, as well as the head of federal prosecutions at the attorney general’s office in Abuja, whether any of the named sponsors of the Dogo Nahawa attack have been investigated or arrested, but none of the officials interviewed was able to provide any information on the case.⁵⁴² One of the lawyers representing the accused persons in the Dogo Nahawa cases told Human Rights Watch that none of the cases involved any alleged sponsors of the attack.⁵⁴³

Similarly, in other communities where massacres took place, such as Kuru Karama, the evidence suggests that the attacks were not spontaneous clashes but organized assaults, yet no one who organized or planned the violence has been arrested or prosecuted.⁵⁴⁴ The numerous known suspects who could be investigated, and who likely have information on who organized and planned the violence, remain free.

⁵³⁹ Human Rights Watch interview with Emmanuel Ayeni, Plateau State police commission, Jos, March 12, 2012.

⁵⁴⁰ *Federal Republic of Nigeria v. Dauda Abubakar & Anor*, Federal High Court of Nigeria, Jos Judicial Division, Judgment, FHC/J/14C/2010, February 14, 2011, p. 10.

⁵⁴¹ See *ibid.*, pp. 12-13.

⁵⁴² The head of State CID in Plateau State said he had no information on the case because Force CID in Abuja had taken over the case of the Dogo Nahawa investigation and “you cannot take the case and bring it back.” He added: “Once they have taken the case they are supposed to follow the case to its logical conclusion.” Human Rights Watch interview with Ibrahim Umar, Jos, March 12, 2012. Human Rights Watch also met with a police commissioner at the Force CID in Abuja, but he had no information on the case at that time, stating that the police officers heading the investigation had been transferred. Human Rights Watch interview with Jonathan Johnson, commissioner of police in charge of Administration, Force Criminal Investigation Department, Abuja, March 2012. The chief prosecutor at the Federal Attorney General’s Office told Human Rights Watch that she was not aware of any prosecutions of sponsors of the Dogo Nahawa attack. “The Ministry of Justice does not investigate—we prosecute,” she said. Human Rights Watch interview with O.O. Fatunde, director of public prosecutions of the federation, Federal Ministry of Justice, Abuja, March 16, 2012.

⁵⁴³ Human Rights Watch interview with a defense lawyer in Jos, January 30, 2012.

⁵⁴⁴ The chief prosecutor at the federal Ministry of Justice told Human Rights Watch, “I’m not aware of any federal prosecutions for the Kuru Karam incident.” Human Rights Watch interview with O.O. Fatunde, Abuja, March 16, 2012.

Plateau State Attorney General Edward Pwajok argued that the failure to thoroughly investigate the organizers of the violence is one of the reasons the violence continues. Even if the police arrest those who carry out the crimes, he explained, the sponsors can always find other “handy youths as mercenaries.”⁵⁴⁵ Similarly a judge in Kaduna State pointed out that “there are definitely people behind” the violence. “You don’t just wake up one morning and have a riot,” the judge said. “Until the day they start really prosecuting the kingpins ... they won’t see an end to it, because at the end of the day they [the kingpins] are going scot free.”⁵⁴⁶

Commissions of Inquiry or Political Solutions Instead of Criminal Prosecutions

Instead of investigating and prosecuting those who have organized or carried out these crimes—including mass murder—political leaders defer responsibility by setting up independent commissions of inquiry. They also often succumb to pressure by community and religious leaders to seek political compromises that protect the perpetrators.

Commissions of Inquiry: “An Exercise in Buying Time”

The most common response to mass violence is for the political leaders—the state governors or the president—to set up a commission of inquiry or an administrative panel to investigate the causes of the violence and identify those responsible. These commissions are often headed by serving or retired judges and include civil society representation.⁵⁴⁷ While in theory they can serve an important role in establishing responsibility for violence that has polarized the community, they have in practice further reinforced impunity.

Federal and state authorities, including at times law enforcement officials, use these commissions and panels to defer responsibility for investigating and prosecuting those responsible. For example, a civil servant from Matsirga who witnessed people murdered during the April 2011 violence went to the police in Kafanchan to file a formal report, but the area commander told him to wait until a commission of inquiry was set up to investigate the violence.⁵⁴⁸

Many of the victims and witnesses interviewed by Human Rights Watch in Plateau and Kaduna said they provided information to their community leaders who submitted reports to the various commissions of inquiry. These reports often include names of perpetrators, victims, and witnesses.

⁵⁴⁵ Human Rights Watch interview with Edward Pwajok, Jos, March 12, 2012.

⁵⁴⁶ Human Rights Watch interview with a judge in Kaduna State (name withheld), August 2011.

⁵⁴⁷ These include commissions of inquiry set up after the 1992 Zangon Kataf violence, 2001 Jos violence, and 2011 Kaduna violence.

⁵⁴⁸ Human Rights Watch interview with a civil servant from Matsirga, Kafanchan, May 2, 2011.

The community leaders organized witnesses to testify at the public hearings before the commissions. Once the commission or administrative panel completes its work, it submits a report to the respective state or federal government. These reports—which often are not made public at the time—usually include names of alleged perpetrators and recommend the police further investigate these individuals. The government authorities will then usually set up a committee to review the report and draft a white paper in response. The reports and the white papers—if completed—are often not made public at the time and are usually simply shelved, and the recommendations are never implemented and the investigations never conducted.

In the words of one Kaduna State judge, “They will always say they will set up a commission of inquiry [following the violence]. There may even be a white paper on it. And that is the end of it.”⁵⁴⁹ Similarly, as a senior lawyer in Kaduna put it, “They set it up, it sits, submits a report—end of story. You hear nothing of it again.”⁵⁵⁰

The commissions themselves have frequently observed this problem. For example, the commission of inquiry set up in Plateau State following the 2008 violence found that “the non-implementation of the previous [commission of inquiry] reports is one of the major remote causes of the” 2008 violence.

[I]f the reports of the previous Commissions were implemented and the perpetrators of the previous crises dealt with in accordance with the laws of the land, the Unrest of November, 28th 2008 might not have occurred and even if it did, the magnitude would not have been the same as what was witnessed.⁵⁵¹

One of the community leaders from southern Kaduna State argued that these commissions and administrative panels have simply become an “exercise in buying time.” The government authorities think they can “douse tension by pretending that they are doing something,” he explained. “But they don’t really mean to investigate” the crimes.⁵⁵² These views were echoed by a civil society leader who works on justice sector reform in Nigeria. “Panels of inquiry have become a tunnel through which the government runs away from their responsibility to bring the culprits of

⁵⁴⁹ Human Rights Watch interview with a High Court judge, Kaduna, November 2011.

⁵⁵⁰ Human Rights Watch interview with Emmanuel Toro, Kaduna, November 14, 2011.

⁵⁵¹ “Commission of Inquiry into the Unrest of 28th November 2008 in Jos North Local Government area of Plateau State,” Main Report, vol. 1, p. 61. Similarly, the commission of inquiry set up following the April 2011 violence in Kaduna State found, “if previous recommendations [of the commissions of inquiry] were implemented, the rate at which communal/religious and or political crises are happening would have reduced to the minimum level.” See Kaduna State of Nigeria, “2011 White Paper,” p. 135.

⁵⁵² Human Rights Watch interview with Sanusi Maikudi, Jos, August 16, 2011.

violence to book,” he told Human Rights Watch. “Going to these panels buys the government time and when the problem drops from the headlines they go back to business as usual.”⁵⁵³

In the town of Kafanchan, a civil servant lamented to Human Rights Watch in 2011 that the past commissions of inquiry had failed to bring any of the culprits to book. “There have been commissions of inquiries set up in the past, but I don’t know what they did; that is why we are really skeptical,” he said. “I want to believe that if they had done justice, maybe a repeat of this wouldn’t have come. This time justice should be done.”⁵⁵⁴

But in Kaduna State justice has not yet been done. A senior official in the justice sector observed that once again it appears that the report of the commission of inquiry has been shelved:

The government set up a judicial commission of inquiry that took evidence from the victims and made recommendations and said those who were positively identified should be prosecuted. But up until now, the recommendation has not been implemented by the government. The police haven’t arrested those who were identified by the commission of inquiry. Nothing came out of it. It was not handled properly. That is the truth.⁵⁵⁵

Fear that Arrests Will Spark Further Violence

Law enforcement officials and community leaders expressed concern that arrests could lead to more violence. “People are afraid that if you make arrests it will spark off another set of violence,” a Christian leader in Kaduna explained to Human Rights Watch. “Instead of arresting and prosecuting those people, they let them go.”⁵⁵⁶ In Matsirga, a civil servant who witnessed people murdered in April 2011 and went to the police in Kafanchan to file a formal report, recalled that the area commander told him “if the police started arresting people now, it would cause more problems.”⁵⁵⁷ As far back as the February 1992 violence in Zangon Kataf, Kaduna State, a commission of inquiry noted that the police justified their failure to arrest “a single person” after the violence because of “their fear of another possible outbreak of violence if arrests were to be made.”⁵⁵⁸

⁵⁵³ Human Rights Watch telephone interview with Innocent Chukwuma, then-executive director of CLEEN Foundation, Lagos, May 11, 2011.

⁵⁵⁴ Human Rights Watch interview with a civil servant from Kafanchan, May 2, 2011.

⁵⁵⁵ Human Rights Watch telephone interview with a senior official in the justice sector (name withheld), November 2013.

⁵⁵⁶ Human Rights Watch interview with Yunusa Nmadu, CAN secretary, Kaduna State, Kaduna, November 14, 2011.

⁵⁵⁷ Human Rights Watch interview with a Matsirga resident, Kafanchan, May 2, 2011.

⁵⁵⁸ See Kaduna State of Nigeria, “February 1992 Zangon Kataf Report,” June 1992, pp. 12, 39.

Concerns about renewed violence do not come without some basis. Following the 2000 violence in Kaduna, for example, security personnel went into a neighborhood in the city of Kaduna to arrest some of the suspects, but residents protested, and clashes with the police left four people dead.⁵⁵⁹ A human rights lawyer in Kaduna acknowledged that if the police arrested people, it could cause another “conflagration,” but he argued that if arrests are carried out systematically it would reduce this risk. “[T]he people must be sure that you [the authorities] are not trying to use your political power for the purposes of ethnic vengeance or religious vengeance,” he argued.

“Forget Everything” or Face More Violence

In a small town in Birnin Gari local government area in the northern part of Kaduna State, Hausa-Fulani mobs in April 2011 burned down Christian homes, shops, and churches and looted their property. A Yoruba Christian man returned to the town after the violence and found that one of the Hausa-Fulani residents had taken some of his property. He went to the police and the police arrested the man and brought the stolen property to the police station. He described what happened next:

The police tried to settle the matter. I said I would not accept.... We went to Birnin Gari with a police officer and the suspect. In Birnin Gari the suspect mentioned names of other people who had my property. They detained him in Birnin Gari. I went back to [name of town withheld]. The next day, the two police from Birnin Gari went to [the town] and arrested three people and took them to Birnin Gari.

The CPC [the Congress for Progressive Change] people went to Birnin Gari and released the people on bail. That night we met with the *sarki* [village head]. He said the youth wanted to attack him because he was the one who let us [come] back [to the town]. “If we continue arresting them, [he said,] they will try to attack us and cause another problem, more than before.” He begged us to forget everything, and we should live in peace. He said, “God has given us those properties, and he [God] will give us another one.” The next day, a delegate from the *sarki*, a representative from the CPC, and I, with the four suspects, went back to the police. We explained to the police that we had settled the matter. The police let it go.

If we continue to mention those things, we will continue to have troubles. That is why we just keep quiet. That is how we are still living there now.⁵⁶⁰

⁵⁵⁹ See “Four die in new clash in Nigerian city of Kaduna,” Reuters, March 21, 2000.

⁵⁶⁰ Human Rights Watch interview with a Yoruba businessman from Birnin Gari, Kaduna, November 16, 2011.

Political Compromises That Reinforce Impunity

Government officials and community leaders often treat communal violence as a political problem that must be resolved by political solutions rather than a criminal matter. “People are not being seen from the crime they have committed but from the religious background they come from,” a leading civil society activist in Kaduna explained. “A murderer is not seen as a murderer, but first of all viewed as either being a Muslim or a Christian. And people who kill during communal violence always get the solidarity of the religious organizations that they come from.”⁵⁶¹ Similarly, as one of the special advisers to the Kaduna State governor on religious matters put it:

If you burnt my house, and I take you to court as an arsonist, it would be very easy for the judge to pass judgment. If you loot my shop, and I take you to court as a looter, it is going to be easy for the judge to sentence the looter to jail. But if I come and I say it was a religious crisis, he ceases to be a looter, he ceases to be an arsonist, and he becomes a religious champion—because by burning your house and destroying your property in [the name of] his faith, he is [seen as] defending his faith.⁵⁶²

The spokesperson for the Muslim community in Jos explained that one side’s “criminals” are seen as “heroes” by the other side. “Each community sees its own rioters or actors as heroes rather than as villains,” he explained. “They are seen as people who are defending the interest of the community—defending [the community] against threats.”⁵⁶³

The various religious and community leaders, along with the communities they represent, rally behind those who have been arrested or implicated in crimes during communal violence and put pressure on the authorities to drop the cases. A judge in Kaduna State explained that the religious and ethnic nature of the crimes further exacerbates a prevailing culture of impunity in the country. “Even when somebody is arrested, big people from his side will go and start making noise, pressure the government, and allege that the person is being victimized because of his religion or his tribe,” the judge said.⁵⁶⁴

And when “the action taken after the violence is itself politicized with religious sentiments,” a leading civil society activist in Kaduna explained, “it becomes the opening in which murderers escape justice.” As he put it, “no action is taken because if arrests were made the Muslim groups

⁵⁶¹ Human Rights Watch interview with Shehu Sani, president of the Civil Rights Congress of Nigeria, Kaduna, November 19, 2011.

⁵⁶² Human Rights Watch interview with John Hayab, special adviser to the Kaduna State governor on religious matters, Kaduna, August 19, 2011.

⁵⁶³ Human Rights Watch interview with Sani Mudi, spokesperson for the Muslim community in Jos, Jos, January 25, 2012.

⁵⁶⁴ Human Rights Watch interview with a High Court judge, Kaduna, November 2011.

will insist that Muslims should be released, and the Christians groups will insist that the Christians should be released.” He gave the example of Kaduna State, where the governor in 2011 was Christian: “If the culprits are Muslims, he doesn’t want to be seen as offending the Muslims, because he is not a Muslim; if the culprits are Christians, he doesn’t want to be seen by his people as prosecuting his people.” Instead, “what governors do is paper over the problem, [rather] than actually address it.”⁵⁶⁵

A senior prosecutor, who did not want to be named, was even more candid about why criminal prosecutions in the past have not gone forward in these cases. “They play politics with most of these cases. They normally find political solutions,” he explained. “They [various community leaders] will go in the night and meet the governor. The governor also needs their votes. In order to get their votes, they will normally [agree to] drop the charges.” He insisted, however, that the current government was committed to prosecuting those responsible for the violence.⁵⁶⁶

Senior politicians have also publicly advocated various solutions for peace and reconciliation rather than criminal prosecutions.⁵⁶⁷ But there have been no meaningful steps toward truth and limited progress toward reconciliation, just de facto amnesties for the perpetrators of these crimes. “The government is really not interested in pursuing the perpetrators, either because some of the people who are influential in the state are involved and it is a no go area for them, or they don’t know how to handle it,” a human rights lawyer in Kaduna said. “So they try to find a political solution to it by getting traditional and religious leaders to try to talk with people so things will go back to normal,” she explained. “As far as we continue to avoid the issue it will come out again.”⁵⁶⁸

The Limits of Preaching Peace Without Accountability

A Christian leader in Kaduna voiced skepticism that telling victims to “be calm and embrace peace” will work in the absence of meaningful accountability:

I don’t see how those people will go back and embrace peace when they see on a daily basis those who killed their parents, those who looted their properties, those

⁵⁶⁵ Human Rights Watch interview with Shehu Sani, president of the Civil Rights Congress of Nigeria, Kaduna, November 19, 2011.

⁵⁶⁶ Human Rights Watch interview with a senior prosecutor (name, date, and location withheld).

⁵⁶⁷ In 2004, for example, President Obasanjo advocated a truth and reconciliation process: “It is my view that the prolonged nature of the conflicts in Plateau State and the extensive number of alleged perpetrators of violations in the course of those conflicts makes the combination of truth, forgiveness, reprieve, amnesty and reconciliation a more desirable option, in the first instance, to retributive criminal justice.” See Human Rights Watch, *Nigeria: Revenge in the Name of Religion*, May 2005, p. 52.

⁵⁶⁸ Human Rights Watch interview with lawyer Rebecca Sako-John, Kaduna, August 16, 2011.

who set their homes on fire, those who brought economic woes upon them—and they see them every day, they move around freely. Nothing was done to them.

And so when there is another opportunity, these same people will not wait for any law enforcement agency again, they will want to defend themselves and even in some cases take the law into their hands. Because they have seen too much happen to them and no one came to their aid. [They will say,] “The person killed my father or my mother or my wife and nothing was done, and there is another opportunity for us to fight. Why don’t I take revenge, because the hands of the law are very short.”

He went on to predict that, “Until we muster both the political and judicial will to prosecute those who are involved in these things, from whatever religious divide they come from, we probably won’t see an end to this.”⁵⁶⁹

⁵⁶⁹ Human Rights Watch interview with Yunusa Nmadu, CAN secretary, Kaduna State, Kaduna, November 14, 2011.

Acknowledgments

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Plateau and Kaduna—two states in central Nigeria—have witnessed horrific ethnic and sectarian violence. Several thousand people have been killed in inter-communal bloodletting in these two states since 2010 alone. Many of the victims—including women and children—were hacked to death, burned alive, or shot simply based on their ethnic or religious identity. The Nigerian authorities have failed, with rare exception, to bring to justice the perpetrators of these serious crimes.

Based on field research, including interviews with dozens of eyewitnesses to murder, police investigators, prosecutors, and judges, *“Leave Everything to God”* examines the major incidents of violence in Plateau and Kaduna, in particular brutal massacres in 2010 and 2011, and documents the culture of impunity that pervades the criminal justice system.

The report explores why mass arrests during the violence have rarely been followed by criminal prosecutions, documents how the police have turned a blind eye to witnesses who had the courage to come forward to report crimes, and examines how the Nigerian authorities have often abdicated responsibility for criminal investigations and prosecutions by setting up commissions of inquiry.

In the absence of effective remedies through the criminal justice system, aggrieved communities in Plateau and Kaduna have frequently sought retribution by carrying out reprisal killings. These cycles of violence are not inevitable. Nigerian authorities can and should take urgent steps to ensure that the perpetrators of these serious crimes are investigated and prosecuted.

(above) Neighbors hold up a photograph of members of a Christian family from the Berom ethnic group who were killed during an attack on Tatu village, Plateau State, on September 4, 2011. Eight members of the family, including two women and four children pictured in the photograph, were shot and killed in the attack.

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(front cover) A woman walks through a house that was burned during the January 19, 2010 attack on Kuru Karama, Plateau State, which left more than 170 Muslims dead.

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