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Public Statement

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Nigeria: Fears of human rights violations after troops deployed in Bayelsa State, Niger Delta

Amnesty International fears that a military operation by the Joint Task Force *Operation Restore Hope* in the town of Odioma, Bayelsa State in the Niger Delta has resulted in the death of at least 15 civilians, the rape of at least two women, injuries to many people and the razing of the majority of houses in the town, the organization warned today.

Amnesty International has been informed that soldiers of the Joint Task Force, comprised of army and navy units, were called in to Odioma by the State authorities on 19 February to reduce tension between communities and to seek out and arrest youths who allegedly killed 12 community members, including four councillors, earlier in February. The security forces opened fire, using machine guns, against community members who they claimed were shooting at them when they arrived. The security forces have allegedly set houses on fire by soaking clothes with petrol and throwing them into the houses, although they deny doing so. At least 15 people died in the incident, including a 10-year old boy, Lucky Sidia, who reportedly was hit by a bullet in the stomach and died instantly. At least 12 people burned to death, including 105-year old Mrs Balasanyun Omieh, and two-year old Inikio Omieye who allegedly was thrown on to the fire by the members of the security forces. An unconfirmed number of people were injured.

Amnesty International has also received reports of at least two women being raped by members of the security forces; one of the women described how two soldiers dragged her on the ground and raped her in the secondary school.

Some of the community leaders were reportedly brutally abused during the attack. Eyewitnesses recounted with horror how houses along the waterfront were set on fire by the security forces as they arrived in gun boats. Community members report that some of those fleeing the attack tried to cross the river in canoes. Some capsized and a dozen people, mostly women and children, are reported to have drowned. Others allegedly drowned trying to cross the river on foot. An unspecified number of people are reported missing after fleeing. Up to 100 internally displaced women and children are currently living on St. Nicholas Island, which they reached after days of walking through the bush and across the rivers and creeks in the area. They have no idea where their husbands and fathers are.

The security forces have not denied the loss of lives in what they deemed to be an operation to save and protect lives. The State Governor of Bayelsa State, Diepreye Alamieyeseigha, on 24 February reportedly defended the deployment of the security forces based on the growing tension between the communities and a need to rid the community of "criminals". However, after a visit to the community on 27 February, he is reported to have expressed serious concerns over the devastation. Over 100 members of the security forces remain in the community, which furthers an environment of fear and insecurity.

On 27 February Diepreye Alamieyeseigha announced his intention to set up a judicial commission of inquiry around the incident. Amnesty International welcomes this announcement but urges the State Government to

- Ensure that the commission of inquiry has full and unhindered access to all relevant information and persons -- including members and commanders of the Joint Task Force,
- make the findings around the incident of 19 February public, including establishing the number and identity of those killed
- Bring all of those responsible for human rights violations and abuses, whether they are military commanders or civilians suspected of being members of the Joint Task Force, to justice in procedures that meet international standards of fairness.
- Ensure full reparations to victims and their families

The Federal government has the responsibility to restore law and order in the region, to stop the killings of civilians and bring the perpetrators to justice.

Amnesty International urges the government to ensure that the security forces respect fundamental human rights, including by strictly adhering to the United Nations Code of Conduct for Law Enforcement Officials and the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Principle 4 of the latter instrument states that law enforcement officials shall, as far as possible, apply non-violent means before resorting to the use of force and firearms. According to Principle 5, firearms must be used only if unavoidable, and with restraint.

Background

Hundreds of people were reportedly killed in the Delta, Bayelsa and Rivers States in 2004, and the violence included inter- and intra-communal violence, and violence between rival criminal groups. There were also reports of excessive use of force by the security forces or law enforcement officials in their operations to 'rid the area of criminals', and frequently when they were called in to control demonstrations.

The violence comes against a background of unfulfilled economic, social and cultural rights, leading to increasing frustration and tension both within and between communities, but also disputes over land and access to resources in the Niger Delta- the main oil producing region in the country. Violence in some cases also comes in the context of a perceived breakdown in fulfilment of memorandums of understanding and the allocation of contracts by international oil companies. The situation is exacerbated by the easy availability of guns in the region. Oil company employees and assets, such as pipelines, were also frequently targeted for attack and sabotage.

The deplorable conduct of security forces includes incidents such as Odi in Bayelsa State, in 1999, and Zaki-Biam in Benue State, in 2001, where they have been called in to deal with clashes and where their actions have included excessive use of force and unlawful killings. Amnesty International is concerned that human rights violations, in which the Nigerian security forces have been implicated, have often been followed by impunity for the perpetrators.