

AI Index: PRE 01/056/2013
05 February 2013

Nigeria: No justice for the dead

Hundreds of fatal police shootings which each year leave families anguished and bereaved are not being investigated effectively because of a failure of the Nigerian justice system, Amnesty International says in a report released today.

Nigeria: No Justice for the Dead illustrates the gaps in the investigation of deaths following police action in Rivers State where basic techniques of crime scene protection and investigation are not applied and autopsies and inquests are either not carried out or are inadequate.

Relatives are often left with no answers about the fate of their family members and rarely receive justice.

Amnesty International believes Rivers State is representative of other Nigerian states where violent deaths at the hands of the police are not investigated adequately.

Medical and legal sources revealed that there is a practice of doctors signing death investigation reports without examining the body properly.

In many cases the identity of the deceased is not known to the police and bodies are registered as “unknown”. Little effort is made by police to identify them.

The lack of investigation in Nigeria means that many of the police officers who appear to have used unlawful lethal force enjoy impunity, seriously undermining human rights protections.

“To have one of your friends or family members killed by the authorities causes terrible anguish, but never to find out the truth of what actually happened to them causes a particular agony for relatives of the victims,” said Lucy Freeman, Amnesty International’s deputy director for Africa.

“Many of the victims killed by the police each year may have been unlawfully killed – including in what constitutes extrajudicial executions. Effective and impartial investigations are crucial in determining the truth about human rights violations, including extrajudicial executions, and gathering evidence to hold the perpetrators to account.”

Amnesty International found that in most cases of killings at the hands of the police, there was almost no action to hold them to account.

Pastor Ken Neele told Amnesty International that after learning of the shooting of his brother following police action in November 2011, he went to several hospitals in search of his body which he finally traced to Braithwaite Memorial Specialist Hospital in Port Harcourt - the capital of Rivers State.

Pastor Neele was distressed by the disrespectful handling of his brother’s body, which was lying at the bottom of a pile of other bodies. More than a year later, Pastor Neele has still not been able to bury his brother - police have yet to approve the body’s release.

Other families told Amnesty International of their distress at seeing the way in which their relatives were "dumped" in the mortuary.

When an Amnesty International researcher visited Braithwaite they found the mortuary overcrowded with bodies dumped in piles on the verandah or on benches.

While this mortuary has now closed down, reports from a number of sources suggest that most others in Nigeria operate similar practices.

"It is a sad truth that in Nigeria the victims of police brutality and their families rarely receive justice," said Freeman.

"In spite of the existence of domestic law and international standards requiring the investigation of such deaths, the lack of proper autopsies and inquests mean the perpetrators of these crimes are simply getting away with it."

Amnesty International is calling on the Federal and State Governments of Nigeria to investigate all violent deaths in Nigeria, to ensure adequate autopsies are carried out by qualified personnel, and to hold those guilty of unlawful killings to account.