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Nigeria police killings must be investigated

Amnesty International has called on Acting President Goodluck Jonathan to fulfill the commitments made in his acceptance speech by setting up an independent commission of inquiry into all suspected cases of unlawful killings by the Nigeria Police Force in recent years.

This call was prompted by the broadcast of video footage on Al Jazeera this week that showed police shooting and killing unarmed people in Maiduguri, Borno State, in July 2009.

"The Nigerian police routinely kill people in cold blood without fear of punishment. This must stop. The government must ensure that all killings are investigated, that the findings are made public and perpetrators of unlawful killings are brought to justice," said Erwin van der Borgh, Amnesty International's Africa Director.

"The video aired by Al Jazeera is not an isolated example of unlawful use of firearms by the Nigeria Police Force. This is a widespread phenomenon."

The video clearly shows members of the Nigeria Police Force carrying out extrajudicial executions, highlighting an issue documented by Amnesty International in a report published in December 2009.

"Repeated claims by the government of a zero-tolerance on extrajudicial executions and torture ring hollow when it fails to investigate and arrest police officers despite mounting evidence incriminating them in hideous human rights violations."

In his acceptance speech on 9 February 2010, Acting President Goodluck Jonathan stated that "The Nigeria Police and other security services would be given new impetus to perform their duties, even while respecting the human rights of Nigerians. They are fully expected to produce corresponding results. There shall be no excuses for failure. Nigerians deserve to be fully protected at all times nationwide."

"Amnesty International welcomes the acting president's stated commitment to protect the human rights of Nigerians nationwide, and we call on him to put this into action by immediately setting up an independent commission of inquiry into all unlawful killings by the police in recent years and ensure that it has full support to bring perpetrators to justice," said Erwin van der Borgh.

Background

The video broadcasted on Al Jazeera is believed to have been filmed during a week of clashes between members of the religious group Boko Haram and security forces in Borno, Kano, Katsina and Yobe states, where more than 800 people, including 24 police officers, died in July 2009. The leader of Boko Haram,

Mohammed Yusuf, was killed in police custody on 30 July 2009. The police alleged he attempted to escape. Pictures of his body reveal that he was handcuffed at the time of his death.

A committee set up in August 2009 to "investigate the circumstances leading to the crisis including the alleged killing of the leader of Boko Haram and the slaughter or killing of over 17 Police officers," has not reported any progress.

Nigerian security forces have a history of carrying out extrajudicial executions, torture and other ill-treatment. In the Amnesty International report "Killing at will: Extrajudicial executions and other unlawful killings in Nigeria" (AFR44/038/2009), the organization found that the Nigeria Police Force are responsible for hundreds of unlawful killings every year.

Countless unlawful killings take place during police operations where police routinely kill individuals they claim are "armed robbers", often alleging that the victims attempted to escape. Police Force Order 237 and the Nigerian Constitution allow police to shoot at suspects who attempt to escape or avoid arrest, contrary to international standards.

Amnesty International also fears that many detainees who have disappeared in police custody were extrajudicially executed. The police also shoot and kill drivers who fail to pay them bribes at checkpoints.

Very few policemen are brought to justice due to inadequate legislation, failure to investigate and prosecute. A widespread disregard for human rights and due process within the police force has bred a culture of impunity

Victims tend to be disproportionately poor with families unable to afford legal counsel. Those who complain are ignored, while those who persist face harassment.

Despite repeated statements by the Nigerian government that it will end extrajudicial executions and other unlawful killings, little has been done. Over the past four years, the Nigerian government has set up two committees to review the Nigeria Police Force and present recommendations for reform. These recommendations have never been implemented. A review of the Police Act (1990) that started in 2004 has still not resulted in a law.

Under international law and standards, firearms may only be used by law enforcement officials to defend themselves or others against the imminent threat of death or serious injury; to prevent a crime involving a grave threat to life; or to prevent the escape of a person presenting such a danger. Any use of force or firearms resulting in death or injury should be investigated to ensure that the use of force was not arbitrary or abusive. The investigations must include commanding officers and officials with chain-of-command responsibility. Those suspected to be involved should be suspended from duty pending investigation.