

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

### **Nigeria: Escalating fuel price protests - President must repeal Force Order 237 to prevent more casualties**

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Amnesty International today reiterated its call on the Nigeria Police Force to stop shooting at protesters after at least three were killed and 25 injured in the past two days.

The organization urges the Nigerian authorities to reform Nigeria's police regulations in line with international standards, to prevent additional loss of life and ensure that the police only use firearms when it is strictly necessary to protect life.

Amnesty International has repeatedly called on the authorities to repeal Police Force Order 237, which provides guidance in use of firearms by the police in Nigeria. It is so broad that it permits police officers to shoot protesters, whether or not they pose a threat to life.

Amnesty International considers it unacceptable that force order 237 instructs police officers in "riot" situations to "single out" and fire at "ring-leaders in the forefront of the mob". The definition of riot is so vague, that all protesters, however peaceful, are at risk. The force order also directs officers to fire "at the knees of the rioters" and explicitly prohibits firing in the air. Shooting at people, regardless of where an officer aims, is likely to result in death.

With more protests announced, President Goodluck Jonathan must demonstrate a commitment to protect the people. The President must repeal Force Order 237 and immediately announce that the use of lethal force is only allowed when strictly unavoidable in order to protect life.

The President must also set up an independent commission of inquiry to investigate all reports of use of force by the police against protesters. International standards require that any use of force or firearms resulting in death or injury is investigated to ensure that the use of force was not arbitrary or abusive.

The police must be provided with non lethal equipment to properly manage public order situations, including protests even if they turn violent.

The protests started on 2 January, after President Goodluck Jonathan announced the removal of the fuel subsidy. This increased the price of petrol from N65 (US \$0.40) to at least N140 (US\$ 0.86) a litre. Transport costs have consequently doubled and other essential daily expenses are expected to rise considerably.

Since 9 January, tens of thousands of Nigerians throughout the country went on strike to protest against the removal of fuel subsidy and to demand good governance. The protests are generally peaceful, however in some instances violence has been reported.

In Kaduna, on 10 January a man was seriously injured after he was shot in his head by the police. The state government subsequently imposed a 24 hour curfew and the police have threatened to arrest anyone who would protest.

In Benin City, the capital of Edo State, according to unconfirmed reports three people were injured on 10 January after the police shot in the air. Some of the leaders of the protests in the state are currently in hiding and fear for their safety.

In Kano, on 9 January at least one person was killed and 22 people were injured when the police fired live ammunition at demonstrators in an attempt to disperse the crowd near the gates of Government House. Unconfirmed reports suggest another two persons may have been killed. The police issued no warning before using lethal force, but opened fire and used teargas simultaneously. At least one bystander who was not participating in the protest was shot and injured. According to eyewitnesses, the protesters were unarmed. Following the incident, the union in Kano state halted further public protests and asked people to strike by staying at home. The government has put in place a curfew from 6 pm till 8 am.

On 9 January, at least five people were shot; three were reportedly injured and two were killed in Lagos. The police announced the arrest of one police officer suspected to have fired at demonstrators.

Intentional use of lethal force against people in a public order situation violates the right to life as guaranteed by Nigeria's Constitution, the International Covenant on Civil and Political Rights (ICCPR), and the African Charter on Human and Peoples' Rights.

In January 2006, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions said that the force order provided "carte blanche to shoot and kill at will." He recommended the amendment of the force order to meet with international standards. The government took no action.

**Background:**

Amnesty International has documented numerous incidents of excessive and unlawful use of force by police and other security forces (see "Killing at will: Extrajudicial executions and other unlawful killings by the police in Nigeria" AFR 44/038/2009, <http://www.amnesty.org/en/library/info/AFR44/038/2009> ).

The Nigeria Police Force is responsible for hundreds of unlawful killings every year. The majority of cases go un-investigated and unpunished. The families of the victims usually have no recourse to justice or redress. Moreover, some relatives are threatened if they seek justice.

Many relatives do not even get to find out what exactly happened to their loved ones. In most instances, officers' accounts are unchallenged and complaints are unprocessed. Investigations are rarely carried out. When investigations do take place, they do not comply with international standards. Internal investigation by the police lack independence and transparency.

The President or State or Federation level Attorney Generals can appoint a Commission of Inquiry. The Justice Goodluck Commission, which looked into the extrajudicial executions of six youths in Apo, Federal Capital Territory in June 2005 is one such example.

The Nigerian government has repeatedly stated its willingness to address the problems in the criminal justice system, improve access to justice and reform the police force. Despite several recommendations for improvement from various review panels in recent years, little has been done. A review of the Police Act (1990) began in 2004, but the draft bill has been pending since October 2006. Laws, regulations and codes of conduct to protect human rights are simply not enforced.