
amnesty international

Vigilante violence in the south and south-east

Executive Summary

NIGERIA

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Summary

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1. Nigerian security forces and human rights

Three years after the election of a civilian government in May 1999, Nigerian citizens see themselves confronted with one of the most serious spirals of violence in several decades, in the shape of increasing crime rate and inter-communal clashes.

Crime is probably perceived by the majority of the Nigerian population as the main problem in recent times. So much so that to a large degree human rights violations and abuses are “justified” in the context of a campaign of law enforcement against crime.

Nigeria lacks police officers. Police patrols often find themselves fighting against heavily armed gangs of robbers, who have killed dozens of police officers over the past three years. Working conditions in the police force are poor and allegations of human rights violations, corruption and misconduct within its ranks are numerous.

2. State endorsement of armed vigilante groups

The rise in crime and insecurity and the sense of low performance by the security forces has led to the expansion of vigilante groups at local and state level. Armed vigilante groups carry out law enforcement activities in an ever-growing number of states with the tacit, and sometimes explicit, endorsement from the state governments, especially in the south-east of Nigeria.¹ This is despite the fact that the Nigerian Constitution prohibits the creation of

¹ Nigeria is a Federal Republic of 36 states and one Federal Capital Territory (Abuja). The states are further subdivided into 589 local government areas. The Federal Government defines and monitors national policy, while state and local governments are charged with implementing such policies. Each state has however, its own government, laws and judiciary.

security forces in the country other than the armed forces and the Nigeria Police Force.² Armed vigilante groups routinely carry out killings and unlawful detentions and inflict torture and cruel, inhuman and degrading treatment to citizens.

Amnesty International is seriously concerned at the precedent set by the state authorities of Anambra and Imo States, whose state governors, state houses of assembly or both have officially endorsed armed vigilante groups. Commonly known as the Bakassi Boys, these groups are responsible for the extrajudicial execution of hundreds of people in the south-east, in particular in Anambra, Imo and Abia States, over the past two years; and for the torture, cruel, inhuman or degrading treatment, “disappearance” and unlawful detention of scores of citizens. Amnesty International considers that the official recognition of these groups as law enforcement officers in the states where they operate makes both the Nigerian federal government and the state governments fully accountable for their actions. The Nigerian authorities are therefore responsible for what amounts to human rights violations committed by such groups during their law enforcement operations.

The federal authorities have acted with ambiguity towards armed vigilante groups operating throughout the country for years, failing to compel those state governments who officially or tacitly endorse them to discontinue their support and to effectively direct the police to take on these groups and put an end to the human rights abuses and violations they commit on a daily basis.

In August and September 2002, the police carried out a series of raids against the armed vigilante groups in the south-east, mainly in Abia and Anambra States, arresting at least 100 vigilante members and releasing scores of illegally held detainees. Amnesty International welcomes any federal government initiative to end human rights violations committed by armed vigilante groups officially endorsed by state authorities. However, Amnesty International is concerned that this latest initiative might prove insufficient if it is not sustained in time and applied consistently for all armed vigilante groups operating in Nigeria, and unless those responsible for human rights abuses and violations are brought to justice.

Any armed vigilante groups conducting law enforcement functions, with or without official endorsement, who do not meet relevant human rights standards should be permanently dismantled. At the same time, police must, in their fight against crime, observe all relevant international human rights standards concerning the use of force by law enforcement officers.

Amnesty International welcomes recent operations by the Nigeria Police Force to tackle human rights violations by the Bakassi Boys in Anambra and Abia States. The release of dozens of people illegally detained by the vigilante groups and the arrest of at least a hundred members of the Bakassi Boys is a step forward to protect Nigerians and ensure that they are not subject to human right violations by vigilante groups.

However, the risk of armed vigilante groups continuing to violate human rights remains high particularly in view of presidential elections, planned for April 2003. State governments

² Constitution of the Federal Republic of Nigeria, 1999. Article 214 (1): Establishment of Nigeria Police Force: “There shall be a Police force for Nigeria, which shall be known as the Nigeria Police Force, and subject to the provisions of this section, no other force shall be established for the Federation or any part thereof. All police units, including members of special forces, such as the Mobile Police, report to the Inspector General of the Nigerian Police Force, whose headquarters are in Abuja.

in Abia, Anambra and Lagos publicly defend the necessity of using vigilante groups as a complement to the Nigeria Police Force in their law enforcement duties and vigilante groups are still active in Lagos, Ebonyi, Imo, Enugu and other states. Furthermore, allegations of the use of armed groups, including vigilante groups, to foment political violence at local and state levels are mounting across Nigeria. Amnesty International fears that unless immediate and sustained action is taken to prevent human rights violations by vigilante and other armed groups, further human rights violations are inevitable.

Amnesty International reminds the Nigerian authorities that any decision by a state of federal government to include vigilante groups in law enforcement functions must be made exclusively on the basis of their ability to respect and protect the human rights of individuals where they operate.

The federal government and the state governments of those states where armed vigilante groups carry out law enforcement duties must also ensure restitution, rehabilitation, satisfaction and guarantees of non-repetition for the victims of human rights violations and that those responsible for such violations are brought to justice in accordance with international standards of fair trial and without recourse to the death penalty.

3. Amnesty International recommendations

Amnesty International specifically recommends that:

- the Nigerian government ensures that any groups carrying out law enforcement duties in any part of the Nigeria territory do not deprive citizens-whether they are criminals or not-of the right to life, freedom from torture, cruel, inhuman and degrading treatment, protection from unlawful detention and right to a fair trial. These groups must respect the presumption of innocence at all times and should immediately hand the alleged criminals they may apprehend to the police. They should not maintain suspects in detention or judge them, and should never torture or dispense a cruel, inhuman or degrading treatment to the people they apprehend.
- in line with articles 12, 13 and 16 of the Convention against Torture, the federal government ensures the initiation of prompt, impartial and comprehensive individual investigations of all complaints of extrajudicial executions, torture, and cruel, inhuman or degrading treatment by any group carrying out law-enforcement duties in Nigeria. The investigations should determine the identities of the victims, the circumstances of the violation of their rights and where responsibility lies for any human rights violations. All those charged with recognisable criminal offences must be brought to justice and promptly judged in a fair trial;
- the federal government ensures restitution, rehabilitation, satisfaction and guarantees of non-repetition for the victims of human rights violations committed by armed vigilante groups officially endorsed by federal or state authorities and human rights abuses by those armed vigilante groups that carry out law enforcement duties, in accordance with article 14 of the Convention against Torture. The federal government must dismantle immediately all the detention centres kept by armed vigilante groups and free and provide medical and psychological assistance to all those illegally detained;

- any decision by state or federal government to include unofficial groups in law enforcement functions be made on the basis of their ability to respect and protect human rights of individuals where they operate, on the basis of systematic and wide consultation with civil society, and in particular, human rights groups;
- the authorities of those states that have tacitly or openly endorsed vigilante groups ensure that such vigilante groups do not violate human rights of any individual, including the right to life, freedom from torture, cruel, inhuman and degrading treatment, the right to a fair trial and protection from unlawful detention. The state authorities must ensure that these groups respect the presumption of innocence at all times and immediately hand the alleged criminals they may arrest to the police. These groups should not keep suspects in detention or judge them, and should never torture or dispense a cruel, inhuman or degrading treatment to the people they arrest;
- the federal government disbands and dismantles any armed vigilante groups conducting law enforcement functions in Nigeria who do not meet relevant human rights standards, including those on the use of force and firearms;
- together with the federal government, the state governments should establish transparent, accountable and law-abiding law enforcement independent of political motivations; define clearly the division of duties between the federal police and the vigilante groups; establish strict codes of conduct for these groups and require adequate levels of police and human rights formation of their members. All those conducting law enforcement functions must be subject to clear and transparent command structures and to independent judicial and civilian oversight.
- All state governments should make all necessary provisions to guarantee that all practices of law enforcement throughout the territory of the state are consistent with the laws of Nigeria and international human rights standards, ensuring that the United Nations Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials are fully implemented by all security officials at all times;
- The federal and state governments must ensure that any persons conducting law enforcement functions within the territory over which they rule are trained in policing and specifically in relevant human rights standards, including the use of force and firearms. They must be held individually, criminally responsible for any human rights violations.

This report summarizes a 24-page document : Nigeria: Vigilante violence in the south and south-east (AFR 44/014/2002) issued by Amnesty International in November 2002. Anyone wishing further details or to take action on this issue should consult the full document. An extensive range of our materials on this and other subjects is available at <http://www.amnesty.org> and Amnesty International news releases can be received by email:

<http://www.web.amnesty.org/web/news.nsf/thisweek?openview>

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